suitable resolutions on the deaths of Senators Lee, Carter and Winburn, under Senate Resolution No. 3.

INTRODUCTION OF RESOLUTIONS.

Mr. Clarke offered the following:

Senate Resolution No. 28:

Whereas, We have learned with feelings of deep regret that Hon. J. R. Newlan, late Senator from the Seventeenth District, died at his home in Suwannee County on Friday the 5th, instant; therefore, be it,

Resolved, That the Senate do now adjourn and stand adjourned until ten o'clock tomorrow out of respect to his memory;

Resolved, Further, That the President of this body is hereby requested to appoint a committee consisting of three members of the Senate to prepare suitable resolutions of condolence on the death of Senator Newlan.

Which was read.

Mr. Clarke moved the adoption of the resolution.

Which was agreed to, and Senate Resolution No. 28 was adopted.

Thereupon the Senate stood adjourned until 10 o'clock tomorrow (Tuesday), April 9, 1907.

TUESDAY, APRIL 9, 1907.

The Senate met pursuant to adjournment.
The President in the chair.

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

ROLL CALL.

Mr. President, Senators Adams, Alford, Baker, Beard, Broome, Buckman, Canova, Clark, Cone, Cottrell, Crane, Crews, Crill, Davis, Girardeau, Henderson,

Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, Withers, West (1st District); West, (4th District).—31.

A quorum present.

Prayer by the chaplain.

The Journals of Friday, April 5th, and Monday, April 8th, were corrected and approved.

INTRODUCTION OF RESOLUTIONS.

Mr. Crane offered the following:

Senate Resolution No. 29.

Whereas, It is desirable that as wide publicity be given the official proceedings of this body as possible, and

Whereas, Many of the Senators are now having mailed at their own expense copies of the Daily Senate Journal, therefore be it

Resolved, That each Senator, who desires, file a list of persons to receive the Senate Journal, not to exceed fifty in any case, with the Messenger of the Senate, whose duty it shall be, with such assistance as he may require from the pages, to address and have such Journals mailed; the expense of the postage to be certified to the chairman of the Committee of Legislative Expenses for payment.

Resolved, further, That such additional copies of the Senate Journal be printed and furnished as may be necessary to carry out this resolution.

Which was read.

Mr. Crane moved the adoption of the resolution.

Which was agreed to.

Senate Resolution No. 29 was adopted.

Mr. Baker offered the following Senate Concurrent Resolution No. 7.

By Mr. Baker.

Senate Concurrent Resolution No. 7:

Whereas, The constitution of the State requires this Legislature to reapportion the representation of the House and Senate in accordance with the last census, and

Whereas, The Legislature of 1905 did create the county of St. Lucie, it becomes necessary to provide representation for the county of St. Lucie; therefore, be it

Resolved, That a special committee of seven consist-
ɜ of four on the part of the House and three on the
ırt of the Senate be appointed to present at an early
ıte to this session a bill reapportioning the represen-
ıtion of the Legislature, according to the census of
905.

Which was laid over under the rules.

Mr. Sams offered the following:

Senate Resolution No. 30.

Resolved by the Senate of the State of Florida, that the chairman of the Committee on Enrolled Bills be allowed to employ necessary clerical help to properly carry on the work of the committee.

Which was read.

Mr. Sams moved the adoption of the resolution.

Which was agreed to.

And Senate Resolution No. 30 was adopted.

Pending the introduction of resolutions the following message from the Governor was read:

Executive Department,
State of Florida.
Tallahassee, April 9, 1907.

Hon. W. Hunt Harris,
President of the Senate,
Tallahassee, Florida.

Sir:

I have the honor to herewith transmit to you the report of the State Board of Education, made in accordance with Section 37, Chapter 5384, Laws of 1905.

Respectfully submitted,
N. B. BROWARD,
Governor.

Tallahassee, Fla., April 1, 1907.

