

WEDNESDAY, MAY 17, 1905.

The Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Messrs. Adams, Alford, Bailey, Baskin, Canova, Garter, Clarke, Crane, Crews, Crill, Davis, Faulkner, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Scott, Stockton, Wadsworth, West, Wilson, Zim.—31.

A quorum present.

Prayer by the chaplain.

The Journal was corrected and approved.

A message was received from the House of Representatives.

The following communication was read and ordered spread on the Journal.

Tallahassee, Fla., May 11, 1905.

Hon. Park M. Trammell,

President of the Senate:

DEAR SIR—The following resolutions were adopted by the State Convention of County Superintendents of Schools at a meeting in this city, and a request made that a copy of said resolutions be sent the President of the Senate and the Speaker of the House of Representatives.

Very respectfully,

R. L. TURNER,
Secretary.

Hon. W. M. Holloway, Chairman.

SIR—Your committee appointed to draft resolutions expressing the sentiments of the convention upon the several questions brought before it, do respectfully submit the following report and recommend its adoption:

1. Favoring provisions for rural school libraries.
2. Favoring exemption of graduates of State Normal

School from examination so long as they continue to teach regularly and successfully.

3. Favoring co-education of sexes.

4. Favoring the issue of an annual directory of public schools by the State Superintendent and an appropriation therefor.

5. Favoring continuation of scholarships in State Normal School.

6. Favoring issuing temporary certificates in special examination.

7. Opposing any reduction in State appropriations either for public schools or for State institutions of higher learning.

8. Favoring the making of mileage and per diem for County School Boards the same as for County Commissioners.

9. Favoring the continuation of County Uniformity of School Books.

10. Opposing law for compulsory attendance at school under present conditions.

Respectfully submitted,

A. M. C. RUSSELL, Chairman.

J. R. KEY,

L. C. TUCKER,

JOHN BARNES,

JOS. H. BROWN.

Hon. W. M. Holloway, Chairman,

SIR—We, your Committee on Miscellaneous Resolutions, beg leave to submit the following:

Resolved. That our heartfelt thanks are hereby extended to the citizens of Tallahassee, and to State Superintendent W. M. Holloway, Gen. Albert W. Gilchrist, Miss Clara Hampton and others for the uniform hospitality and courtesies extended to this body collectively and individually while in session in this city. We especially thank the pastor of the Baptist Church for the use of the building for our meetings, as well as those who furnished the splendid addresses and musical entertainment at the capital on Tuesday evening.

We also extend our thanks to the House of Representatives for the use of their hall on Tuesday evening, and

also the State College for their kind invitation extended to this convention and for other courtesies.

Respectfully submitted,

T. H. OWENS, Chairman.
R. E. HALL,
G. F. TUCKER,
J. H. GIRARDEAU,
G. W. TEDDER.

The following communication was read and ordered spread on the Journal:

Democratic State Executive Committee of Florida,
Jacksonville, Fla., May 5, 1905.

To Hon. P. M. Trammell,

President of the Senate,
Tallahassee, Fla.

SIR—By direction of the Democratic State Committee we submit herewith certain recommendations regarding the general election law, and a bill, suggested, affecting the primary election law, for the consideration and action of the Legislature, now in session.

DUNCAN U. FLETCHER,
Chairman.

HERBERT L. DODD,

Secretary.

Mr. Adams moved that the documents contained in the report be referred to the Committee on Privileges and Elections.

Which was agreed to.

INTRODUCTION OF BILLS.

By Mr. Neel:

Senate Bill No. 319:

A bill to be entitled an act to appropriate four thousand dollars to aid the West Florida Fair Association in making a display of the agricultural resources of the State, at the West Florida Fair to be held in DeFuniak Springs in the falls of 1905 and 1906, and to provide for the payment thereof.

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

By Mr. Crews:

Senate Bill No. 320:

A bill to be entitled an act to fix the pay of officers, members and attaches of the Legislature of A. D. 1905.

Mr. Crews moved that the rules be waived and Senate Bill No. 320 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 320 was read a second time by its title only.

Mr. McCreary moved that Senate Bill No. 320 be made a special order for Friday at 11:30 a. m. and that 200 copies be printed.

Which was agreed to.

By Mr. Zim:

Senate Bill No. 321:

A bill to be entitled an act requiring the disinfection of public buildings, railway coaches, sleeping cars and street cars, and providing a penalty for the violation thereof, and declaring an emergency.

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

By Mr. Scott:

Senate Bill No. 322:

A bill to be entitled an act to fix the salary of the Governor.

Which was read the first time by its title.

Mr. Scott moved that Senate Bill No. 322 be placed on the calendar of bills on second reading.

Which was agreed to by a two-thirds vote.

By Mr. Crane by request:

Senate Bill No. 323:

A bill to be entitled an act to authorize injunctions to prevent the unlawful destruction, cutting or removal of timber at the suit of the owner or lessee of such timber.

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

By Mr. Stockton:

Senate Bill No. 324:

A bill to be entitled an act to authorize the city of Jacksonville to make donations or payments to hospitals.

Which was read the first time by its title.

Mr. Stockton moved that Senate Bill No. 324 be placed on the calendar of bills on second reading without reference to committee.

Which was agreed to by a two-thirds vote.

By Mr. Stockton :

Senate Joint Resolution No. 325 :

A joint resolution proposing an amendment to Article 8 of the Constitution of the State of Florida.
to the Committee on Constitutional Amendments.

Which was read the first time by its title and referred
By Mr. Sams :

Senate Bill No. 326 :

A bill to be entitled an act relating to the publication of libels in newspapers, magazines and other periodicals in the State; to provide a penalty for imparting false information to editors, owners, publishers and reporters of newspapers, magazines or other periodicals, and to provide where actions, civil and criminal, may be instituted and carried on.

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

RESOLUTIONS ON SECOND READING.

Senate Concurrent Resolution No. 17 :

Whereas, In accordance with a communication from his Excellency, N. B. Broward, the Governor, under date of Tallahassee, Fla., May 15th, 1905, it has been discovered that an error was made in enrolling Senate Bill No. 55, and

Whereas, The said mistake was not discovered before being signed by the Speaker and Chief Clerk of the House of Representatives, and the President and Secretary of the Senate, therefore,

Be it resolved by the Senate, the House of Representatives concurring, that said Senate Bill No. 55, as returned by the Governor, be recommitted to the Joint Committee on Enrolled Bills for correction, and that when so corrected, the said bill be again reported to the House of Representatives, and Senate for proper signature, before being returned to the Governor for his approval or disapproval.

Was taken up and read a second time.

Mr. Crane moved the adoption of the resolution.

Mr. McCreary moved that Senate Concurrent Resolution No. 17 be laid on table.

Which was not agreed to.

The motion of Mr. Crane was agreed to.

Mr. Crane moved that the rules be waived and that Senate Concurrent Resolution No. 17 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 17 was so certified.

MESSAGES FROM HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

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. 344:

A bill to be entitled an act to provide for the appointment of an Assistant State Auditor; to prescribe his duties and powers, and to fix his compensation; to provide penalties for refusing to produce and submit books and records for his examination by State and county officials, and to appropriate money to carry the provisions of this act into effect.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 344, 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., May 17, 1905.

Hon. Park M. Trammell,

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. 272:

A bill to be entitled an act to provide for the taking of the census of the State of Florida in the year 1905, and to making an appropriation therefor.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 272, contained in the above message, was read the first time by its title and referred to the Committee on Appropriations.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

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. 463:

A bill to be entitled an act to provide for the payment of all surplus funds in the fine and forfeiture fund of Alachua county in the State of Florida, exceeding four thousand dollars, into the school fund of said county.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 463 contained in the above message was read the first time by its title.

Mr. McCreary moved that the rules be waived and House Bill No. 463 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 463 was read a second time by its title only.

Mr. McCreary moved that the rules be further waived; and that House Bill No. 463 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. 463 was read a third time in full.

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

Yeas—Mr. President, Senators Adams, Alford, Bailey, Baskin, Carter, Clarke, Crane, Crews, Crill, Faulkner, Gillen, Harris, Humphries, Jackson, Lee, McCreary, Massey Neel, Newlan, Sams, Scott, Stockton, Wadsworth, West, Zim.—26.

Nays—None.

So House Bill No. 463 was passed, title as stated.

Mr. McCreary moved that the rules be waived and that House Bill No. 463 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And House Bill No. 463 was so certified.

The following message from the House of Representatives was read :

House of Representatives,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of Senate.

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

House Bill No. 318:

A bill to be entitled an act to regulate the impounding by cities and towns of cattle owned by persons residing outside the incorporate limits of said cities or towns.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 318 contained in the above message was read the first time by its title and referred to the Committee on City and County Organizations.

The following message from the House of Representatives was read :

House of Representatives,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of the Senate.

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

Senate Bill No. 191:

A bill to be entitled an act to authorize the county of Manatee to constitute special road and bridge districts, and to levy and collect a special tax for the construction and maintenance of roads and bridges within the said special road and bridge districts.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 191 contained in the above message was referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of the Senate,

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

Senate Bill No 184:

A bill to be entitled an act authorizing the city of Orlando to pass and enforce ordinances relative to the city cemetery, which lies outside of the municipal boundaries.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 184 contained in the above message was referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of the Senate.

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

Senate Bill No. 201:

A bill to be entitled an act to amend Section six of an act entitled "An act to abolish the present municipal government of the town of Madison, Florida, and to provide a town government therefor," approved June 2, 1893.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 201 contained in the above message was referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 248:

A bill to be entitled an act to organize and establish a county court in and for Washington county, Florida; to provide for the appointment of a prosecuting attorney for said court; to fix and provide for the compensation of the judge and prosecuting attorney of said court, to inhibit the judge from practicing law; to prescribe the terms of said court, and to provide for the transfer of causes pending in other courts, at the time this act goes into effect, within the jurisdiction of the county court.

With the following amendment:

At the end of Section 3 strike out the words "Provided, That the county shall not be liable for conviction fees under any circumstances."

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 248, contained in the above message, together with amendment of the House of Representatives thereto, was placed before the Senate.

Mr. Clarke moved that the Senate concur in the amendments of the House of Representatives to Senate Bill No. 248.

Which was agreed to.

And Senate Bill No. 248, as amended by the House of Representatives and concurred in by the Senate, was referred to the Committee on Enrolled Bills.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of the Senate:

Senate Bill No. 162:

A bill to be entitled an act making appropriations for the expenses of the State Government for six months of the year 1905 and for the year 1906, and for six months of the year 1907.

With amendments as follows:

Amendment No. 1:

After items pertaining to State Treasurer' add: "For electrical burglar alarm protection system for treasury vault nine hundred dollars."

Amendment No. 2:

Add page 8, after line 132, printed bill, the following: "For expenses annual encampment of State troops the sum of fifteen thousand dollars."

Amendment No. 3:

Page 14, printed bill, after line 124, "for expenses annual encampment of State troops fifteen thousand dollars."

And respectfully requests the concurrence of the House of Representatives thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 162, contained in the above message, together with amendments of the House of Representatives thereto, was placed before the Senate.

The following amendment was read:

Amendment No. 1:

After items pertaining to State Treasurer add: "For

electrical burglar alarm protection system for treasury vault nine hundred dollars.”

was read.

Mr. Crill moved that the Senate concur in the amendment of the House of Representatives to Senate Bill No. 162.

Which was agreed to.

The following amendment was read:

Amendment No. 2:

and page 8, after line 132, printed bill, the following:

“For expenses annual encampment of State Troops the sum of fifteen thousand dollars.”

Mr. Crane moved that the State concur in the amendments of the House of Representatives to Senate Bill No. 162.

Which was agreed to.

The following amendment was read:

Amendment No. 3:

Page 14, printed bill, after line 124, “for expenses annual encampment of State Troops fifteen thousand dollars.”

Mr. Crane moved that the Senate concur in the amendments of the House of Representatives to Senate Bill No. 162.

Which was agreed to.

And Senate Bill No. 162, as amended by the House of Representatives and concurred in by the Senate, was referred to the Committee on Enrolled Bills.

REPORTS OF COMMITTEES.

Mr. McCreary, Chairman of the Committee on Public Printing, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of the Senate:

SIR—The Committee on Public Printing to whom was referred for investigation the omission or expurgation, in the copy as printed in the Journal of April 20, of certain matter contained in the original report of the Committee on the Revision of the Statutes, beg leave to report that the following words were omitted and erased after copy

had been placed in the hands of the printer by the Secretary of the Senate to-wit:

"The commissioners also respectfully submit that Divisions 2 and 3 of this work were fully prepared and submitted to the printer on the first day of October last; all the other part of the work has been in his hands since the 15th of January last. The contract with the printer called for the work to be finished within twenty (20) days after the submission of each part. The delay in having this work printed is, therefore, not the fault of this commission, but from causes beyond their control," and also the following words: "Especially the 1st, 4th and 5th divisions. These were caused by the delay in submitting the proof of the work by the printer in time for the present meeting of the Legislature."

The Committee on Public Printing in investigating the responsibility for these omissions communicated by letter with Hon. B. S. Liddon and personally with Hons. T. F. West and J. C. B. Koonce, the three members of the commission, and also heard the statement of the State printer relative thereto.

So far as can be determined it seems that the printer believing the words above referred to as in the nature of a reflection upon himself secured a personal interview with each of the aforesaid commissioners and secured what he deemed to have been the permission on their part to the erasure or omissions referred to. This is in part borne out by the commissioners, each of whom, however, state that their agreement to these omissions went only so far as they had authority or so far as they were personally concerned, reserving their opinion as to their right to change their report after it had been submitted to the Governor and by him transmitted to the Senate, who in turn, through the Secretary, had placed it in the hands of the printer for publication in the Journal.

Your committee in view of all the facts in the case does not recommend undue condemnation of the State printer and expresses the belief from statements made by him that there will not again be a recurrence of such alterations in the official documents of the Senate.

Respectfully submitted,

H. H. McCREARY,
Chairman.

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

Senate Chamber.
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,
President of the Senate.

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

An act to amend Section three of Chapter 4223 Laws of Florida, being an act entitled "An act to establish a criminal court of record in the county of Hillsborough," approved April 10th, 1893.

Also,

An act in aid of the Confederate Soldiers and Sailors Home at Jacksonville, Florida.

Also,

An act to limit the amount of bonds that may be issued by any city or town for municipal purposes.

Also,

An act to provide for the issue of bonds by the town of Graceville for the building and constructing of a brick public school building in said town of Graceville, and providing for the payment of the interest on, and the principal of such bonds.

Have examined the same and find them correctly enrolled.

Very respectfully,
T. M. SCOTT,
Chairman of Committee.

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

Mr. Alford, Chairman of the Committee on Drainage and Reclamation of Lands, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of the Senate:

SIR—Your Committee on Drainage and Reclamation of Lands, to whom was referred—

Senate Bill No. 281:

A bill to be entitled an act relating to the drainage and reclamation of the swamp and overflowed lands in Florida; to create a Board of Drainage Commissioners, prescribing its powers and duties, authorizing the establishment of drainage districts, establishing a drainage system, the building of canals, levees, dikes and reservoirs for the purposes of drainage, irrigation and commerce, the assessment of lands to be drained and benefitted, the collection of necessary funds by assessment of benefits and taxation, providing for the management and maintenance thereof and for the exercise of the right of eminent domain, and for the sale and uses of said lands for the purpose of drainage, reclamation and improvement aforesaid.

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

Very respectfully,

A. J. ALFORD,

Chairman of Committee.

And Senate Bill No. 281, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of the Senate.

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

Senate Bill No. 121:

A bill to be entitled an act to relieve John G. Ruge for services and expenses as Commissioner of Fisheries of the State of Florida.

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

1st. Amend Section 1 to read as follows:

Section 1. That the sum of five hundred twenty-five (\$25.00) dollars being the amount claimed as for reasonable service be, and hereby the same is appropriated out of any moneys in the State treasury not otherwise appropriated to be paid to the said John G. Ruge for the actual and continuous service from June 1st, 1898 to the present time as commissioner of fisheries, in full payment of his reasonable account rendered and itemized.

2nd. In lines 2 and 3 of section 2, strike out the words and figures "six hundred and sixty-five (\$665.00)" and insert in lieu thereof the words and figures "five hundred twenty-five (\$525.00)."

Very respectfully,
J. H. HUMPHRIES,
Chairman of Committee.

And Senate Bill No. 121, contained in the above report, together with the amendments, was placed on the Calendar of Bills on second reading.

Mr. Crane, Chairman of the Committee on Public Roads and Highways, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,
President of the Senate.

SIR—Your Committee on Public Roads and Highways, to whom was referred—

Senate Bill No. 291:

A bill to be entitled an act to authorize and empower the Board of County Commissioners of Taylor county to levy a special road tax of one dollar (\$1.00) per annum upon every person subject to road duty in said county, in addition to the tax now authorized by law on personal fusing to pay said special road tax by the person subject to said road duty.

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

Add to Section 1: Provided, That the taxes collected in any incorporated town in said county shall be turned

over to the town council for improving the streets of such incorporated town.

Very respectfully,
 JAMES E. CRANE,
 Chairman of Committee.

And Senate Bill No. 291, contained in the above report, together with the amendment, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,
 Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,
President of the Senate.

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

An act to amend Section three of Chapter 4223 Laws of Florida, being an act entitled "An act to establish a criminal court of record in the county of Hillsborough," approved April 10th, 1893.

Also,

An act in aid of the Confederate Soldiers and Sailors Home at Jacksonville, Florida.

Also,

An act to limit the amount of bonds that may be issued by any city or town for municipal purposes.

Also,

An act to provide for the issue of bonds by the town of Graceville for the building and constructing of a brick public school building in said town of Graceville, and providing for the payment of the interest on, and the principal of such bonds.

Have examined the same and find them correctly enrolled.

Very respectfully,
 T. M. SCOTT,
 Chairman of Committee.

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

Mr. West, Chairman of the Committee on Canals and Telegraphs, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

SIR—Your Committee on Canals and Telegraphs, to whom was referred—

Senate Bill No. 17:

A bill to be entitled an act to extend the time for completing the canal of the Florida Coast Line Canal and Transportation Company, and to preserve and continue the grant of land to air in its construction.

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

Very respectfully,

T. F. WEST,

Chairman of Committee.

And Senate Bill No. 17, contained in the above report, was placed on the Calendar of Bills on second reading.

Mr. Gillen, Chairman of the Committee on Education, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of the Senate.

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

House Bill No. 174:

A bill to be entitled "An act regulating the abolition, extension or contraction of the limits of special tax school districts."

Beg leave to report that they have examined the same and recommend that it do pass.

Very respectfully,

GUY GILLEN,

Chairman of Committee.

Per D. H. G.

And House Bill No. 174, contained in the above report, was placed on the Calendar of Bills on second reading.

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

Senate Chamber,
Tallahassee, Fla., May 11, 1905.

Hon. Park M. Trammell,

President of the Senate.

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

An act to amend Section three of Chapter 4223 Laws of Florida, being an act entitled "An act to establish a criminal court of record in the county of Hillsborough," approved April 10th, 1893.

Also,

An act in aid of the Confederate Soldiers and Sailors Home at Jacksonville, Florida.

Also,

An act to limit the amount of bonds that may be issued by any city or town for municipal purposes.

Also,

An act to provide for the issue of bonds by the town of Graceville for the building and constructing of a brick public school building in said town of Graceville, and providing for the payment of the interest on, and the principal of such bonds.

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

Very respectfully,

T. M. SCOTT,
Chairman of Committee.

ENROLLED.

The President announced that he was about to sign—

An act to amend Section three of Chapter 4223 Laws of Florida, being an act entitled "An act to establish a criminal court of record in the county of Hillsborough," approved April 10th, 1893.

Also,

An act in aid of the Confederate Soldiers and Sailors Home at Jacksonville, Florida.

Also,

An act to limit the amount of bonds that may be issued by any city or town for municipal purposes.

Also,

An act to provide for the issue of bonds by the town of Graceville for the building and constructing of a brick public school building in said town of Graceville, and providing for the payment of the interest on, and the principal of such bonds.

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

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

Senate Chamber,

Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Joint Resolution No. 217:

Joint resolution proposing amendment to Section 10 of the declaration of rights of the Constitution of the State of Florida relating to the trials of crimes.

Have examined the same and find it correctly engrossed.

Very respectfully,

S. W. CLARKE,

Chairman of Committee.

And Senate Joint Resolution No. 217, contained in the above report, was placed on the Calendar of bills on third reading.

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

Senate Chamber,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,
President of the Senate:

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

Senate Bill No. 244:

A bill to be entitled an act making it unlawful to employ females in any house or place where intoxicating liquors are sold.

Have examined the same and find it correctly engrossed.

Very respectfully,

S. W. CLARKE,
Chairman of Committee

And Senate Bill No. 244, contained in the above report, was placed on the Calendar of Bills on third reading.

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

Senate Chamber,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,
President of the Senate:

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

Senate Bill No. 14:

A bill to be entitled an act to provide for the extension, improvement and erecting of necessary buildings for the Florida School for the Blind, Deaf and Dumb, and to make appropriation therefor.

Have examined the same and find it correctly engrossed.

Very respectfully,

S. W. CLARKE,
Chairman of Committee.

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

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

Senate Chamber,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,
President of the Senate.

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

An act to amend Section three of Chapter 4223 Laws of Florida, being an act entitled "An act to establish a criminal court of record in the county of Hillsborough," approved April 10th, 1893.

Also,

An act in aid of the Confederate Soldiers and Sailors Home at Jacksonville, Florida.

Also,

An act to limit the amount of bonds that may be issued by any city or town for municipal purposes.

Also,

An act to provide for the issue of bonds by the town of Graceville for the building and constructing of a brick public school building in said town of Graceville, and providing for the payment of the interest on, and the principal of such bonds.

Beget to report that the same has been presented to the Governor for his approval.

Very respectfully,

T. M. SCOTT,
Chairman of Committee.

Mr. Jackson, on behalf of the Committee to visit, inspect, investigate and report its finding of the condition, etc., of the Hospital for the Insane, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,
President of the Senate.

SIR—The Joint Committee appointed under House Concurrent Resolution No. 5 to visit, inspect, investigate, and report its finding of the condition, needs and affairs of the Hospital for the Insane of the State, herewith submits its report.

PREFACE TO GENERAL REPORT.

On account of not being furnished with records, and detailed itemized accounts and other data asked for, the investigation and report is not as thorough and complete as the Committee desired to make.

Evidence before the Committee, observation of the Committee, and other information, authorizes the Committee in saying that the institution is not a Hospital for the Insane, but is more of a dumping place for all sorts of people, where they are maintained after a fashion at an enormous expense to the State. Little children, young men and young women, middle aged men and women, old, feeble, and decrepit men and women, afflicted with all sorts of mental and physical ailments are dumped into the institution as "indigent insane." Many of whom are not indigent or insane, and should be at home with parents or relatives, or in the county poor houses, infirmaries, or free to earn their own living.

No systematic or scientific effort whatever has been made, or treatment given for the restoration of the mind. The sick and afflicted have not been given the necessary medical or other attention due or needful for their cure or restoration.

Evidence is before the Committee that the management has been cruel, negligent, and heartless in some instances.

Evidence before the Committee is to the effect that attendants and nurses have been drunk while on duty; have been brutally and inhumanly cruel to helpless inmates in some instances.

The very atmosphere of the institution has been scented with vice and immorality to the extent that even inmates have begged and plead for release on account of it. And citizens living nearby have felt outraged by it.

Reports of misappropriation of State's money and effects have come to the Committee. Evidence before the Committee; observation of the manne and method of purchase and disbursement. No check against collusion

whatever, in any way. The fact that itemized accounts of expenditure were not furnished the Committee as asked for, and to the mind of the Committee *now*, could not be furnished for the reason that no complete or accurate system of accounts has been maintained. The Committee is forced to the belief that there is ground for such reports. That at least some money and effects used did not go to the use and benefit of the institution.

It is with serious regret that duty compels the Committee to maintain and so present, that the Board of State Institutions is very largely responsible, and should be so held, for the deplorable conditions, the inexcusable and unpardonable evils that have existed in and about the institution. Responsible to those poor helpless unfortunate inmates who have been caused to suffer the pangs of hunger, the humiliation and pain of the keen cut of the lash, the thud of the fist, the stamp of the foot, the unknown and untold physical suffering and mental anguish, caused by wilful, wanton neglect of management and attendants. While the evidence is not absolutely clear that such cruelty and failure of duty caused death, it is sufficiently clear to create suspicion of such being true.

The Committee feels justified in saying that many evils and irregularities that have existed in and about the institution, its management and influences, could have been corrected if the necessary watchful supervision had been exercised. The Committee further maintains that there is too much at stake that is of such vital importance to those helpless inmates, and to the people of the State, for it to be entrusted to uncertain or irresponsible hands. The Board should give more direct and special attention and supervision to the detailed affairs of the institution than has been done. To the mind of the Committee, the institution has been more of a *prison* than an asylum. If the other duties and requirements on the time of the Board are such that it cannot give the institution and its affairs that watchful supervision so eminently necessary, such fact should be reported to the Legislature, to the end that the needful action may be taken.

It is but just and proper that the Committee should impress the fact that the present Superintendent and staff have been in charge only a very short time, but it is evident to the Committee that even in so short time material

improvements have been made, and the Committee is much pleased with the expressed purpose of their correcting every evil and irregularity possible at the earliest practical date. The Committee has confidence in such intention and ability.

Much evidence and information is before the Committee that is not submitted, for the reasons that it would make the report too voluminous, and, further, some of the evidence is of such a character that it would not do to be put in public print.

The Committee believe that it does submit sufficient evidence to show you that we have tried to discharge the duties imposed, without fear or favor, free of whitewash or prejudice, believing that we are fully sustained in every utterance, however strong or reflective such may be, and believing that a discharge of duty requires nothing less.

All of which is respectfully submitted for your consideration.

Committee:

W. K. JACKSON,
On the part of the Senate.
J. W. KNIGHT,
J. T. FILLINGIM,
JAS. A. SLEDGE,
On the part of the House.

Your committee was met at the depot at River Junction by Capt. B. F. Whitner, the lately appointed Superintendent, who carried us out to the hospital, where the committee organized by the election (on motion of W. K. Jackson) of Hon. J. W. Knight Chairman, after which the committee proceeded to the work, by first calling Captain Whitner before it. After which your committee retired, it being 11:30. On the following morning, the committee started on a tour of inspection of the various wards, buildings, equipment and inmates of the institution.

Ward No. 1 was the first one examined. This ward is a part of the old government building. The walls of which appear to be sound and safe. But the interior, especially of Ward No. 1, is in a deplorable condition. This ward, as well as Wards 2 and 3, is occupied by white male patients. Ward No. 1 being the ground floor, Ward No. 2

being the second floor, and Ward No. 3 the third floor of the building.

Your committee represents to you that Ward No. 1 is in an extremely unsanitary condition, that it is cruel and inhuman to compel even human beings totally oblivious to their surroundings to live and stay in it. The floor is worn, decayed and rotting. The seams filled with vile filth of the most poisonous character. Your committee is fully satisfied that if you could see the conditions and breathe the foul, viscous odor of this ward as did your committee, that you would, with one voice, vote the appropriation together with a mandatory order for taking out and rebuilding the interior of this ward, also join your committee in urging that cement, brick, mortar, and iron or steel are the only suitable materials to be used for interior finishings in a building where the mentally infirm and physically afflicted are restrained.

Ward No. 2 is over Ward No. 1 and needs thorough repair, especially the floor, which is worn and open, the filth of this ward runs through the floor and drops in Ward No. 1. Ward No. 3 also needs repairing; and your committee would urge that in rebuilding the interior of these wards due consideration be given to ventilation and circulation.

Your committee would further represent to you that one of two things must be done at once: Either take out of the institution 150 to 200 persons that do not belong in an indigent hospital for the insane, or construct another ward sufficiently large to accommodate 150 to 200 people. Such building will cost about \$20,000. Your committee would suggest that the interior, if constructed, be as nearly fire proof as can be made by using as little wood as possible.

The committee thinks the power house and power plant all that is needed; also the laundry is sufficient and up-to-date.

Your committee was much pleased with the kitchen and cooking department, also the dairy, which is alright.

The female department is in fairly good condition, and with some minor changes and repairs, which were suggested by the management, would be quite satisfactory.

Your committee insists on the immediate repair and overhauling of the water supply, including the tower, and all pipes and connections distributing water throughout the institution. The cost of which will approximate \$5,000.

Your committee further insists that a suitable surgical operating room shall be established and equipped with the necessary apparatus for treating and performing such surgical operations as may be necessary. Approximate cost, \$500.

The committee believes that the scope of charitable work and the work and purpose which the State Hospital for the Insane was originally intended to fulfill to be not only the isolation of the indigent insane of the State, so that by a carefully devised treatment, these patients may, under improved scientific methods hope for a permanent cure in many instances, or at least such improvement as may permit their return with safety to their homes, and thus relieve the State of the burden of expense and care.

The committee believes that every care and comfort should be given to a class of afflicted citizens whose very helpless and child-like dependant condition appeals most strongly to every tender Christian sentiment in the human heart, and to philanthropic thought. The committee believes that if the State undertakes to conduct an institution for the indigent insane, the management should be liberal and the best that can be had should be provided, not only the buildings and furnishings, but the professional and administrative talent should be procured with an especial and single idea of competence and ability in this work, which may be classed as skilled and expert in character. To obtain experienced and skillful administrators, those whose training and life has been devoted to the treatment of the insane, liberal salaries must be offered and should be paid. Cheapness in administration in any part of the hospital for the State's insane, should not be tolerated. Efficiency should be the requirement and efficient management at whatsoever cost. If the State is to maintain a charity of this kind let it be conducted rightly, scientifically and remedially that credit may be reflected on the State, or else abandon any attempt at makeshift or subterfuge in management.

The committee finds that there is a lack of careful classification of the inmates of the hospital and a non-separation into groups of those suffering from different types

of insanity, from others of diseased and feeble mind, but who are not insane. This fact has already been alluded to, but is referred to again because it is believed that a classification on admission would tend to at once bring to the notice of the Board of State Institutions the commitment of those who, although of disordered mind, are not insane, and are not properly the wards of the State in this particular. The committee finds that the buildings are not arranged with a view of efficiently treating the insane. The new structures are comfortable walls, but that is about all that can be said in their favor. As especially defective the buildings are lacking in proper and adequate means of escape therefrom in case of fire, and not properly ventilated. They are furnished with too few bath rooms, and decidedly too few bath tubs. In the opinion of the committee the plumbing of the buildings is defective. The committee notes also the inadequate and the insufficient supply of water, and appliances against fire, which are distributed about the grounds or in the buildings.

The committee emphasizes especially the lack of bathing facilities and advises an immediate remedy of this defect of administration, believing that it is essentially necessary, not only to the comfort of the inmates that they should have frequent baths, but that their health will be materially improved and benefitted by such measures of hygiene. The committee suggests this regard that arrangements be at once made for a larger supply of running water through the building. The committee finds that there is no provision made for the separation of the criminal insane from other and harmless patients in recreation rooms or grounds.

The committee finds that the violently insane are not secluded from others, although under watch, and the committee thinks that this class of insane persons should be individually isolated, and that ample means and safe guards should be constantly at hand to prevent injury to themselves or to their attendants. The committee finds that the general hospital facilities for treatment of ordinary, acute and other ailments which insane persons are as liable to equally with persons of sound mind, are not sufficient, nor are the wards now used for the purpose well equipped or arranged. This is due to no fault of the Superintendent or the physician of the institution, but to a lack of appropriation by the Legislature of funds for the

purchase of instruments and appliances which the committee deem absolutely needful in a hospital of this nature.

The committee believes that too often, through indifference and careless methods of examination, a commitment is made to the Insane Hospital of those whose condition does not warrant the confinement and that in many instances unworthy persons are admitted as free patients when either their own financial condition or that of relative is abundantly able to relieve the State of this charity.

The committee insists that as soon as possible the Superintendent and medical staff shall make a careful examination of the inmates of the hospital and accurately ascertain what persons not insane are now in the institution as patients, such as idiots, dipsomaniacs, epileptics, feeble-minded from age, deformed, or from diseased mental state, but not insane, reporting the names of each individual to the Board of State Institutions, who shall order an immediate transfer and discharge of such patients to another institution of the State, as not being properly beneficiaries of the State's charity for the insane.