To His Excellency, N. B. Broward, Governor of Florida:

Sir:

I have the honor to submit a report of the State Board of Education in accordance with Section 37, Chapter 5384, Session Laws of 1905. This section requires the report of the State Board of Education to be made to the Legislature. Pursuant to a custom prevailing in the departments, I address this report to your excellency in order that you may transmit it to the Leg-

islature at such time during the session as you may find it convenient so to do.

ACTS OF THE STATE BOARD OF EDUCATION AND BOARD OF CONROL IN JOINT SESSION.

On July 6, 1906, the State Board of Education and Board of Control, in joint session. permanently located the University of the State of Florida in the city of Gainesville, and the Florida Female College in the city of Tallahassee.

On July 24, 1905, the Institute for the Blind, Deaf and Dumb was permanently located in the city of St. Augustine on condition that the Board of Trade of the said city of St. Augustine should within twelve months comply with its proposition guaranteeing to convey to the State twelve acres of land lying north of the Institute for the Blind, Deaf and Dumb.

The libraries, laboratories, paraphernalia, and apparatus of the several institutions of higher learning abolished by the provisions of Chapter 5384 were appropriated under Section 25 to the University of the State of Florida, the Florida Female College, the Institute for the Blind, Deaf and Dumb, and the Colored Normal School.

ACTS OF THE STATE BOARD OF EDUCATION.

On September 6, 1905, the State Board of Education rented to Mrs. R. B. Taylor, for $50.00 per month, the Girls' Dormitory of the East Florida Seminary located at Gainesville, and the State has realized therefrom the sum of $750.00.

On September 6, 1905, the board, in consideration of the sum of $25.00, sold to H. P. Baya one office chair and desk at the South Florida Military College, located at Bartow, and on March 13, 1906, one pine table belonging to the same institution was sold to Mrs. A. L. Lyle for $2.00.

On the 21st day of March, 1906, in compliance with the proposition of the citizens of the city of Gainesville, in which they guaranteed to the State $30,000.00 for the property of the abolished East Florida Seminary, the State Board of Education executed deeds to the said

property as follows: To the Board of Public Instruction of Alachua County, in consideration of the sum of $12,000.00, the lot containing the Acadamic building; to the city of Gainesville, in consideration of the sum of $10,000.00, the lot containing the building used as barracks; to W. R. Thomas, in consideration of the sum of $8,00.00, the lot containing the Girls' Dormitory.

The properties of the South Florida Military College at Bartow, the Florida Agricultural Institute at Kissimmee, and the State Normal School at DeFuniak Springs, were advertised for sale and sold at the highest prices offered. On the 7th day of April, 1906, a deed to the property of the South Florida Military College located at Bartow was executed in favor of W. B. Swearingen in consideration of the sum of $2,610.00.

On the 7th day of April, 1906, a deed to the property of the abolished Florida Agricltural Institute located at Kissimmee was execuetd in favor of Geo. W. Hopkins, in consideration of the sum of $1,000.00. The State received for the property of the said abolished Florida Agricultural Institute the net sum of $998.50, after allowing $1.50 for the record of the deed originally conveying the said property to the State.

On April 7, 1906, a deed to the Old Seminary property located in Tallahassee was executed in favor of the Board of Public Instruction of Leon County, Florida. and the sum of $1,000.00 was paid in exchange for the property on which was located the school known as Lincoln Academy.

On April 14, 1906, a deed to the property of the abolished State Normal School located at DeFuniak Springs was executed in favor of Daniel Campbell, S K. Gillis, and J. J. Fitzgerald, trustees, in consideration of the sum of $3,400.00.

Section 25 of Chapter 5384 requires the joint Boards of Control and Education, as soon as they shall have located the said University, College and Institute for the Blind, Deaf and Dumb, to take and appropriate from the different libraries and laboratories of the several abolished institutions so much of said literature and paraphernalia and apparatus as may be necessary to thoroughly equip the four said respective institutions, and the balance, if any remains, shall be disposed of as is hereinafter provided for the disposal of other property

not used. This requirement of the law was complied with.