In order that the unfortunate class above enumerated may not suffer physical hardships by exclusion from the Insane Hospital, the committee recommends the establishing of a home for such incurables; buildings on the ground of the State Insane Hospital, and contiguous thereto, but completely separated therefrom, which shall be under the supervision of the Board of State Institutions and management of the Superintendent of the Hospital for the Insane; the details of discipline and administration to be provided for by the Board of State Institutions.

The committee recommends the separation of the violently insane from those of peaceful and harmless tendencies.

The committee also recommends the separation of the criminal class of insane from each other and from all other inmates.

The committee recommends such revision of the postal rules of the hospital as shall give the superintendent supervision over correspondence, but which in no wise will permit him to suspend or prevent the same.

The committee especially recommends a revision of the statute laws of the State relating to adjudging persons insane, and committing them to the Hospital for the Insane, as will protect the individual from unjust confinement or personal wrong.

The committee recommends that the Superintendent of the Hospital with the Physicians of the Hospital shall constitute a final and determining board on each and every case committed by the courts, before being admitted to the Hospital as a patient.

In order to bring these matters to the attention of the several committees of the Legislature and to both Senate and House, the committee recommends, as follows:

First. An act to amend procedure in cases of supposed insanity.

Second. An act to provide a home for indigent epileptics, idiots, feeble-minded, etc.

Third. An act to provide for a hospital for general purposes of sickness of an acute type, or other ailments not mental at the State Hospital for the insane.

Fourth. An act to provide separate wards in State Hospital for the Insane.

Although not charged as a specific duty in the resolution under which this report is made, yet as being pertinent to the subject of inquiry and recommendation which the resolution calls for the committee has had under consideration a measure which it is thought will materially simplify the management of the Insane Hospital as well as other similar institutions, and those supported in part or in whole from the State's Treasury, and will relieve the Board of State Institutions of much work and interruption in the duties of office which bear directly upon the officials who compose the Board of State Institutions.

The committee recommends that the Legislature of 1905 shall establish a Commission of State Charities and Correction, which Board shall have control and management of the State Institutions of a charitable nature, which are supported in whole or in part by the State.

Your committee is of the opinion that large and comfortable pavillions would conduce much to the health and comfort of the patients of both sexes and races and should be erected. An effort in this direction is noticed, but the structures are rude in design and are not well or adequately equipped.

Your committee further insists on the enlargement and beautifying of the recreation grounds, especially those of the convalescent wards.

It is apparent to your committee that the large and

constantly increasing number of patients and the added duties and responsibilities devolving upon the Superintendent makes it impossible for him to attend in person to all the various details of management and as conditions now exist, there is no one vested with proper authority to assume and perform his duties in his absence or inability therefore the committee recommends that the Board of State Institutions appoint an Assistant Superintendent, the duties of whom shall be to assist the Superintendent in the performance of his duties and in his absence or inability shall assume the duties of Superintendent and in addition to the duties outlined in the foregoing paragraph; the Assistant Superintendent shall be storekeeper of the Institution, and shall with the advice and approval of the Superintendent inaugurate and maintain a suitable and permanent record and account of the receipts and disbursements of all stores and supplies of whatever kind received and disbursed by or for the Hospital. The compensation of such Assistant Superintendent to be the same as the Assistant Physician.

The committee recommends the appropriation of:

\$90,000.00 for maintenance for 1905.

\$20,000.00 for new building for colored males.

\$10,000.00 for repair of wards 1-2 & 3 for white patients, male.

\$ 5,000.00 for repair of water plant, pipes, etc.

\$ 500.00 for surgical operating equipment.

\$90,000.00 for maintainance for 1906.

This amount economically expended will as your committee believes, be all that is absolutely necessary.

Captain Whitner answered to interrogatories as follows:

Q—What is your name? A—B. F. Whitner.

Q—What is your office or position with reference to this institution? A—Superintendent.

Q—When were you appointed? A—I was appointed to take charge on the 23d of March, 1905.

Q—When did you assume the duties? A—On the morning of the 24th, came up on the morning of the 23d of March, 1905.

Q—What experience have you had in the care and management of the insane, or persons affected with disturbed minds? A—I have had no experience only since I have been here.

Q—Are you addicted to the use of intoxicants or narcotics? A—Not unless you consider tobacco one.

Q—Are you addicted to the use of morphine? A—I have never taken it but once, and that was given by a doctor.

Q—Do you as Superintendent, live up to and carry out the laws, rules, and regulations as to the management of this institution? A—I try as well as I am able.

Q—Does the Board furnish you with a bill of rules, regulations and laws? A—Yes sir, we have a code of rules that I suppose was used by my predecessor, and I have tried to follow out these rules until I have time to see if they need to be changed.

Q—The Board has not furnished you any rules since you have been in charge? A—No sir.

Q—Do you have the authority to reject patients after they arrive. A—No sir, we have no authority to reject patients after they arrive, we examine them and grade them. We have a blank that we send out every time we send for a patient. It must give the history of the case, the alleged cause of insanity, etc. Then we treat and grade the case accordingly.

Q—What is your compensation? A—\$1800.00 per year.

Q—How many physicians have you here? A—Two physicians, a Chief Physician and his Assistant.

Q—What is your chief physician's name? A—Dr. Robert Lee Goodbred.

Q—What is the Assistant's name? A—Dr. James Randolph.

Q—Do you consider that the medical attention here is efficient, sufficient, and ample for the needs of the institution? A—My acquaintance has been so slight with both of the physicians that it would hardly be just for me to judge, if a layman can judge of the qualifications necessary to this particular work. The Chief Physician has been away part of the time on account of his wife's illness, and has been sick himself.

Q—How long has your Chief Physician been here during your stay? A—About half of the time.

Q—Well, Captain do you consider the medical attention sufficient to the needs of the institution? A—I do not think it is.

| | |
|---|-----|
| Q—How many patients have you here? | |
| A—On March 24th they were as follows..... | 165 |
| | 219 |
| | 220 |
| | 126 |
| | — |
| Total | 730 |
| On April 24th | 218 |
| | 164 |
| | 219 |
| | 131 |
| | — |
| Total | 732 |

Q—Is there sufficient ward room for the number of patients now under your management, and the prospective increase during the next two years? A—No sir there is not.

Q—Specify in particular the extension necessary? A—I think the extension necessary, will be a building on the back of the enclosure that will hold 200 colored patients. That will give us the part of the building that is occupied by the colored patients, by removing them to the new building apart from the white patients. We will use the building occupied by the colored patients for the white male patients. The new building will probably be sufficient for any increase in the next 3 or 4 years, and the other building give room for any increase in the same length of time.

Q—What is your estimated cost of such a building? A—A rough estimate is \$20,000.00.

Q—Is not your rough estimate too low? A—No sir, most of the work will be done by patients, and I think we can put it up at that price.

Q—Is the heating plant sufficient? A—I think there would be suffering another winter if this same plant were used. The pipes are old and leak badly, some have rusted through, and will have to be over hauled.

Q—What is the estimate of the cost of repairs? A—I have my predecessor's report, I have made none on that.

Q—What was the approximate cost of that estimate? A—I can not tell you.

Q—How is your water supply? A—The drinking supply is not what I think it ought to be.

Q—How from a sanitary point? A—I do not find anything the matter as to taste, it is cistern water, but Dr. Goodbred is very much opposed to using cistern water on account of the dust, dirt, and the birds. The rain fall is not sufficient to keep the cistern supplied.

Q—Can you get water from any other source? A—For washing purposes and for fire we get water from the creek.

Q—Does the State pay for patients taken care of outside of the institution? A—No sir.

Q—How many attendants have you here now? A—87 I think sir. I submit the following as such a list:

THE STAFF.

| | |
|---|------------------|
| Superintendent, per year | \$1800 00 |
| Chief Physician per year | 1800 00 |
| Assistant Physician, per year | 1500 00 |
| Bookkeeper | 1200 00 |
| 1 Secretary (Temporarily) | 900 00 |
| Total | <u>\$7200 00</u> |

WHITE EMPLOYEES.

| | |
|--|----------|
| 1 Machinist, Plumber & Engineer, wages per month | \$ 50 00 |
| 1 Carpenter | 35 00 |
| 1 Electrician | 55 00 |
| 1 Fireman who is Assistant Electrician | 25 00 |
| 1 Dairyman | 25 00 |
| 1 Assistant Dairyman | 22 00 |
| 1 Farmer | 35 00 |
| 1 Steward | 40 00 |
| 1 Assistant Steward | 25 00 |
| 1 Painter | 35 00 |
| 1 Baker | 30 00 |
| 1 Laundryman | 25 00 |
| 1 Laundress | 20 00 |
| 1 Seamstress | 20 00 |
| 1 Assistant Seamstress | 20 00 |
| 1 Male Supervisor | 35 00 |
| 1 Male Supervisor Assistant | 25 00 |
| 1 Male Sick nurse | 25 00 |

| | |
|---|--------|
| 1 Male Night Watchman | 30 00 |
| 1 Male Night Watchman | 22 00 |
| 40 Male Nurses, each \$20.00..... | 200 00 |
| 1 Female Supervisor | 50 00 |
| 1 Female Sick Nurse | 22 00 |
| 2 Female Night Watches, each \$22.00..... | 44 00 |
| 13 Female Nurses, each \$20.00 | 260 00 |
| 1 Female Matron | 30 00 |
| <hr/> | |
| Total | |
| 48 White Employees. | |

COLORED DEPARTMENT.

| | |
|---|----------|
| 1 Male Nurse (Night) | \$ 18 00 |
| 8 Male Nurses, each \$16.00 per month..... | 128 00 |
| 1 Female Night Nurse | 16 00 |
| 8 Female Nurses, each \$16.00 per month | 128 00 |
| 1 Female Nurse | 10 00 |
| 2 Cooks, each \$20.00 per month | 40 00 |
| 2 Cooks, each \$16.00 per month | 32 00 |
| 1 Cook | 15 00 |
| 1 Waitress | 12 00 |
| 1 Porter and Errand Boy | 10 00 |
| 3 Teamsters, each \$20.00 per month | 60 00 |
| 3 Teamsters, each \$18.00 per month..... | 54 00 |
| 1 Teamster | 10 00 |

Total

33 Colored Employees.

Total number of employees..... 33 Colored.
48 White.

Total monthly pay-roll \$2,318 00

Q. What is the moral status of your attendants here?

A. I think pretty good.

Q. Have you any that are intemperate? A. None that has come under my observation. I think there is one.

Q. Have you the employment and discharge of attendants? A. Yes, sir.

Q. When you took charge was the condition of the Institution satisfactory? A. No, sir.

Q. Are you supplied with the necessary equipment for medical and surgical work? A. No, sir.

Q. What kind of hospital have you? A. We have a hospital for the sexes and the races.

Q. Are there any special hospital accommodations for the treatment of diseases that ordinarily sound minded people are liable to? A. Yes, sir.

Q. Would you have room for 25 pneumonia patients? A. Yes, we would have room for pneumonia patients, but not sufficient room in case of an epidemic. We have no way to isolate them.

Q. Are you giving treatment to the restoration of the mind? A. I do not think there has been sufficient attention paid to that particular point.

Q. As a matter of fact from the information you have, has there been any attention paid to the treatment of the mind heretofore? A. To the best of my knowledge and belief there has not.

Q. Are you allowed to make post portem examinations here? A. I think not.

Q. Will you furnish the Committee with a report of the Institution for the past two years? A. Yes, sir; I herewith submit the report of my predecessor. (The report was not furnished the Committee.)

Q. Will you give the Committee a list of the average number of inmates for the past two years? A. Yes, sir. (Not furnished.)

Q. Will this record show the expenditures for the past two years? A. Yes, sir.

Q. We will ask you in that report to show an itemized account of the expenditures for the maintenance for the past two years. A. Yes, sir. (Said report was not furnished Committee.)

Q. Will you furnish the Committee with invoices and contracts for supplies purchased for the Institution for the last two years? A. They are in the Comptroller's office.

Q. Who is the purchasing agent for the Institution? A. The Board of State Institutions, now.

Q. How does that Board gain such information? A. Through requisition.

Q. By whom is the requisition made? A. Made by the Superintendent.

Q. What is the method of obtaining supplies? A.

The Board advertises for bids on the supplies, and the order is given to the lowest bidder.

Q. How long has the Board been at this? A. For the past month.

Q. Do you fix the pay of the employees? A. Yes, sir, of the employees, but not of the staff.

Q. What constitutes the staff? A. The Superintendent, the Chief Physician and the Assistant Physician.

Q. What is the compensation of the head physician? A. \$1,800.00.

Q. What is the pay of his Assistant? A. \$1,500.00.

Q. Does that include maintainance? A. Maintainance is furnished in addition to their compensation.

Q. Do you maintain that the compensation allowed for the physicians is sufficient to obtain the best services? A. I would think not, sir.

Captain Whitner was excused and Dr. Goodbred was called before the Committee.

Dr. Robert Lee Goodbred answered to interrogatories as follows:

Q. What is your full name? A. Robert Lee Goodbred.

Q. What is your age and occupation? A. I am a physician, and am nearly 36 years old.

Q. What is your position with reference to this Institution? A. Head Physician.

Q. When did you assume the duties of head physician? A. On the 29th of March, 1905.

Q. What experience have you had in the treatment of insane persons? A. I have never had any experience prior to coming here except such as came under my care as a physician. I have treated a number of cases before they were sent to some institution for the insane.

Q. Have you given special study to the treatment of insanity or persons affected with disturbed minds? A. No, but I have given special study to nervous diseases.

Q. Do you consider yourself competent to treat the diseases of the mind. A. I do, sir.

Q. What was the sanitary condition of the Institution when you took charge? A. I think I might say it was fairly good—good as the circumstances would permit.

Q. Have you the necessary facilities for the treatment of the inmates of the Institution? A. No, sir.

Q. Have you the necessary apparatus for medical and surgical treatment? A. No, sir; we are practically without instruments.

Q. In regard to the sanitary condition of the buildings, what would you suggest in the way of improvements? A. The first thing, sir, I would suggest that the inside woodwork be replaced. There are cracks in some places that are impossible to clean thoroughly from a surgical standpoint. They are kept unclean as the result.

Q. Have you the necessary hospital facilities? A. I have found in the ordinary run of sickness we can get along moderately well; but we need room for the male patients. With an epidemic we would not have sufficient room.

Q. What is your opinion as to the water supply? A. I do not think it is sanitary. We have no apparatus for analyzing the water.

Q. From a sanitary point of view, how is the heating apparatus? A. Not sufficient.

Q. In what does the insufficiency consist? A. Mainly in the need of repairs.

Q. Are there proper bathing facilities furnished for the institution? A. Yes, sir.

Q. Have you a sufficient number of bath tubs? A. I think so.

Q. How about the toilet arrangements? A. Very good, ample and kept in good condition.

Q. In regard to the food, is it sufficient in quantity and quality to the needs of the Institution from a hygienic standpoint? A. Yes, with one exception. From a hygienic standpoint, I think the patients should be supplied with more fruit.

Q. Are the sick in hospitals supplied with the necessary nourishments and delicacies? A. Yes, sir.

Q. Have you enough attendants for the number of patients? A. Yes, sir.

Q. Are the nurses sufficient, and efficient as nurses? A. Yes, sir, we have an excellent set of nurses.

Q. Have you a system for training these nurses? A. No, Sir.

Q. Do you think that the institution is supplied with enough medical attention? A. No, sir, I do not.

Q. Is the compensation for physicians what it should be? A. No, sir, not sufficient to obtain the best services.

I do not think any man would make it his life work for the compensation.

Q. Is it physically possible for you and your assistant to give each patient the proper amount of attention each day? A. No.

Q. What would be the best method of remedying this? A. I think there should be two more physicians. I think the control of the medical department should be placed as largely as possible in the hands of resident physicians.

Q. What kind of institution is this? A. A convalescence for the public.

Q. Is it your opinion that there are persons here who do not belong in a hospital for the insane? A. Yes sir.

Q. Do you not have some people suffering from imbecility of old age? A. Yes sir.

Q. About what proportion are epileptics? A. Quite a number.

Q. You are regarded as one of the staff of this institution? A. I presume so.

Q. What method have you of obtaining your supplies? A. From the State Board of Institutions.

Q. Also your medical supplies. A. Yes sir.

Q. How is this done? A. Through a requisition by the Superintendent. It is a very great inconvenience. When we want anything I make out a list of the necessary medicines, it is approved by the Superintendent and sent to the Board. They meet and examine that requisition and if it is approved by the Board, they advertise for bids, and the bid is given to the lowest bidder. Medicines should not be bought with an eye to cheapness. I have paid for medicines myself in cases of emergency.

Dr. Goodbred was excused and Dr. Randolph called.

Dr. James Randolph testified as follows:

Q. What is your name? A. James H. Randolph.

Q. Are you the assistant physician? A. Yes sir.

Q. What experience have you had in the treatment of the insane? A. Since July last I have been in the hospital under a clinical system at the Sheppard-Pratt Institute at Baltimore, Md.

Q. What kind of institution would you call this? A. I would call it the Florida Hospital for the Insane.

Q. What do you think it is really? A. In fact, I do not think it is much of a hospital for the insane.

Q. Do you treat patients with reference to the cure of

the mind? A. No I do not think so.

Q. You, as assistant, then have not been instructed along that line? A. No, I have received no such instruction.

Q. In your opinion some of the inmates of this institution should not remain or be kept in a hospital for the insane? A. By no means, sir.

Q. I presume that your opinion is based on former experience, and your information as a physician? A. Yes sir. I do not think that the institution should be hampered by the poor that belong in a poor house, and the epileptics should be excluded.

Q. Is there any special treatment for epileptics? A. Yes sir, so far as I have seen they are getting drug treatment, nothing more than that.

Q. Is it not a matter of fact, that the treatment here according to your knowledge, and what you have observed since you have been here, has been more palliative than curative? A. Yes, palliative entirely. We are not properly equipped.

Q. How are you equipped with reference to surgical apparatus? A. We have a few instruments, one or two saws, etc., but practically nothing.

Q. What do you think would be the cost of equipping such a room with the necessary medical and surgical apparatus? A. I think \$500 would be sufficient.

Q. Is the work of attendants satisfactory? A. I think so.

Q. Have you seen any drunkenness in the time you have been here? A. I have only seen one instance. I could not be positive about that.

Q. Did you just suspect it? A. I just suspected it.

Q. Could you smell his breath? A. Yes sir.

Q. Is any one addicted to the use of morphia suitable to the work or duties as attendant? A. Certainly not. I should not like to be associated with any such man.

Q. In the hospital where you were at Baltimore, were you called upon to treat many people addicted to morphine? A. Only one case.

Q. What did you learn in regard to the reliability of patients? A. That he was absolutely unreliable.

Q. Do you think that a person addicted to the use of morphine, cocaine, or other narcotics is unreliable? A. I have that feeling. In my experience with them I have found them unreliable.

Q. Do you know of any one connected with this institution who is addicted to the use of morphine? A. No sir.

Q. Have you any reasons to suspect any one? A. I may have reasons to suspect, but not to justify it positively.

Q. Have you enough nurses to properly look after the patients? A. I am not sure, but am inclined to think there are not. There are 83 employees on the pay roll beside the staff. We have one nurse to every sixteen patients.

Q. Have you observed any unnecessary cruel treatment of the patients by the attendants in any instance? A. No sir, the attendants seem to be very kind towards the patients.

Q. Have you observed the food that is given to the patients? A. Yes sir, I have been in during meals once or twice.

Q. Do you think it is sufficient and wholesome? A. Yes sir, but I think it might be increased in variety.

Q. The quantity is sufficient? A. I thought so.

Q. The hospital from which you came, is it a private institution? A. Yes sir.

Q. Do you think the pay of the attendants here is satisfactory? A. I do.

Q. How does it compare with the compensation of other institutions? A. I think it is about the same on an average.

Q. Do you think that you can obtain the best services for this particular work for that sum? A. I do not think that this particular work requires skilled labor. With competent head nurses you can get along alright. I do not think the discipline is what it should be.

Q. In what is it deficient? A. I do not think the nurses have had instruction as to the respect due their superiors, and their manner toward the patients. They are kind but do not know how to treat them.

Q. In other words they need to be drilled? A. Yes sir.

Q. In your opinion, are there enough physicians here? A. No sir, there are not enough physicians.

Q. What would you recommend? A. I should think

for a hospital of this size that we should have four medical men to properly divide the work.

Q. What is your compensation here? A. It stands to be \$1500 per year with my living expenses.

Q. Would you accept \$1500 if you were experienced in the business? A. Yes, \$1500 per year is as good a salary as assistant physicians get in any institution.

Q. Are the bathing facilities sufficient? A. I think there is a lack of bathing facilities, hot and cold water.

Q. You do not think they are adequate? A. No sir.

Q. In what do you consider it inadequate? A. In bath tubs. There are not enough.

Q. Do you know why there are not a sufficient quantity of drugs here? A. No sir, I understood that requisition had been made just before I got here, but we have not received any yet.

Q. Have you a regular pharmacist here? A. No sir.

Q. Who puts up the prescriptions? A. Since I have been here I have been filling them myself.

Q. Prior to your coming here who filled the prescriptions? A. Some of the tonics were made by a colored man.

Q. How much knowledge has he of drugs? A. He has two weights that he used as to the quantity, but I found that he had the wrong amounts.

Q. Do you not think that a pharmacist is necessary here? A. I think when we get better fixed I can put up my own prescriptions, and am willing to do it, if I have time.

Q. Do you have time to give the patients the proper amount of time and put up prescriptions? A. No sir, I have not the time to do it.

Q. Well, if it would require four physicians to attend to the work here, is it physically possible for you to give the time necessary in preparing prescriptions? A. No sir not now.

Dr. Randolph was excused.

(Note by Committee. Dr. Randolph had only been at the hospital a few days).

Mr. Gramling was called, and testified as follows:

Q. You once held a position with the institution? A. Yes sir.

Q. What is your name? A. Chas. A. Gramling.

Q. Where do you reside? A. Chattahoochee.

Q. How long have you been a resident? A. Since September 30, 1901.

Q. How long did you remain in the employ of the institution? A. From the first day of October, 1901, until June 16, 1904.

Q. What position did you occupy? A. I was bookkeeper.

Q. What duties did that embrace? A. From the patient's funds. In March 1902, the secretary left; from then the institution, the records that are kept in the Superintendent's office, and had charge of the cash, and the patient's fund. In March 1902, the secretary left; from then until November 1903, I did the letter writing in addition to the other work. I got a leave of absence in November and came back in January 1904. Mr. Yarborough was here and did the letter writing, and I had charge of the accounts, records, etc. In addition to this work, I had charge of the checking in of the goods.

Q. Did you as bookkeeper, keep a general account in detail? A. Yes sir.

Q. Do your books show a general account for maintenance, buildings, etc.? A. Well, it shows the amounts for all bills that came here for the institution.

Q. Do these bills embrace all bills for supplies that were furnished to the institution? A. With the exception of the institutional fund.

Q. Will your books show the total expenditure in behalf of this institution? A. I think it would.

Q. Who did the purchasing for the institution? A. It was done through requisition.

Q. Did you make requisition, was that your business? A. Yes sir.

Q. Did there ever any goods come to this institution that requisition had not been made for by you? A. Yes sir.

Q. Can you account for that? A. I do not remember any goods that came here that were not bought by Dr. Gwynn or requisition made for them.

Q. Do you know of any voucher having been made in favor of any person for goods supplied to the institution? A. I do not think I do. During the political campaign last spring Mr. Yarborough went to Pensacola for a patient, and was gone several days at a pretty heavy expense. It was more than any of the nurses or attendants had ever

spent. Perhaps he paid for this himself though. He went to Tallahassee and stopped at the Leon Hotel for several days and ran up a pretty heavy account.

Q. As bookkeeper, was it your business to make a record of all patients brought in here? A. Yes sir, we had two sets of records, one was kept by the physician, and one in the Superintendent's office. I kept the Superintendent's record.

Q. Were these records full and complete? A. No sir.

Q. Why were not these records full and complete? A. They were kept according to instruction.

Q. In your services here did you have access to the hospital? A. Yes sir.

Q. Did you go there very often? A. Yes sir, I went frequently to Wards 4 and 5.

Q. Will you state to the committee according to your observation the moral character of the attendants at that time? Did you observe drunkenness or bad conduct? A. I think the moral status was not very good. Some of them used intoxicants to excess. I have seen them drunk.

Q. Were they retained in the services? A. Yes sir,

Q. Do you know of there having been any drunkenness while they were on duty, or in the wards? A. Only from heresay. On more than one occasion, I have seen one young fellow come in the office so drunk he could hardly hang up the keys. Whenever the attendants go for a patient they always bring whiskey with them. Two of these were Mr. McHenry and A. E. Graham.

Q. During your stay here, did you notice any cruel treatment by the attendants or officials towards the patients? A. To the best of my belief there was quite a good deal, to my knowledge there was very little. I heard one of the attendants speak of whipping one patient.

Q. In your opinion from the observation you have had, do you consider it necessary to whip patients to bring them into subjection? A. No sir, I think not.

Q. Did I understand you to say that goods had been brought into this institution that no requisition has been made for? A. Yes sir. Dr. Gwynn bought the goods. The nearest approach to a misappropriation was when Dr. Gwynn hauled the State's timber with men and teams that were paid for by the State to do the work. It was made into cupboards, wardrobes and various other pieces of furniture. He used these for his own personal use.

Q. Are any pieces of this in the institution? A. When I left there were some here. There was one or two shipped to West Virginia, and two sent to Mrs. Governor Jennings.

During January 1904 the United States department sent some blanks here to Dr. Gwynn, and requested him to make out these statistics. I spent about three weeks work on the statistics. I asked Dr. Gwynn at the time how much pay was in it, and he said he would not get any pay. I did not think the U. S. Government would require him to do the work without any compensation, but he assured me he would get nothing. I wrote to the department about it, they refused to send it, but Mr. King wrote me that the amount was \$60.00.

Q. What were these statistics? A. Just statistics of the institution.

Q. What position did Dr. Gwynn hold with reference to the institution? A. Superintendent.

In April 1904, there was a lady by the name of Morrison came here to see her husband. He drew a pension from the State. While here her money gave out. Dr. Gwynn instructed Mr. Yarborough to let her have the money to go home on, and it would come out of her husband's pension the next quarter. The next month the State stopped the pension. Dr. Gwynn had some cattle that belonged to the State, and he sold them to replace the money. When the money was taken out of the drawer, there was no entry made, but a slip was put in the drawer. When Mr. Edwards paid Dr. Gwynn, he took the slip out and put the money in its place.

Q. How much did he receive for the cattle? A. I should think it would be inside of \$15.00.

Q. Do you think it was more than \$8.00? A. Yes sir, I think there were three head.

Q. Was there no effort made to obtain a return from the lady? A. I do not know.

Q. Are there any State patients here that receive a pension from the State? A. That is the only one I know of that drew a pension from the State.

Q. How many patients were pay patients when you were here? A. I think five or six.

Q. How much did they pay? A. \$12.50 per month, payable quarterly in advance.

Q. When the money was paid in, was it properly cred-

ited to the State? A. It was so far as I know.

Q. During the time you were here was there any difference in the treatment and accommodation of pay patients and indigent patients? A. In one case there was. There was a young Yale graduate here, and his relatives fitted his room up very nicely. Dr. Gwynn treated him very nicely, frequently taking him to ride, but I think that was the extent.

Q. During your stay here did you observe that they were supplied with sufficient food? A. No sir.

Q. In what way was it deficient? A. In quantity and quality. There was not sufficient quantity or quality, some was alright and some was not. There was two classes; the physically well and those that were not. For the physically well their breakfast ordinarily was a plate of grits, fried bacon, coffee, all the bread they wanted, and all of the corn bread they wanted at dinner, together with vegetables, when there were any to be had, sweet potatoes, and three times a week they had beef. The special treated, or those under special treatment had the best and the others received what was left. The records will show the average amount of provisions per day and what became of them.

There was about 50 gallons of milk per day. About 25 went into butter, Dr. Christie had three quarts per day, and all that was wanted at the Superintendent's house; the sick wards had a certain amount, the attendants, for cooking, etc.

Q. Were the patients ever forced to work? A. I remember one instance when a man was forced to work. A white man from Levy county, named Ben Morris; they were going to pull fodder, and he did not want to go. The attendant instructed two men to bring him, and they took him by the feet and dragged him until he promised to go.

Sam Cobb, one of the teamsters, refused to work one day, and the attendant lifted him up by the neck two or three times.

Q. Are they required to work here? A. They are required to do work that no human person should do. They frequently pull wagons loaded with supplies from the station. They are hitched up to plows like mules and plow, and Dr. Gwynn would be riding around in a team the State paid \$500.00 for. The dynamo for the electric plant was hauled by patients from the station.

Q. Are there no mules to do this sort of work? A. There were 11 mules and 4 horses at the time the people were hauling these things.

Q. How long did they plow with the men? A. I do not know. I think it was Mrs. Gwynn's order.

Q. Mr. Gramling, did you say that the attendants were in the habit of getting drunk? A. Some of them were. B. H. Clark was one, S. H. Poythress, and J. M. Dolan. I think in February, 1902, Dr. Gwynn was away on a hunt, and Mr. Poythress failed to get any flour for the bread. One morning about 4 o'clock the cook came to me for some flour and said if he did not get any they would not have any bread that day. I let him have the flour. Mr. Poythress went away at 8 o'clock and was gone almost the entire day. The baker said he was drunk. I do not know positively.

Q. Do you know of any incident where the patients went without food on account of not having proper material? A. Several times they had to do without bread because the baker burned the bread up, the corn bread for dinner. There was a car that took the food away when a meal was over, and I have frequently seen the patients crowd around the car and take what they could and go off and eat it.

Q. From your observation did the patients receive the necessary medical attention? A. I will say this, that the physicians were very prompt in attending to the needs of the patients. There were three during my stay, and each of them made two visits per day to the wards, and sometimes during the night as the case demanded. There was some complaint by the physicians of the competency of the nurses in charge of the sick ward. Dr. Christie told me that the incompetency of the nurse caused him a great deal of trouble, that she did not know how to take temperature. He noticed the patient was growing weaker, but the nurse always reported the temperature as the same, so one day he took it himself and found it was 104.45, and she has said it was 102. This was a Mrs. Parrish. This was the patient that died for want of attention.

Q. Do you know of any cases where the medicines ordered for a patient were not allowed to be given? A. The physicians would all complain that Dr. Gwynn would change the medicines without their knowledge of it, and

instruct the nurses to give them something else. Dr. Christie stated to me once that a nurse had not given the medicine as he had instructed her, and she said that Miss Scott had told her not to do it. The physicians complained that they could not keep any whiskey on the wards for the patients on account of the attendants. They would have to put it in different bottles each week and label it something else.

Mr. Gramling was excused and Mr. Yarborough was called.

Mr. Yarborough testified as follows:

Q. What is your position with reference to this Institution, and the length of time you have been here? A. It is an anomalous one; I am here just temporarily. I have been in the position since the 20th of October, 1903.

Q. What is your full name? A. D. W. C. Yarborough. I was employed first from October, 1903, to fill a temporary vacancy made by the absence of the bookkeeper, Mr. Gramling. The absence continued until the 1st of January, 1904. At that time the Board of Commissioners of the State Institutions decided to have some comparative statements relative to the cost of maintenance, hospital supplies, and provision stores compiled as to the cost for the past ten years. The price per pound, etc., on goods used in the hospital. I was here several weeks engaged in the work, and Mr. Gramling returned on the first of January and acted as bookkeeper. In addition to this work I did the correspondence and attended to the local financial transactions of the hospital. I continued employed in the above mentioned duties until some time in June, when Mr. Gramling left the hospital, since which time I have attended to the bookkeeping of the hospital, etc.

Q. Is it the general custom to have a bookkeeper and secretary here? A. Yes, sir; the records show that there was a stenographer and bookkeeper during the administration previous to this one. The stenographer was a young lady whose services had been dispensed with a short time before my coming here.

Q. What did you find out by the comparative statements? A. The object in compiling the statements of the cost of provisions and supplies at this institution during the past ten years is to show that the cost of provisions has advanced, thus, the cost of maintenance.

Q. You found an increase of about 40 per cent., did you not? A. Yes, sir, on an average. The increase on some was much more marked than on others. On flour and cotton goods I found it much more marked.