Sec. 18 provides that if the said Boards shall not select the abolished institution located at Lake City as one of the places for the location for one of the said institutions, then the said State Board of Education, out of the assets and property coming to it from the said abolished institution at the place, shall refund to the said city of Lake City the $15,000.00 and the one hundred acres of land donated by Lake City to the said institution upon its establishment at that place. The Board has not been able to refund to Lake City the $15,000.00 provided for in the act for the reason that the Board has not been able to sell the two hundred and fifty-five (255) acres of land other than the one hundred acres mentioned in the Statute, nor has the Board had any offer for the sale thereof except that which was contained in a proposition to the Board from the citizens of Lake City to accept in payment of the said $15,000.00 the said two hundred and fifty-five (255) acres of land and all the literature, paraphernalia and apparatus of the abolished institution which was located in that city. The State Board of Education and the citizens of Lake City have not been able to agree upon this proposition, as part of such literature, paraphernalia and apparatus was required for the University of the State of Florida and appropriated under Section 25 of the act. As to the conveyance of the one hundred acres of land mentioned in Section 18, the State Board of Education has been, and is now, ready to execute a deed thereof to Lake City, in accordance with the provisions of the act, whenever the citizens of Lake City shall signify their willingness to accept the same.

WM. M. HOLLOWAY,
Secretary and State Supt. Pub. Instruction.

Mr. Crane moved that the message be received, spread upon the Journal and that 1,000 copies of the same be printed for the use of the Senate.

Which was agreed to and so ordered.

Also the following message from the Governor was read:

Executive Department,
State of Florida.
Tallahassee, Fla., April 8, 1907.

Hon. Hunt Harris,
President of the Senate,
Tallahassee, Fla.

Sir:..

I have the honor to herewith transmit to you the report of the Board of Drainage Commissioners, created by Chapter 5377, laws of Florida, approved May 27, 1905.

N. B. BROWARD,
Governor.

REPORT.

Tallahassee, April 3rd, 1907.

Hon. Eugene S. Matthews,
Speaker of the House of Representatives.

Dear Sir:

Under the laws of the United States a few thousand people have been made richer, and permitted, by virtue of the force and favoritism of the law, to become possessed of greater wealth than the remaining millions of the people of the United States.

In Florida, corporations have been favored with liberal franchises, charters and Legislative grants and privileges, who now, through their representatives, assume in a large part to dominate legislation, and to observe the law or not, as, in their efforts to enrich themselves, their interests can be best subserved.

The land corporations in this State, like the great trust monopolies in the manufacturing business in the North, who were fostered first by the protective tariff, on account of their claim of being infant industries, and who rapidly grew to such proportions that they have controlled nearly every National Administration, including Congress, in the procurement of special legislation in their interest for more than forty years, have acquired their wealth and power through liberal franchises, protected and fostered by virtue of the laws of the land.

Florida as a State has not been entirely exempt from such conditions. The advantages given to corporations an

the manufacturing business in the United States have been granted by national legislation, which has enabled a class who have practically grown rich, to monopolize the trade of the country, charging the people of the country what they please; and by these fostering laws they have become such colossal giants in finance and power that they now assume to dominate the politics as well as the policies of the country, and go through the pockets of the people taking whatever proportion of the profits they see fit to acquire by laws made by their agents; and they now frown down and call anarchists any one who speaks out for the people's rights.

The land grant corporations of our State, made great and rich by the grants and franchises and gifts of more than one-half of the surface area of the State in lands, are now disputing the right of the Legislature of this State to require of them that they shall share the equal burden incident to the general welfare by contributing an equal proportion and share of the tax levied by the Legislature for the purpose of benefiting and improving the lands themselves in the interest of, and looking to, the general welfare of the State.

The Legislature of 1905 passed an act levying an acreage tax for the purpose of reclaiming a great portion of the swamp and overflowed lands of our State, requiring the owners of swamp and overflowed lands to share ratably in the cost of reclaiming the lands of that character.