Q. Have you observed any drinking among the employees of the Asylum here during your stay? A. Do you mean while they are on duty?

Q. Yes. A. No, sir; there were some that took a drink. I can say, however, there are none of these men in the employ of the Institution now.

Q. Are the number of attendants sufficient for the work? A. I think not.

Q. In what is it deficient? A. There has not been, to my idea, sufficient record of the business transactions of the hospital, with reference to the receipts, disbursements, and stores has not been attended to.

Q. Is it a fact that the records of this institution will show receipts in true and complete detail of the expenditure in conjunction with the Comptroller's office? A. I have found on investigation that there were no accounts of invoices or any supplies received prior to the last administration, and the only record is a cash account. There is no record in this office of the purchases made prior to the last administration.

Q. Was it a custom to have the bills sent to the Board of Institutions? A. Yes, sir.

Q. Until the last administration you used duplicate invoices? A. No, sir.

Q. Have you ever had that? A. No, sir. The invoices were sent here and entered up on our journal. They were copied verbatim on our journal, and upon the receipt of these goods the invoices are checked up. A single entry was kept. At the end of the month these bills are entered in a separate book in an aggregate, and sent to the Board for payment. The invoices must be approved by the Superintendent before they are sent out.

Q. Is it your business to go through the different departments, and how often do you go? A. No, it is not my business, but I go.

Q. How often? A. There is not a day passes but that I am there some part of it.

Q. Do you think the attendants do their duties in looking after the patients as they should? A. No, sir.

I do not think they do. In other words, I do not think that the discipline is what it should be.

Q. Especially is it important in the hospital department, in the night; do you go over there? A. Not after 10 o'clock, except when I have been left in charge of the hospital. During my employment here, the Superintendent has been absent, and I have been left in charge and I felt it my duty to make visits at night.

Q. People that are sick and die, are they looked after?

A. I think very well, considering the limited number of employees. I do not think we have enough nurses. We have one nurse to every sixteen patients. The help is sufficient in the hospital, and there is everything in that. The scheme of payment has been here that when a nurse first comes, they are put on a reduced salary, and after the first month if their services have been satisfactory they are raised to the average salary all the nurses get, except in the hospital and in the case of a vacancy as supervisor, which occurs about once in ten years. There is no incentive to promotion after the first month, and the work is done in a sort of mechanical way. Especially this so of the colored department.

Q. Has there been any dismissals from the service on account of failure in the discharge of their duties? A. Yes, sir, there has been one or two for that cause and cruelty to patients.

Q. If they find an attendant harsh or unkind or cruel, is that sufficient cause for dismissal? A. Yes, sir.

Q. Is it lived up to? A. Well, probably not as closely as it might.

Q. Does harmony prevail between the employees and the staff? A. It certainly has not been harmonious in the past. In the present, I am able to say this, that I think that harmony now exists.

Q. You think that harmony now exists? A. I am very much inclined to think there is every prospect for harmonious action in the future.

Q. Have any steps been taken in regard to better discipline? A. It has been discussed, and the Superintendent has instructed each of us to formulate and suggest rules, and we will have a meeting once a week to discuss the rules and requirements.

Q. Since you have been there, has there been a drill for the purpose of giving information and instruction to

the attendants upon their duties? A. There has been a drilling class covering a very short period of my time here, in the female department.

Q. Is it not important and necessary for such to be carried out? A. Yes, sir, at all times.

Q. Has there been any drill as to physicians duties, location of attendants in case of fire or accident? A. No, sir, we have a set of rules, that would cover that ground if they were lived up to. Once when the rules had become lax the Superintendent had all of the employees called to a hall and read portions of the rules they had not observed, and told them he would expect closer attention paid to the rules.

Q. Do you know Mr. Gramling? A. Yes sir.

Q. Do you know whether he was discharged or resigned? A. I understand he was discharged.

Q. What for? A. The reason given by the Superintendent was unsatisfactory performance of his duties.

Q. Was there any other reason? A. I know of some dissatisfaction, but nothing regarding that I would like to speak of because it brings in the question of the veracity of a man; and I would hate to pass an opinion on that. The

A. In a way it arose from matters outside of the institution arose between himself and one of the employees. The not given him the loyalty he had expected.

Q. Did you understand what that loyalty referred to? Superintendent told me that he believed Mr. Gramling had

Q. Was that cause politics? A. I think politics had nothing to do with it.

Q. Do you keep the time of the attendants? A. I will state there has been to my mind no suitable arrangement about keeping the time. No one can be held responsible for loss of time. Each head of the department keeps their time table and turn it in to the supervisor.

Q. Do the supervisors return the time of the attendants to the bookkeeper? A. Yes sir.

Q. Are the employees employed by the month, week, or day? A. By the month. If a man losses a day by no fault of his own, by sickness or plaudable cause, or is sent out for a patient and the other attendants have to double up, he receives the same salary.

Q. How does the condition of the institution compare with other institutions, say for 12 months, or the same

length of time? A. I think it has been a gradual increase in improvement, the management has kept in touch with other institutions in regard to treatment, old supplies, the machinery for instance has been replaced by more modern, and there has been a marked improvement.

Q. I believe you turn out some patients as cured, each year? A. Yes sir.

Q. How do you determine whether they are cured or not? A. We rely upon the knowledge of the physicians.

Q. What is the material difference in the treatment of pay patients and indigent patients? A. Absolutely none, and we endeavor to make none.

Q. Is it not the interest of the institution that the State maintain a separate building for the pay patients? A. Yes sir, with a suitable building it would be very satisfactory. To show a difference now would only create a jealousy among the patients.

Q. Are there not some that have better accommodations than others? A. There are some relatives of some that have been allowed to fit up their rooms, where it is not too marked. Some of the patients have money they send out and get little things they think they need.

Q. Can you account for the increased death rate? A. The increased death rate in 1904 was due as far as I can judge to the peculiar condition that seemed to prevail during the last twelve months. I think about 6 counties that were represented here, the patients were not able to stand the trip and died within 24 hours after coming here, and one died on the way here. As well as I can judge the death rate during the last year was 40 per cent patients that had been in the institution less than three months. The increased death rate was on account of local conditions. Another reason is the drinking water. While I am not a physician, under the prevailing conditions here, I am convinced that one source of the condition here is from the drinking water.

Q. The main question in the minds of the people is what goes with this \$85,000.00, in other words how can you spend so much money? A. By taking the accounts to go in the report of the hospital and comparing them with the papers in the Comptroller's office you can account for this. It is not possible that any money from this office be spent without the collusion of the Superintendent. There has

been a purchasing agent for the institution. What he purchased was approved by the Superintendent. The bills were forwarded to the Superintendent. We have copies of all invoices, the original ones.

Q. How long has there been a purchasing agent for the institution? A. I understand there has been a purchasing agent as far as I have any knowledge until right recently.

Q. Do you know why the purchasing agent was discontinued? A. I know there was a purchasing agent and then there was not. It was stated by parties of the Board that the method of purchasing could be improved upon.

Q. Do you know of your own knowledge of any person now connected or has been heretofore, who to some extent is addicted to the use of morphine, cocaine, etc.? A. No sir, I do not.

Q. If such a thing existed would you be likely to have some evidence of it? A. It depends somewhat, you will understand that in my technical duties, I am confined to the office. I am frank to say that it might occur among the employees and I would not know it, but not in the staff. I do not believe it could be practiced to any extent or any length of time without my knowing it. I will say that for reasons of my own, I have made that opinion a subject of observation. I am frank to say that my interest in the institution is such that I would hate to see such a party in the institution. I have seen nothing to justify such an opinion.

Mr. Yarborough was excused.

Additional testimony before the committee:

Q. What is your name? A. R. F. Goddard.

Q. Are you a resident of the State? A. Yes sir.

Q. What is your occupation? A. Physician.

Q. Were you ever at any time connected with the Hospital for the Insane of the State? A. Yes sir.

Q. Please state when, and what position you occupied. A. Physician and surgeon to the hospital.

Q. Who appointed you? A. The Board of State Institutions.

Q. How long did you serve as physician and surgeon to the institution? A. About 18 months.

Q. Beginning when? A. The 14th of January, 1902, until the 1st of July, 1903.

Q. Doctor, as physician and surgeon of the institution, what were your duties? A. My duties consisted in the management, you might say of the medical administration of the institution.

Q. Did you have any authority? A. None whatever.

Q. What did that administration mean? A. It meant I had the medical attention of the patients confined in the institution numbering from 600 to 700, and as high as 750 in my care; and in addition to that, the medical care of the employees of the institution, something like 150, making in all from 700 to 850 persons. The care of the employees was not my duty by law, but it was so by result.

Q. Now, Doctor, in your administration there, was it practically possible for one man to give the medical attention necessary to so many patients? A. No sir, it was not possible for one man to administer to the needs of the institution in a medicinal way, to say nothing of the applicative work.

Q. Doctor, were the hospital facilities at that time adequate? A. No sir, by no means; we had a department in each division; in the first place we had, or the institution was divided into about four departments; one for the white males, one for the white females, one for the colored males, and the fourth for the colored females. We were supposed to have one ward or part of the ward in each of these departments set aside for treatment of those that were physically ill.

Q. What was the sanitary condition of the institution? The merest apology.

Q. Did you have any equipment necessary to the proper care and treatment of the inmates? A. Practically nothing.

Q. Did you have sufficient and efficient nurses to attend to the sick? A. When I took charge of the institution there was only one girl in the institution that knew even so much about nursing as to count the pulse, or register the temperature. After I took charge of the institution, I organized a class for a course in instruction and lectures. Within a few months time, I had about 10 nurses suitable to the work I had for them to do. That was not the institution's fault.

Q. Did you have at your command the necessary instruments and apparatus for surgical operations? A.

The institution was not furnished with even so much as a surgical operating table. The only thing in the way of surgical apparatus was one small case of operating instruments.

Q. What was the sanitary condition of the institution during your stay there? A. When I took charge there, I did not see how it was possible for a human being to exist in some of the wards.

Q. Were you able to improve the condition of the institution during your stay there under the management? A. Yes sir, by daily hard work. During my administration there were changes made in the sanitary department of each ward which rendered upon a whole the condition of affairs much more favorable and conducive to health.

Q. Were these changes made by instruction from the Superintendent? A. They were made by the Superintendent after urgent solicitation by myself. Whether he had it in mind I cannot say.

Q. Were you supplied with the necessary medicines for the use of patients? A. Yes sir.

Q. How were these medical supplies obtained? A. I would make out a regular requisition for the drugs and preparations that we needed, and this would be taken charge of by the Superintendent and put in his monthly requisition.

Q. Was there a pharmacist? A. No sir, I had to do my own compounding. Fortunately, I am a pharmacist, but it made double work for me. I think it necessary that the institution employ a pharmacist or one that can act in that capacity. There are four hours out of every day that a pharmacist could be employed well. After my regular rounds in the morning I would have to come back and refer to my notes, and go in the drug room and fix them up. During this time I instructed a man, an attendant, who became very efficient as my assistant. But the employment of the man was discouraged, and he was asked to resign, in order, I presume to make the position open.

Q. From your information and observation, you are qualified in saying that a pharmacist is necessary, or one that can act in that capacity? A. Yes sir, it can easily be arranged to have a man's duties divided on the wards and in the drug department.

Q. Were your directions as physician to the institution carried out by the Superintendent? A. Well, so

far as I could see they were for about 3 or 4 months, then the Superintendent became unwilling to have it done at all.

Q. If it was not done, why not? A. On account of instructions by those who were supposed to represent the administrative side.

Q. In what way did they interfere with your instructions? A. Well, it had gotten to the point that patients that I had ordered transferred from one department to another, were not transferred until it became very unsatisfactory for me to insist on it, and when I wanted certain dispositions made of patients, the orders were not executed until unpleasant words were passed. When the attendants were asked the reason for not executing the orders, they said I was not employing them, that Dr. Gwynn was employing them, and that their not executing my orders would not endanger their job at all. You can imagine how humiliating that would be to contend with.

Q. In other words, the employees gave you to understand that your authority was not to be regarded? A. Yes sir. It afterwards developed, I might say in this instance that on the 4th of February, 1903, Dr. Gwynn called a meeting of the employees of the institution at 8 p. m. in the amusement hall and among other things stated, without any provocation as far as I could see, that he was head of the institution and was managing it, and that no employee would be held responsible for the execution of orders issued by any one except he, himself, or by his supervisors from the female and male departments; and during his absence, his wife would act in his capacity, or the bookkeeper, or such a one as he might appoint. He stated that the physician MIGHT give medicine in case of sickness.

Q. Are you sure he used the word MIGHT? A. He emphasized the word MIGHT.

Q. Do you know during your stay there, if patients suffered for the want of necessary attention medical or from attendants? A. If you mean on account of the nurses not giving the attention necessary, yes sir. I might say, for the lack of competent nurses, the patients suffered. Some of it was due to sheer negligence more or less, while some was due to ignorance.

Q. Did these conditions occasion discontent among the patients? A. In some cases it did. I discussed that

point freely with the superintendent, because I had the working of the institution at heart. I went among the employees and patients twice a day, and the Superintendent for weeks never went into the institution.

Q. Did we understand you correctly in saying that for weeks at the time the Superintendent did not go over the wards, and inspect the condition of the institution?

A. Yes sir, and in fact, it would not have been so necessary for him to have done so if he had adopted the suggestions as far as the management was concerned.

Q. If he had left the control and management in competent hands, it would not have been so necessary for him to have inspected the institution so often? A. No sir.

Q. What was the moral status of that institution during your stay there, I mean with reference to the attendants and the patients? A. Well, so far as the employees were concerned, I presume it was as fairly good as we could expect from, we might say, that class of people. The moral condition of the patients was as good as we will find among patients suffering from these troubles.

Q. Did you ever know of any drunkenness among the attendants? A. Yes sir.

Q. Were they on duty? A. They were supposed to be on duty at that time.

Q. What were their duties? A. The regular attendance on the yards, having the charge of as high as 50 to 75 patients to see over, supposed to be advising and guarding them.

Q. Did this incident come to the notice of the management? A. I told him of it.

Q. Was that direct? A. That was direct. I told him more than once.

Q. Were these employees retained? A. Yes sir, the occasion of my repeating it or notifying the superintendent the second time was due to the fact that he was trying to promote that same employee to assistant supervision, when he was known to be one of the most unreliable employees of the institution. I had even discussed the subject with the supervisor, and he was frank to say he recognized him to be unreliable.

Q. During your stay or administration at the asylum did you observe or have satisfactory evidence of cruel or unnecessary treatment of the patients by attendants? A. Yes sir.

Q. We might ask you in part at least, what evidence it was that satisfied your mind along that line? A. There were numbers of instances, but I cannot recall any names of patients or employees just now. There were two or three or four or possibly a half dozen instances that employees were discharged, and there were several instances where the matter was reported and the employees were retained.

Q. Reported to whom? A. The Superintendent.

Q. Who reported that? A. I reported it, and the supervisor also did it. We had during my administration a very efficient supervisor on the male side.

Q. We will ask you to give us his name? A. James H. Poythress.

Q. Did you receive instruction to treat those suffering with mind troubles? A. That was the presumption.

Q. Was there any special effort made to produce sanity? A. No sir.

Q. Were you properly equipped to give as good treatment as should have been? A. I was unable to do the work I could have done under a different administration. The employees of the institution were not as efficient as could have been with the same expense. This of course would reflect on the employment of too ignorant a set of employees, or selecting the employees from too ignorant sets of people.

Q. Do you think the nurses, or the people employed are the people that should be employed? A. In the majority of instances it is as good as could be employed for the price, and I might say that the price, with very few exceptions, and these are among the head nurses and head attendants, are fairly up to what that class of labor demands, or commands in other institutions.

Q. Are the necessary safe-guards or protection with regard to the moral life or standing, respected; is the moral life or standing of the employees looked into and considered as it should have been done? A. Judging from the results, I should say no. It was unnecessary that so many shortages should have come up.

Q. In your work among the sick were your requisitions and requirements for food and delicacies for the sick respected? A. Some times it was, and at other times it was not.

Q. Will you state the reason you did not receive the

proper nourishment for the sick? A. This matter of furnishing the proper nourishment on the hospital wards was taken up frequently. It was a point of constant annoyance with me to go on the wards at meal time and not that some days what I had ordered for the patients to take was not there. During the summer months when we had our beds full of patients, and having ordered a change have obtained no results, or was not able to realize it. We had a sufficient number in the culinary department who could have done this as well as not. I do not think they were as competent as could have been obtained for the same wages. If there is anything that is discouraging to a physician, it is to have several cases of continued fever where the greatest care in attention has to be executed in regard to the diet of these patients, to give orders for these patients in regard to their diet, and to go back and find nothing for the patient. He is obliged to realize even in working for a salary, and where there is such a number of patients to care for that each one of these patients is a dear one to some one, and not to be treated as an ordinary animal. It is a thing that appeals to a person's conscience, if he has any.

Q. Such were the conditions when you were at the institution? A. Yes sir, it existed when I left there. It had reached that state of affairs that it was the seldomest thing that I ever attempted to order a special diet, it would only to have the old story repeated.

Q. You being co-ordinate with the Superintendent, was there any reason why your authority in ordering diets for the sick was not respected? A. I see no reason, but it was not.

Q. In your duties there, in and about the wards, were you on the wards at meal time? A. I made it a point to be on the wards at meal time.

Q. Did you observe that the patients were supplied with sufficient and wholesome food, and how was the preparation? A. Ordinarily for patients on the wards that were not considered physically ill, the diet was fairly well prepared, such as they had. At times it would be harmful. There ought to have been more, and the variety should have been greater.

Q. Did you notice from the complaint of the patients of their not having sufficient food in more instances than that? I mean, did you consider the complaint well taken?

A. Well, one that goes among these people can tell very well when one is talking from a standpoint of reason. That is why I thought the employees should be competent and reliable.

Q. Do you believe from your observation and experience that the welfare of the inmates is suppressed by the mixed condition of the inmates? A. Do I think that the Institution stands in need of more room for the proper treatment of the patients? A. I think so, most sadly in need. Along that line you suggest, I am very much in favor of the suggestion made by Mr. Whitner, now in charge. I saw his letter to the Board last week, and I would say that I am very much in favor of the support of his suggestion.

Q. What is your opinion as to the separation of the different classes in the Institution with reference to diseases? Can they be treated mixed-up, as well as if separated? A. You see, at times there are patients that can be benefited by one thing; another would die of the same environment, while another might be restored. I think if they can get the colored patients a little further off they can manage the other very well.

Q. What is your opinion as to separating the epileptics from the others? I think to obtain the best results, it is absolutely necessary.

Q. What is your opinion as to the criminal class of patients? A. There are some classes in the Institution that it would not affect, while there are others that it would prove hurtful to.

Q. This Asylum is for the insane; are all that are sent to it insane? A. With some exceptions.

Q. In your opinion, is there any present in the asylum that were not indigents at the time of commitment? A. Yes, sir.

Q. Are there not some there who do not properly belong in an indigent asylum? A. Yes, sir; there are numbers of patients admitted in the institution who are under the act not entitled to be committed to the State Institution for the Insane.

Q. If I remember correctly, it is not lawful under the present statute to commit an idiot or harmless imbecile? A. It is done daily.

Q. There are such persons in the institution? A. Yes,

sir; it is done daily, but there is no other institution for them.

Dr. Goddard was excused and Judge Spear testified as follows:

Q. What is your name? A. H. H. Spear.

Q. Where is your residence? A. Chattahoochee, Florida.

Q. How long have you been living there? A. About 30 years.

Q. How far is your residence from the State Hospital for the Insane? A. It is a little over half a mile.

Q. What is your occupation? A. Postmaster.

Q. Does the institution receive its mail at your post-office? A. Yes, sir.

Q. Did you frequently see and meet and talk with persons connected with the Institution? A. Yes, sir, every day.

Q. Are you personally acquainted with quite a number? A. Yes, sir; some of them.

Q. Have you observed the conduct of the attendants? A. Well, not to any great extent.

Q. In your observation of the attendants, have you noticed any of the male attendants being drunk? A. No, sir; I never have.

Q. Have you ever noticed any of the staff being under the influence of intoxicants? A. No, sir; I do not think they deserve such a charge.

Q. Have you noticed any of them being under the influence of morphia? A. No, sir.

Q. What was the moral atmosphere of the Institution during the last two years? A. I have not been there enough to know, only from hearsay.

Q. Did you consider the hearsay as reliable? A. I did.

Q. Persons you have heard talk, you consider them to be reliable persons? A. Yes, sir.

Q. And you have heard them express themselves as detrimental to the morality of the institution? A. Yes, sir, I have.

Q. In your opinion, is there good evidence for the bad reports? A. I can only judge from what I have heard. I have heard those speak of it that ought to know.

Judge Spear was excused and Dr. Christie testified as follows:

Q. What is your name? A. L. D. Christie.

Q. Where is your residence? A. Lloyd, Florida.

Q. How long have you been a citizen of the State? A. About 20 years.

Q. Have you at any time ever been connected with the Hospital for the Insane? A. Yes, sir.

Q. In what capacity? A. As physician.

Q. How long? A. In July one year ago.

Q. Until when? A. Until about a month ago.

Q. Did you occupy the position of head physician?
A. I did.

Q. From whom did you receive your appointment?

A. From the State Board Institutions.

Q. Who was the Superintendent? A. Dr. Gwynn.

Q. Did you have any assistant physician? A. I did not.

Q. As physician of the Institution, what was your duty? A. As physician of the Institution I went among the sick, prescribed for them and sent them to the hospital, and that was about where my duties ended; it was as far as I could go.

Q. You were under the direction of the Superintendent? A. I was.

Q. Did you prescribe for patients in the hospital?

A. I did; I prescribed for the sick patients.

Q. What was the condition of the hospital in general as far as your observation went during the time you were there? I mean the general condition? A. It was in a fairly good condition.

Q. What experience have you had in the treatment of insane people? A. I have been practicing medicine for 20 odd years and have treated some insane people before I went to the hospital.

Q. In your practice as a physician, did you treat patients for diseases of the mind with reference to a cure?
A. Yes, sir; I had treated several people before I went there.

Q. Was there any special effort made for the treatment of the diseases of the mind in regard to a cure?
A. The general practice would be to build up the system and treat the mind as much as possible.

Q. What were your facilities for treating diseases of the mind? A. Not the best in the world.

Q. What were the hospital facilities; did you have nec-

essary apparatus? A. We could make out, but that was all.

Q. In other words, was the equipment sufficient? A. No, sir.

Q. In what was it deficient? A. We had nothing like an X-Ray, electric batteries, etc. We had some surgical instruments.

Q. Did you have any operating tables? A. We had a common table.

Q. Did you have any trouble in getting your prescriptions administered? A. Some trouble, of course.

Q. No one there has the right or authority to suborn any statement the general physician might make or suggest? A. Well, I should not think so, while the superintendent ran things to suit himself.

Q. Did you observe the food furnished during your stay there? Was it sufficient? A. I did not think it was.

Q. Did you have any trouble in getting your prescription? A. It was not, in my judgment.

Q. Deficient in all, was it? A. Especially in quality and preparation.

Q. Do you know of any specific reason why this was so? A. I do not. A physician there was something like a bump on a log about fixing the prescriptions and sending them to the hospital.

Q. Were there enough attendants? A. Perhaps enough.

Q. Can one physician give the necessary medical attention to that institution? A. No, sir, not in my judgment.

Q. In your stay there, did you observe any drunkenness among the attendants? A. Some.

Q. Was it sufficient to render their services unfit for that special work? A. At the time of course it was.

Q. Was their being drunk reported to the superintendent? A. I do not know. If it was not, I do not know why.

Q. Did you know of the drunkenness or see it? A. I have seen some persons there that I thought were under the influence of whiskey on duty.

Q. Do you know of instances where the attendants cruelly or inhumanly treated the patients? A. Yes, sir.

Q. State in what way. A. I have seen them all

bruised up with streaks all across their faces, and they would tell me the attendants would bruise them up, and some of the attendants would tell me that they saw it at the time.

Q. Was there any special incident where the patient came under your attention for treatment on account of cruel treatment? A. Yes, sir. Eugene Davis, from Live Oak, was severely whipped, and for 4 or 5 days was in a very bad shape, and was put in the hospital and he remained there until he died.

Q. How long after he went to the hospital was it until he died? I do not remember.

Q. Approximately, how long? A. It must have been a month or more.

Q. Then, you would not say he died from those troubles? A. I would not say that that killed him.

Q. Have you any other incidents where the patients were severely punished or mistreated? A. A fellow by the name of Peacock—we called him Peacock; I do not know his real name,—he was from Taylor county. He was severely whipped, and was sent to the hospital because he was not able to get about.

Q. Doctor, was there several and numerous patients who were beaten and otherwise cruelly mistreated during your stay? A. Yes, sir.

Q. Was such mistreatment severe? A. Yes, sir.

Q. State what it was? A. Sometimes by severely whipping, choking, hitting, slapping and stamping.

Q. How did you know that patients were whipped, kicked, choked and stamped? A. By the marks on the body and by being so informed by those who saw it done.

Q. Was that incident reported to the management? A. I reported a number of cases to the superintendent.

Q. Did he discharge the perpetrators? A. Most of them were retained.

Q. Was there a female that was severely whipped or punished, probably to the extent of a hemorrhage? A. Yes, sir, a Mrs. Mercer. I found her with a hemorrhage, and from her manner I had every reason to believe that her treatment was the cause of it. I pronounced it a hemorrhage of the lungs as a physician. She told me what the trouble was, and she said that four of the attendants had her down, and had stuffed an apron in her mouth. I asked one of the employees and she told me she

knew nothing about it, but after further investigation I found that she had been there. They all admitted having her down. She said they tried to make her sweep and she refused to do it. They all admitted having her down.

Q. Was she convalescent or disturbed? A. Well, she was disturbed.

Q. In your opinion, was such treatment necessary to control a patient? A. I think not.

Q. Are these attendants still employed there? A. They were when I left.

Was that incident reported to the management? A. I did not immediately report it to Dr. Gwynn, he was off attending a convention, and the supervisoress was off after a patient, and Mr. Yarborough was in charge. I told him about it, but I did not tell Dr. Gwynn, but he came to me about it, so I presumed he had been told about it.

Q. And these attendants were retained in the institution? A. Yes sir.

Q. Are there persons in that institution whom you do not think properly belong in a hospital for the insane?

A. I thought so, sir.

Q. About what percentage? A. I do not know.

Q. Was there ever such a thing as an autopsy held there? A. I did not see it.

Q. Did you know of any? A. I did.

Q. Only one that you heard of? A. Only one.

Q. It was not a common thing? A. No sir.

Q. We would like to have a statement along that line about the autopsy of the corpse? A. The supervisor on the male side and the young man in the hospital were the persons.

Q. Were either of them physicians? A. No sir, one was supervisor and one an attendant in the hospital ward. I would like to say that I did not see that, but they told me they were going to dissect one.

Q. Male or female? A. I do not know. My opinion was it was a male.

Q. White or colored? A. I do not know.

Q. Did they advise you on what authority they were doing that? A. No.

Q. Did they give you some reason why they were going to do it? A. Well I presume.

Q. Could that reason be put in print for the public? A. I presume so, yes sir.

Q. Will you state the reason? A. They said they were going to learn to be undertakers.

Q. Were those persons in the employment of the institution when you left? A. They were.

Q. Was the incident reported to the management? A. Not that I know of.

Q. Did the parties tell you Dr. Gwynn gave them his permission? A. They told me that it was alright with Dr. Gwynn, and asked me to go, but I refused.

Q. In the discharge of your duties, did you, or did you not, have access to the books of the institution? A. There were no books there that I knew of, except a dictionary and one or two others. I never found any more.

Q. Was there an employee styled as bookkeeper. A. Yes sir.

Q. Were you required to keep a record of the daily treatment of the patients? A. No sir, there was no record kept of the treatment of patients.

Q. You kept a record of the admission of each patient and the particulars? A. Ought to have, but Dr. Gwynn took that out of my hands. I looked over them and tried to keep them straight. I made the diagnosis of the cases. He told one of the bookkeepers to attend to it.

Q. What about the moral status of the institution during your stay there, was it very high? A. I do not know what to tell you about that. I do not know anything of my own knowledge.

Q. Was it true that attendants and some patients were permitted to perambulate around the country late at night? A. Yes sir.

Q. Was there no restriction? A. No, they were allowed two nights in the week to pair off and go where they would without restriction.

Q. Were there any improvements in the sanitary conditions of the institution during your stay? A. There was not.

Q. Will you undertake to state to the committee the reason why there was not? A. I can only say I reported some of the needs to Dr. Gwynn and there was nothing doing at the time.

Q. If your prescriptions were not always carried out, why not? A. I was told the supervisor would change them sometimes.

Q. Do you know that it was done? A. I cannot say positively, but they did not do what I told them to do, and gave no reason for not doing so.

Q. Did the matron ever interfere? A. No sir, she did not interfere.

Q. Was the failure to carry out your prescriptions harmful to the patient? A. It was.

Q. Was it of a serious nature? A. Well yes, at times. I complained to the Superintendent many times, but it did no good.

Q. In your opinion, did any of the patients at any time die for the want of attention? On account of the failure of carrying out your direction? A. I will say that they suffered at times.

Q. In your opinion, if they had gotten the medicine would they have died? A. They have suffered by the directions not being executed.

Q. In your opinion, Doctor, as a matter of fact, has any of the patients died for want of attention? A. In my opinion there have been patients who died there for want of proper attention.

Q. Was there a sufficient supply of medicine furnished you? A. Yes sir, sometimes Dr. Gwynn would cut out a little I would put in the requisition.

Q. What was the character of the medicines? A. Fairly good.

Q. Do you know anything about the cost of medicine? Did you notice the invoices? A. Yes they were alright. I specified what I wanted.

Q. Were the prices reasonable? Low or high? A. I did not look after that.

Q. With reference to the cleanliness of the wards, were they kept as clean as could be expected? A. I think they were kept as clean as could be expected.

Q. Did the sick have the necessary nourishments? A. Not all of the time.

Q. Was there any material deficiency? A. At times there was.

Q. Was there any just and valid reason for the deficiency? A. No particular reason for it. I would order something for a patient and would go back and the attendant would tell me they could not get it.

Q. To whom did they apply. A. To the steward.

Q. Under whose direct control was the steward? A. The Superintendent.

Q. How was the water supply from a sanitary point of view? A. At one time it was very bad, extremely

Q. Was it better when you left? A. Yes sir.

Q. Why? A. Because the cisterns had been cleaned out.

Q. During your stay there, was the water supply in the wards sufficient for bathing purposes, fires, etc.? A. I think that the supply of water was sufficient for bathing facilities.

Q. Was there harmony between the attendants and the staff during your stay there? A. Not EXACTLY.

Q. I might ask you in what way there was not? A. Well, the Superintendent and myself were not very harmonious at times, and the supervisor and myself.

Q. I will ask you to tell the committee why? A. I had rather not answer that question.

Mr. Balkcom testified as follows:

Q. What is your full name? A. V. F. Balkcom.

Q. What is your occupation? A. Druggist.

Q. Where located? A. City of Tallahassee, Florida.

Q. Have you at any time within the last four years sold any goods to the Hospital for the Insane of Florida?

A. Yes.

Q. About when did you make the first sale? A. January, 1903.

Q. About how long did the business continue? A. Through August of that year.

Q. Was the business obtained on competitive bids? A. No sir.

Q. How did you obtain the business? A. Through C. H. Dickinson.

Q. Who and what was Mr. C. H. Dickinson? A. Purchasing Agent for the Institution.

Q. Was he a member of your firm? A. Yes sir.

Q. When did Mr. Dickinson become a member? A. January 1st, 1903.

Q. Who sought the partnership? A. Mr. Dickinson.

Q. What inducement did Mr. Dickinson offer or hold out as advantageous to the partnership? A. The amount of business that he could bring to the store.