Many corporations have filed suits in the United States Court denying the right of the Legislature of Florida, and its officers whose duties it is to enforce the law, to require any such contribution. They refuse to pay any portion of the cost of drainage and reclamation of the swamp and overflowed lands, although their lands will be benefited equally with all others so assessed.

The contest is on between the people and the corporations, and especially between the Legislature and the corporations. The Legislature has passed a law—the corporations refuse to obey it. The Legislature has said that the corporations shall contribute a just proportion of the cost of such improvements—the corporations decline to do it, and say that the Legislature has no right or power to require them to do so.

Of the many suits instituted, one suit which may be

termed a test suit, was submitted to the court for final hearing on the fifth and sixth of the present month. I confidently believe that the present law is valid and will be sustained by the court. You will be promptly advised of the result of this litigation.

The resident portion of the people within the drainage district have paid their proportion of the tax upon more than one-half of the lands that they own, amounting to $4,380.57, and would have paid, I am informed and believe, the remaining portion, had not the land-grabbing corporations enjoined the Drainage Commissioners. The non-resident land grant corporations and owners have not paid a dollar. They have arrogantly denied the power of the Legislature in the premises. They have refused to observe the law of the State, though they seek this governmental protection and care of their properties. They owe as their proportion of the assessment under the Act of 1905, on the basis of five cents per acre levied, $202,225.52, while the resident owners of land in the entire district only owe $4,870.26, the greater portion of which I have been assured by the owners will be paid if others are required to be paid on the holdings of the corporations.

The question naturally arises in the mind of every patriotic citizen, whether in office or not in office: "Is the property of a non-resident so sacred that it will not even contribute its just proportion of the expense of a development of the greatest State importance—even national in its beneficence; and shall the people of Florida, residents of the district, pay all, as they have always done?" In other words, "shall the resident owners of lands in the district do the work, while the non-residents wait and do nothing, except what they can to obstruct, when they are only asked to pay their just proportion of the expense of the work?"

I would not have you distinguished gentlemen or the people of Florida understand that I am arraying one class of property owners against another, or that I favor an unjust law or provision that works an uneven burden upon any class of property owners in Florida; but on the contrary am only endeavoring to call to your attention the situation as it is, which has been brought about by the corporations themselves, which is made to appear by the following summary showing the amount of taxes paid and unpaid by resident owners; the amount of taxes unpaid—none having been paid by non-resident cor-

poration owners, and the total tax levy by counties under the Act of 1905 in the present drainage district:

County—	Paid.	Unpaid Resident.	Unpaid Non-res.	Total Tax Levy.
Dade	$1,796.27	$1,316.36	$ 45,770.44	$ 48,883.07
DeSoto. ..	832.80	2,033.85	46,448.85	49,315.50
Lee.	180.30	554.27	73,628.88	74,363.45
Osceola. ..	93.77	327.88	12,037.55	12,459.20
St. Lucie ..	1,477.43	637.90	24,339.80	26,455.13
	$4,380.57	$4,870.26	$202,225.52	$211,476.35

This summary is conclusive of statistical facts to be drawn from the present situation. It shows a total assessment against resident land owners of $9,250.83, and the total assessment of property owned by non-resident corporations to be $202,225.52.

In this proportion the resident owner is asked to pay the burden. Shall the resident owners of ..... acres of swamp and overflowed lands in the district be required to contribute all the cost of the reclamation of the entire territory, or shall the non-resident corporation owners be required to share their portion of such cost? The efforts of the Board of Drainage Commissioners, under Chapter 5377, Laws of Florida, will appear from the report of the Drainage Commissioners, which I have the honor to submit herewith, and to which your special attention is invited.

Respectfully,

N. B. BROWARD,
Governor.

Hon. Eugene S. Matthews,
Speaker of the House of Representatives.

Dear Sir:

The Board of Drainage Commissioners of the State of Florida has the honor to submit herewith a report of their acts, proceedings and efforts, under the provisions of Chapter 5377, Laws of Florida, approved May 27, 1905.