Q. What line of goods did you sell the hospital? A. Drugs, Medicines, Paints and surgical supplies.

Q. Were you engaged in selling paints? A. No sir.

Q. Were there other firms in Tallahassee who sold paints? A. Yes sir, L. C. Yeager and Gilmore & Davis Company.

Q. Of whom did you buy the paint you sold the Hospital? A. In most part locally.

Q. Are they wholesale or retail dealers? A. Retail dealers on a large scale.

Q. What profit did you propose to add to cost price? A. About 10 per cent.

Q. Was ten per cent the profit that you did add? A. No, sir.

Q. What profit did you add? A. About 15 per cent.

Q. What caused you to change your purpose? A. Consultation with my associate in business.

Q. Who was your associate in business? A. Mr. C. H. Dickinson.

Q. What interest did he hold? A. One fourth.

Q. Is he a druggist? A. No sir.

Q. Was he supposed to be an authority on prices and necessary profits to run the business? A. I had no reason to think so.

Q. Why then did you consult with him? A. He made objections to my prices.

Q. In what respect? A. He thought 10 per cent not enough profit.

Q. What profit did he suggest? A. He agreed to 15 per cent.

Q. Was 15 per cent the profit charged on drugs? A. No sir.

Q. What was the profit on drugs. A. Average about 20 per cent.

Q. Did Mr. Dickinson promise to give you the business of the hospital? A. Yes sir.

Q. Would you have been willing to accept 15 per cent on drugs? A. So far as the purchases of that institution, yes.

Q. What do you mean by that answer? A. I mean that as the goods were principally orders sent direct from job-

bers to the institution and the freight was charged in invoices; I was at no expense in handling.

Q. Why did you charge 20 per cent average? A. On the advice of my associate in business.

Q. Did you sell the Asylum any goods prior to Mr. Dickinson becoming a partner? A. No sir.

Q. Is Mr. Dickinson yet a partner? A. No sir.

Q. Have you sold the hospital any goods since Mr. Dickinson retired and while he was Purchasing Agent for the Hospital? A. No sir.

Q. When did he cease to be a member of your firm? A. In September, 1903.

Q. Do you object to stating why the partnership was dissolved? A. Mr. Dickinson became dissatisfied.

Q. In what respect? A. I understand that he said the house was not making enough money for him.

Q. Were you satisfied? A. I bought Mr. Dickinson's interest, and am proud of my business.

Correction—

The business interest was in the name of Mrs. Dickinson, wife of Mr. C. H. Dickinson, but it was with Mr. Dickinson that I treated in all matters stated.

Mr. Harris moved that the report of the committee be accepted and ordered spread on the Journal, and that 1,000 copies be printed and bound in pamphlet form.

Which was agreed to.

A message was received from the Governor.

ON TABLE SUBJECT TO CALL.

Senate Bill No. 214:

A bill to be entitled an act to require a statement of the time and place of the killing or injury of live stock, and the amount claimed therefor, and of the character of the stock killed or injured on the commencement of actions against railroad companies or any person operating a railroad in this State, and regulating the practice in such cases.

Having previously been read a third time.

Mr. Harris offered the following amendment to Senate Bill No. 214:

Strike out section 2 of printed bill.

Mr. Harris moved the adoption of the amendment.

Which was agreed to.

And Senate Bill No. 214 as amended, was ordered referred to the Committee on Engrossed Bills.

Mr. Faulkner moved that Senate Bill No. 305 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And

Senate Bill No. 305:

A bill to be entitled an act to prescribe the manner in which domestic wines, beers and other intoxicating beverages shall be sold by the manufacturers thereof, and prescribing a penalty for the violation thereof.

Was taken up.

Mr. Faulkner moved that Senate Bill No. 305 be referred to the Committee on Temperance.

Which was agreed to.

The following communication was ordered spread on the Journal:

State of Florida,
Executive Department,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of the Senate:

SIR—I have the honor to inform you that I have approved and signed the following act, which originated in your honorable body:

"An act prescribing that where there is a total loss of personal property insured and the company fails to pay the full amount covered by policy, there shall be returned to the insured the unearned premium for the excess over the amount paid in settlement."

I would further inform you that I have caused the said act to be filed in the office of the Secretary of State.

Very respectfully,
N. B. BROWARD,
Governor.

The following communication was ordered spread on the Journal.

State of Florida,
Executive Department,
Tallahassee, Fla., May 16, 1905.

Hon. Park M. Trammell,

President of the Senate:

SIR—I have the honor to inform you that I have approved and signed the following acts, which originated in your honorable body:

“An act providing a local system for the establishment, construction and maintenance of the Public Roads and Bridges of Osceola county, in the State of Florida; prescribing a method for the condemnation of the right of way for same; and legalizing certain Roads within said county.”

Also,

An act to amend Section four (4) of Chapter 4657, Laws of Florida, being an act to incorporate the town of Williston, in the county of Levy, approved June 2nd, 1897.

Also,

An act declaring the town of Williston, in Levy county, Florida, to be a legally incorporated town, the officers thereof to be legally elected and qualified, and to declare the ordinances of said town valid and of full force and effect.

Also,

An act relative to the taking of depositions in disbarment proceedings.

I would further inform you that I have caused the said acts to be filed in the office of the Secretary of State.

I have the honor to be,

Very respectfully,
N. B. BROWARD,
Governor.

The following communication was ordered spread on the Journal:

State of Florida,
Executive Department,
Tallahassee, Fla., May 16, 1905.

Hon. Park M. Trammell,

President of the Senate

SIR—I have the honor to inform you that I have approved and signed the following acts, which originated in your honorable body, to-wit:

An act to amend Sections 2434, 2435, 2436 and 2437 of the Revised Statutes of 1892, relating to breaking and entering a dwelling house, other building, ship, vessel or railroad car, and entering without breaking a dwelling house, other building, ship or vessel.

Also,

An act to amend Sections 54, 55, 70 and 84, and to repeal Section 81 of Chapter 5337 of the Laws of Florida, entitled "An act to incorporate the City of Bradentown and to provide for its government, and to provide for and declare its jurisdiction and powers," approved May 19th, 1903.

Also,

An act to provide for the purchase, safe-keeping and maintenance of bloodhounds for use in the pursuit of criminals.

I beg to further inform you that I have caused the said acts to be filed in the office of the Secretary of State.

I have the honor to be,

Very respectfully,

N. B. BROWARD,

Governor.

Mr. Harris moved that the rules be waived and that the Senate proceed to the consideration of bills on third reading.

Which was agreed to by a two-thirds vote.

And the Senate proceeded to consider.

BILLS ON THIRD READING.

Senate Bill No. 37:

A bill to be entitled an act to prohibit the shooting of live pigeons, fowl or other birds for amusement or as a test of skill in marksmanship.

Which was agreed to.

Mr. Massey moved that Senate Bill No. 37 be placed on calendar of bills on second reading for amendment.

Which was agreed to.

House Bill No. 83:

A bill to be entitled an act to provide for the inspection and analysis of, and to regulate the sale of commercial feeding stuffs in this State; to prohibit the sale of fraudulent or adulterated commercial feeding stuffs; to define the term commercial feeding stuffs; to provide for guarantees of the ingredients of commercial feeding stuffs; for the affixing of labels and stamps to the packages thereof, as evidence of the guarantee and inspection thereof; to provide for the collection of an inspection fee from the manufacturers of commercial feeding stuffs; to fix penalties for the violation of the provisions of this act; to authorize the appointment of an additional Assistant State Chemist, an inspector of commercial feeding stuffs, to appropriate the necessary funds to enforce the provisions of this act, and to repeal all laws or parts of laws in conflict with this act.

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

Upon call of the roll on House Bill No. 83 the vote was:

Yeas—Senators Alford, Baskin, Canova, Clarke, Crane, Crews, Crill, Davis, Gillen, Harris, Hudson, Humphries, Jackson, Lee, Massey, Newlan, Sams, Stockton, West, Wilson, Zim—21.

Nays—Mr. President, Senators Adams, Carter, Faulkner, McCreary, Neel, Scott, Wadsworth.—8.

So the bill passed, title as stated.

Mr. Clarke moved that the Senate adjourn until 3 o'clock this afternoon.

Which was agreed to.

Thereupon the Senate stood adjourned until 3 o'clock this afternoon.

AFTERNOON SESSION.

3 O'CLOCK.

The Senate met pursuant to adjournment.

The President in the chair.

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

Yeas—Mr. President, Senators Adams, Alford, Bailey, Baskin, Canova, Carter, Clarke, Crane, Crews, Grill, Davis, Faulkner, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Scott, Stockton, Wadsworth, West, Wilson, Zim.—31.

A quorum present.

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

An act to provide for the payment of all surplus funds in the fine and forfeiture fund of Alachua county, in the State of Florida, exceeding four thousand dollars, into the school fund of said county.

Have examined the same and find it correctly enrolled.

Very respectfully,

T. M. SCOTT,

Chairman of Committee.

The act contained in the above report was ordered 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.

SPECIAL ORDER.

Senate Bill No. 196:

A bill to be entitled an act to amend Section one (1) of an act, Chapter 4894, Laws of Florida the same being an act to provide annuities for disabled soldiers and sailors and wives of deceased soldiers and sailors of the State of Florida, approved May 3, 1901.

Was taken up and read a second time in full, the time set for its consideration having arrived.

Mr. Faulkner offered the following amendment to Senate Bill No. 196:

Strike out the word "Allowance," printed bill, in Section 1, page 4, line 48, and insert in lieu thereof the following: "Application."

Mr. Faulkner moved the adoption of the amendment.

Which was not agreed to.

Mr. Faulkner offered the following amendment to Senate Bill No. 196:

In Section 1, page 3, line 32, strike out the figures "1885," and insert in lieu thereof the following, "1890."

Mr. Faulkner moved the adoption of the amendment.

Which was not agreed to.

Mr. Harris offered the following amendment to Senate Bill No. 196:

Strike out the figures "1890," line 6, page 2, printed bill, and insert in lieu thereof the following, "1885."

Mr. Harris moved the adoption of the amendment.

Which was agreed to.

Mr. Harris offered the following amendment to Senate Bill No. 196:

Strike out the words "Persons drawing pensions under previous acts of the Legislature of Florida are retained and entitled to the benefits of this act," lines 44, 45 and 46, printed bill.

Mr. Harris moved the adoption of the amendment.

Which was agreed to.

Mr. Alford offered the following amendment to Senate Bill No. 196:

In Section 1, page 2, line 7, of typewritten bill, insert after the word "dollar" the following: "From which a sufficient income is derived for his or her support."

Mr. Alford moved the adoption of the amendment.

Which was agreed to.

Mr. Gillen moved that Senate Bill No. 196 be indefinitely postponed.

Mr. Gillen moved to lay Senate Bill No. 196 on the table.

Which was agreed to.

And Senate Bill No. 196, as amended, was laid on the table.

By permission—

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

Senate Chamber,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

An act to provide for the payment of all surplus funds

in the Fine and Forfeiture Fund of Alachua county, in the State of Florida, exceeding four thousand dollars, into the School Fund of said county.

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

Very respectfully,

T. M. SCOTT,
Chairman of Committee.

ENROLLED.

The President announced that he was about to sign—

An act to provide for the payment of all surplus funds in the Fine and Forfeiture Fund of Alachua county, in the State of Florida, exceeding four thousand dollars, into the School Fund of said county.

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

The Senate resumed consideration of—

BILLS ON THIRD READING.

Senate Bill No. 169:

A bill to be entitled an act to provide for the sale by guardians of the real estate of their wards.

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

Upon call of the roll on Senate Bill No. 169 the vote was:

| | | |
|---------------|-----------|-----------|
| Mr. President | Gillen | Newlan |
| Bailey | Harris | Raney |
| Baskin | Hudson | Sams |
| Canova | Humphries | Scott |
| Carter | Jackson | Wadsworth |
| Crane | Lee | West |
| Crill | McCreary | Wilson |
| Davis | Massey | Zim |
| Faulkner | Neel | |

Yeas—26.

Nays—none.

So the bill passed, title as stated.

Senate Bill No. 178:

A bill to be entitled an act declaring the Morrison Spring and Creek, in the county of Walton, in the State of Florida, navigable, and providing penalties for violation thereof.

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

Upon call of the roll on Senate Bill No. 178 the vote was:

| | | |
|--------|----------|-----------|
| Adams | Davis | Newlan |
| Alford | Faulkner | Raney |
| Bailey | Gillen | Sams |
| Baskin | Harris | Scott |
| Canova | Hudson | Stockton |
| Carter | Jackson | Wadsworth |
| Clark | Lee | West |
| Crane | McCreary | Wilson |
| Crews | Massey | Zim |
| Crill | Neel | |

Yeas—29.

Nays—none.

So the bill passed; title as stated.

Senate Bill No. 192:

A bill to be entitled an act relating to guardians, and authorizing certain charitable or benevolent corporations to be appointed and to act as guardians of minor children, and validating all such appointments heretofore made.

Was taken up and read a third time and put upon its passage.

Upon call of the roll on Senate Bill No. 192 the vote was:

| | | |
|---------------|-----------|-----------|
| Mr. President | Davis | Neel |
| Adams | Faulkner | Newlan |
| Alford | Gillen | Raney |
| Bailey | Harris | Sams |
| Baskin | Hudson | Scott |
| Canova | Humphries | Stockton |
| Carter | Jackson | Wadsworth |
| Clark | Lee | West |
| Crane | McCreary | Wilson |
| Crews | Massey | Zim |
| Crill | | |

Yeas—31.

Nays—none.

So the bill passed, title as stated.

Senate Bill No. 156:

A bill to be entitled an act relative to crossing of rail-way and street railway tracks by locomotives, trains or cars.

Was taken up.

Mr. Crane requested permission to exchange places on the Calendar, with Senate Bill No. 156 and Senate Bill No. 12, and that Senate Bill No. 12 be now taken up.

The request was granted.

A message was received from the House of Representatives.

Senate Bill No. 12:

A bill to be entitled an act to appropriate the sum of fifteen thousand dollars annually for two years to aid the Florida State Midwinter Fair Association in making a display of the agricultural, mineral, industrial, horticultural, forestry, live stock and other resources of the State of Florida; to encourage and promote immigration from other States of the United States, also foreign countries, and to influence competition among the various producers, that will tend to improve the character of all products known to the State of Florida, the said fair to be held in the city of Tampa, Florida, between November 1st, 1905, and March 1, 1906; also between November 1, 1906, and March 1, 1907, and to provide for the payment therefor.

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

Mr. Adams moved that Senate Bill No. 12 be placed on Calendar of Bills on second reading for amendment.

Which was not agreed to.

Upon call of the roll on Senate Bill No. 12 the vote was:

| | | |
|--------|-----------|----------|
| Bailey | Harris | Newlan |
| Baskin | Hudson | Scott |
| Canova | Humphries | Stockton |
| Carter | Jackson | West |
| Crane | Maksey | Zim |
| Davis | Neel | |

Yeas—17.

| | | |
|--------|----------|-----------|
| Adams | Faulkner | Sams |
| Alford | Crewa | Wadsworth |
| Clark | Lee | |

Nays—8.

So the bill passed, title as stated.

Mr. Crilly was excused from voting.
 Mr. Raney asked to be excused from voting.
 Mr. Crane moved that the rules be waived and that
 Senate Bill No. 12 be immediately certified to the House
 of Representatives.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 12 was so certified.

By permission—

Mr. Scott, Chairman of the Joint Committee on En-
 rolled Bills, submitted the following report:

Senate Chamber,

Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of the Senate.

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

An act to provide for the payment of all surplus funds
 in the Fine and Forfeiture Fund of Alachua county, in
 the State of Florida, exceeding four thousand dollars,
 into the School Fund of said county.

Beg to report that the same has been presented to the
 Governor for his approval.

Very respectfully,

T. M. SCOTT,

Chairman of Committee.

SPECIAL ORDER.

Senate Concurrent Resolution No. 18:

Whereas, It appears from the report of the Attorney-
 General that Volume Forty-five, which comprises the de-
 cisions of the Supreme Court for the January term, 1903,
 has been in the hands of the State Printer since April,
 1904.

That the "copy" for Volume Forty-six, which comprises
 the decisions of the Supreme Court for the June term,
 1903, has been in the hands of the State Printer since No-
 vember, 1904.

That the copy aforesaid was delivered to the contractors
 promptly upon its receipt by the Attorney-General.

And whereas, It appears by said report that copy for
 Volumes Forty-seven and Forty-eight, comprising the de-
 cisions of the Supreme Court for the year 1904, is in the
 office of the Attorney-General and that the contractor has
 refused to receive the same.

And whereas, it is the duty of the Board of State Institutions to protect the State of Florida by forcing the contractor for State printing to carry out the terms of his contract.

And whereas, The State of Florida has been damaged by the failure and refusal of the contractor to carry out the terms of his contract.

Therefore, be it resolved by the Senate, the House of Representatives concurring—

That the Board of State Institutions be and they are hereby ordered to take into their possession the copy for Volumes Forty-five, Forty-six, Forty-seven and Forty-eight of the reports of the Supreme Court, aforesaid.

That they take steps for the immediate publication of said Supreme Court Reports as is provided by law.

That they cancel the existing contract for publication of Supreme Court Reports.

That any damages sustained by the State by reason of the failure of the contractor to comply with the terms of his contract be deducted from any sums hereafter found to be due him from the State of Florida, on account of any other printing done.

That in awarding the contract for the publication of the said volumes of the Supreme Court Reports, no contract shall be awarded, either directly or indirectly, to the present contractor.

Was taken up and read a second time, the time for its consideration having arrived.

Mr. Harris offered the following amendment to Senate Joint Resolution No. 18:

Strike out the words "either directly or indirectly, to the present contractor," and insert in lieu thereof the following: "Unless a time limit is prescribed and a good and sufficient bond is taken to insure the compliance of the contractor with the terms of his contract."

Mr. Harris moved the adoption of the amendment.

Which was agreed to.

Mr. Harris moved the adoption of the resolution.

Which was agreed to.

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

Which was agreed to.

The Senate resumed consideration of—

BILLS ON THIRD READING.

Senate Bill No. 111:

A bill to be entitled an act to repeal Chapter 5291, of the Laws of Florida, acts of 1903, entitled "An act to regulate the catching or taking of fish in the waters of Manatee County, of the State of Florida, and to prohibit the taking or taking of fish, except for personal consumption, during the period from the twenty-third of November to the thirty-first of December of each and every year, and to regulate the manner and means to be employed in taking fish from said waters, and the length, depth, and kind of nets that may be employed in the taking of fish from said waters, and to prescribe a limit to the size of mesh of nets allowed to be used for the purpose of catching and taking fish from the waters of said county, and to prohibit the transportation for other purpose of sale, of any food fish from the limits of said county, from the twenty-third day of November to the thirty-first day of December of each and every year, and to prescribe a penalty for the violation of the provisions of this act.

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

Upon call of the roll on Senate Bill No. 111 the vote was:

Yeas—Mr. President, Messrs. Adams, Alford, Bailey, Baskin, Canova, Carter, Clarke, Crane, Crews, Crill, Faulkner, Gillen, Harris, Humphries, Jackson, Lee, McCreary, Massey, Neel, Sams, Scott, Stockton, Wadsworth, West Zim—26.

Nays—None.

So the bill passed, title as stated.

Mr. Stockton moved that Senate Bill No. 242 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And,

Senate Bill No. 242:

A bill to be entitled an act to provide for the construction and maintenance of roads and bridges in Duval county, Florida.

Was taken up:

Mr. Stockton moved that the rules be waived and Senate Bill No. 242 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 242 was read a second time by its title only.

Mr. Stockton moved that the rules be further waived, and that Senate Bill No. 242 be read a third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 242 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. Adams, Alford, Bailey, Baskin, Canova, Carter, Clarke, Crews, Crill, Davis, Faulkner, Gillen, Harris, Humphries, Jackson, Lee, Massey, Neel, Newlan, Sams, Scott, Stockton, Wadsworth, West, Zim.—26.

Nays—None.

So Senate Bill No. 242 was passed; title as stated.

By Permission—

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

Senate Chamber,

Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

House Bill No. 28:

A bill to be entitled an act to create a State Board of Accountancy and to prescribe its powers and duties, to provide for the examination of qualified accountants and to provide a penalty for the violation of this act.

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

Very respectfully,

E. S. CRILL,

Chairman of Committee.

And House Bill No. 28, contained in the above report, was placed on the calendar of bills on second reading.

By permission—

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

Senate Chamber,

Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 219:

A bill to be entitled an act to provide for the appointment of an assistant State auditor; to prescribe his duties and powers, and fix his compensation; to provide penalties for refusing to produce and submit books and records for his examination by State and county officials; and to appropriate money to carry the provisions of this act into effect.

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

Very respectfully,

E. S. CRILL,

Chairman of Committee.

And Senate Bill No. 219, contained in the above report, was placed on the calendar of bills on second reading.

By Permission—

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

Senate Chamber,

Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 306:

A bill to be entitled an act to regulate the payment of a license tax by aliens and non-residents taking oysters from natural oyster beds in this State.

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

Very respectfully,

E. S. CRILL,

Chairman of Committee.

And Senate Bill No. 306, contained in the above report, was placed on the calendar of bills on second reading.

By permission—
Mr. Crill, Chairman of the Committee on Finance and
Taxation, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

Senate Bill No. 257:

A bill to be entitled an act to require the return of the
pro rata portion of license tax paid by any dealer in
spirituous, vinous or malt liquors in any county or elec-
tion district where an election is held under the provis-
ions of Article nineteen of the Constitution of the State
of Florida, and the sale of such spirituous, vinous or malt
liquors are prohibited, after the issue of such license.

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

Very respectfully,

E. S. CRILL,

Chairman of Committee.

And Senate Bill No. 257, contained in the above report,
was placed on the calendar of bills on second reading.

By permission—

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

Senate Chamber,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

House Bill No. 248:

A bill to be entitled an act to authorize corporations
not for pecuniary profit to manage, care and provide for
children who may be abandoned, neglected, destitute or
subjected to perverted training.

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

Very respectfully,

W. HUNT HARRIS,

Chairman of Committee.

And House Bill No. 248, contained in the above report, was placed on the calendar of bills on second reading.

By Permission—

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

Senate Chamber,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

House Bill No. 288:

A bill to be entitled an act to prohibit any life insurance company doing business in this State from making or permitting any distinction or discrimination in favor of individuals between insurants of the same class and expectation of life in the amount or payment of premiums, and providing a penalty therefor.

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

Very respectfully,

E. S. CRILL,

Chairman of Committee.

And House Bill No. 288, contained in the above report, was placed on the calendar of bills on second reading.

By permission—

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

Senate Chamber,
Tallahassee, Fla., May 17, 1905.

Hon. Park M. Trammell,

President of the Senate:

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

House Bill No. 171:

A bill to be entitled an act to require the Trustees of the Internal Improvement Fund to pay into the State Treasury all money now in their possession or which may hereafter come into their possession for the said Internal Improvement Fund; to make the State Treasurer responsible

under his official bond for the safe keeping of the same, and to repeal Chapter 5245, Laws of Florida, relating to the disposition of the said money, approved June 8, 1903.

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

Very respectfully,
E. S. CRILL,
Chairman of Committee.

And House Bill No. 171 contained in the above report, was placed on the calendar of bills on second reading!

By permission—

Mr. Massey introduced—

Senate Bill No. 327:

A bill to be entitled an act to legalize and validate all warrants heretofore issued by county boards of public instruction for money borrowed for educational purposes.

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

By permission—

Mr. Gillen introduced—

Senate Bill No. 328:

A bill to be entitled an act to prohibit the promotion of combinations on the part of manufacturers of ice in the State of Florida, for the purpose of controlling prices, or of controlling prices or of maintaining an agreed price, or of preventing the shipment of ice for sale from one place to another in said State, or for the purpose of any agreement in the nature of a trust; declaring all such agreements and combinations unlawful, prescribing penalties for violation of this act, and making it unlawful for any dealer in ice to refuse or fail to give purchasers full weight.

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

By permission—

Mr. West introduced—

Senate Bill No. 329:

A bill to be entitled an act to provide for the redemption and sale of certain tax certificates held by the State.

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

By permission—

Mr. West introduced—

Senate Bill No. 330:

A bill to be entitled an act to provide for the cancellation of void, illegal, or imperfect tax certificates now or hereafter to be held by the State, and to provide compensation for the clerks making such cancellation.

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

By permission—

Mr. West introduced—

Senate Bill No. 331:

A bill to be entitled an act to cancel all tax certificates held by clerks of the circuit court of one county, which describe lands in another county, and to provide compensation for service of clerks in connection therewith.

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

By permission—

Mr. Stockton introduced—

Senate Bill No. 332:

A bill to be entitled an act authorizing the city of Jacksonville to issue bonds and providing for the payment thereof.

Which was read the first time by its title.

Mr. Stockton moved that the rules be waived and that Senate Bill No. 332 be placed on calendar of bills on second reading without reference to committee.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 332 was placed on the calendar of bills on second reading.

By permission—

Mr. McCreary introduced—

Senate Joint Resolution No. 333:

A joint resolution proposing an amendment to section 8 of Article 8 of the Constitution of the State of Florida.

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

The Senate resumed consideration of—

BILLS ON THIRD READING.

House Bill No. 17:

A bill to be entitled an act to prescribe the compensation to be paid members of the Board of County Commissioners of the several counties of the State of Florida.

Was taken up.

Mr. Baskin moved that House Bill No. 17 be placed back on calendar of bills on second reading for amendment.

Which was agreed to.

Senate Bill No. 210:

A bill to be entitled an act to amend Section 2264 of the Revised Statutes of the State of Florida, relating to posting signs, ringing bells at road crossings, and relating to speed in cities or incorporated towns.

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

Upon call of the roll on Senate Bill No. 210, the vote was:

Yeas—Senators Alford, Bailey, Baskin, Canova, Carter, Clarke, Crane, Crews, Crill, Davis, Faulkner, Gillen, Harris, Hudson, Humphries, Jackson, Lee, McCreary, Massey, Neel, Newlan, Raney, Sams, Scott, Stockton, Wilson, Zim—29.

Nays—Mr. President—1.

So the bill passed, title as stated.

ORDERS OF THE DAY.

House Bill No. 82:

A bill to be entitled an act for the relief of Marion County.

Together with the committee substitute therefor—

A bill to be entitled an act to provide for the payment to the several counties of the State for the use of armories furnished by such counties for State troops.

Was taken up, with the following amendment by Mr. Faulkner, pending at adjournment yesterday:

Strike out all in the matter of the board adjudicating and paying such claims, and insert in lieu thereof the following: That the Board shall have the right to investigate all claims and report the same to the next Legislature.

And Mr. Faulkner's motion to adopt same.

Mr. Faulkner withdrew the amendment.

Mr. Faulkner offered the following amendment to substitute for House Bill No. 82:

Strike out all of Section 1, after the word "receive," in line 2 of said Section 1, and insert in lieu thereof the following: "And consider any claim filed with them for any county under the provisions of this act, and such board shall report its findings as to each claim to the next Legislature."

Mr. Faulkner moved the adoption of the amendment.

The yeas and nays were demanded on the amendment of Mr. Faulkner to substitute for House Bill No. 82.

Upon the call of the roll the vote was:

Yeas—Mr. President, Senators Adams, Alford, Bailey, Canova, Carter, Clarke, Faulkner, Gillen, Humphries, Jackson, Massey, Newlan, Raney, Wadsworth, West, Wilson—17.

Nays—Senators Baskin, Crane, Crews, Grill, Davis, Harris, Hudson, Lee, McCreary, Neel, Sams, Scott, Stockton, Zim—14.

So the amendment was agreed to.

Mr. Faulkner offered the following amendment to committee substitute for House Bill No. 82:

Add to the end of Section 2 the following: "And report such finding to the next Legislature."

Mr. Faulkner moved the adoption of the amendment.

Which was agreed to.

Mr. Faulkner offered the following amendment to committee substitute for House Bill No. 82:

Strike out all of Section 3 and insert in lieu thereof the following:

Section 3. The expense of procuring any evidence on behalf of the State in reference to the justness of these claims shall be paid by the State out of any funds not otherwise appropriated.

Mr. Faulkner moved the adoption of the amendment.

Which was agreed to.

And committee substitute for House Bill No. 82, as amended, was ordered referred to the Committee on Engrossed Bills.

Mr. Harris moved that Senate Bill No. 90 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote.

And

Senate Bill No. 90:

A bill to be entitled an act providing that railroads and express companies shall pay such damage and loss as a shipper may sustain by reason of delays and negligence of such transportation company in carrying or transporting fruits, vegetables and other farm products, within a certain time, and fixing a rule of damages upon their failure to do so.

Was taken up.

Mr. Harris moved Senate Bill No. 90 be recommitted to the Judiciary Committee.

Which was agreed to.

BILLS ON THIRD READING.

Senate Bill No. 143:

A bill to be entitled an act to grant rights and franchises to the Manatee Light and Traction Company, to operate street cars and electric lighting and power business within the municipality of Manatee, and for other purposes.

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

Upon call of the roll on Senate Bill No. 143 the vote was:

Yeas—Mr. President, Senators Adams, Alford, Bailey, Baskin, Canova, Carter, Clarke, Crews, Faulkner, Gillen, Harris, Hudson, Humphries, Jackson, Lee, Neel, Newlan, Sams, Wadsworth, West—21.

Nays—Crill, McCreary, Massey, Scott, Stockton—5.

So the bill passed, title as stated.

Senate Bill No. 182:

A bill to be entitled an act empowering county boards of public instruction and trustees of special tax school districts to establish kindergartens under certain conditions.

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

Upon call of the roll on Senate Bill No. 182 the vote was:

Yeas—Mr. President, Senators Adams, Alford, Bailey, Baskin, Canova, Clarke, Crane, Crews, Crill, Davis, Faulkner, Gillen, Harris, Hudson, Jackson, Lee, McCreary, Massey, Neel, Newlan, Sams, Scott, Stockton, Wadsworth, West, Wilson, Zim—28.

Nays—Senator Carter—1.

So the bill passed, title as stated.

Mr. Harris moved that House Bill No. 162 be taken up out of its order and now considered.

Which was agreed to by a unanimous vote.

And

House Bill No. 162:

A bill to be entitled an act to extend the powers of the Railroad Commissioners so as to give them power and authority to regulate charges of telegraph companies for the transmission of messages by telegraph; to apply the powers given to said commissioners by law over railroad companies to all persons or companies owning, controlling or operating a line or lines of telegraph, and to make the penalties prescribed against railroads for violating commissioners' rules apply to the companies and persons herein named whose line or lines is or are wholly or in part of this State, and for other purposes.

Was taken up.

Mr. Harris moved that H. B. No. 162 be recommitted to the Committee on Judiciary.

Which was agreed to.

Senate Bill No. 183:

A bill to be entitled an act to prohibit certain educational institutions from maintaining preparatory, sub-collegiate, sub-freshman and academic departments, regulating the course of study to be maintained by said institutions, and providing that diplomas of certain high schools shall entitle the holder thereof to admission in the freshman class of the several State educational institutions.

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

Upon call of the roll on Senate Bill No. 183 the vote was:

Yeas—Mr. President, Senators Adams, Alford, Canova, Clarke, Crane, Crews, Davis, Faulkner, Harris, Hudson, Humphries, Jackson, Lee, Massey, Newlan, Sams, Stockton, Wadsworth, West, Zim—21.

Nays—Senators McCreary, Neel, Wilson—3.
So the bill passed, title as stated.

Mr. Trammell (Mr. Adams in the chair) moved that all bills passed today be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.
Senate Bill No. 152:

A bill to be entitled an act to amend Section 19, Chapter 4338, Laws of Florida, entitled "An Act to provide for establishing, working and repairing and maintaining the public roads and bridges of the several counties of this State, and to provide penalties for failure thereof." approved May 29, 1895.

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

Upon call of the roll on Senate Bill No. 152, the vote was:

Yeas—Senators Bailey, Baskin, Canova, Carter, Clarke, Crews, Crill, Davis, Faulkner, Humphries, Jackson, Lee, McCreary, Neel, Newlan, Sams, Scott, Stockton, Wadsworth, West, Wilson, Zim—22.

Nays—None.

So the bill passed, title as stated.

Senate Bill No. 142:

A bill to be entitled an act for the protection of shade in the State of Florida, and prescribing a penalty for any violation thereof.

Was taken up and read a third time in full.

Mr. Sams moved that Senate Bill No. 142 be placed back on calendar of bills on second reading for amendments.

Which was agreed to.

Mr. McCreary moved that the Senate adjourn until 10 o'clock a. m. tomorrow.

Which was agreed to.

Thereupon the Senate stood adjourned until tomorrow, Thursday, May 18, 1905, at 10 o'clock a. m.