Under and by virtue of the provisions of such statute, and in pursuance thereof, the Governor, Comptroller, Treasurer, Attorney-General and Commissioner of Agriculture, having been constituted and designated as "A Board of Drainage Commissioners," met in the Executive

Office on the 15th day of June, 1905, all members being present, and proceeded with the organization of said Board of Drainage Commissioners by the election of the Governor as President, M. A. Brown as Secretary, and W. V. Knott as Treasurer.

The President stated, briefly, the object of the meeting, as set forth in Chapter 5377, Laws of Florida, and suggested that said Board proceed to the discharge of their duties under said law, which, after discussion and consideration, was agreed to, and the Board proceeded to perform the duties and responsibilities cast upon it by said law.

A copy of their acts and proceedings relating to the establishment of a system of canals and drains, as in the judgment of said Board was deemed advisable to drain and reclaim the swamp and overflowed lands, or such portion thereof as is deemed advisable to commence operations in; the establishment of drainage districts and the boundaries thereof, the preparation of the list or lists of all alluvial or swamp and overflowed taxable lands within said drainage district; the levy thereon of an acreage tax of not exceeding 10 cents per acre (the amount having been fixed at 5 cents per acre for the year 1905), the preparation and issuance of such lists to the Tax Assessors of the various counties of said district, together with instructions to such Assessors as to the manner and form prescribed by said Board for the entry of said lists upon the tax rolls of the various counties, and the warrants to the Tax Collectors, is attached hereto and made a part of this report.

During the progress of carrying out the provisions of said law, the duties of the Board having been carefully and fully discharged in the matters and things set forth in said law and complied with by the Tax Assessors; the lists having been properly entered upon the tax rolls of the various counties in said drainage district and turned over to the Tax Collectors with the Assessors' warrants, in the usual form, commanding the Tax Collector to collect the said acreage tax so levied in accordance with law, the Collectors proceeded thereunder to make such collections. but were enjoined by bills in chancery filed in the United States Circuit Court in and for the Southern District of Florida by various complainants against the Board of

Drainage Commissioners and the several Tax Collectors; the first suit having been instituted by the Southern States Land and Timber Company on or about the 11th day of January, A. D. 1906; the other suits being instituted in the same Court at later dates by complainants claiming to own, in the aggregate, 3,335,460.51 acres.

Injunctions were granted in said causes until the further order of the Court. The suits are now pending; the first suit being considered a test suit, and having been concluded by issues having been joined in the pleadings, the testimony taken, and final argument made submitting the cause on the ..... day of March, A. D. 1907.

The defendants have all been represented in the suits by Attorney-General W. H. Ellis and W. S. Jennings, Esq.

The status of all of the suits, the names of the complainants, the acreage claimed, the amount of taxes levied on the lands owned by each claimant, are all referred to at some length in a copy of the Reports of Counsel for the Board, attached hereto and made a part of this report.

The Tax Collectors in the various counties in said drainage district collected the acreage tax so levied by the Board of Drainage Commissioners from the several taxpayers owning lands within said district, as required by law, and transmitted the same to W. V. Knott, Treasurer, aggregating $4,380.57, as will appear at greater length in a detailed report of said Treasurer, which is referred to and made a part hereof.

These payments having been made by taxpayers owning small acreages of land in said district, as compared with the aggregate of the large acreage represented in said suits upon which injunctions had been granted, enjoining the collection of said acreage tax until the further order of the Court, it was deemed advisable by the Board to retain the taxes so collected from the taxpayers owning the small acreages in said district, waiting the result of the decision of the Court in the suits pending or Legislative direction as to the disbursement or applicaton of said acreage tax, and, therefore, the Board has held such taxes intact and inviolate, every dollar of which is now in the hands of the Treasurer, as shown by his report, subject to the direction of the Legislature or the courts.

The members of the Board of Drainage Commissioners have not been unmindful of the great powers and duties and responsibilities cast upon them by the provisions of

Chapter 5377, Laws of Florida, and have at all times earnestly endeavored to faithfully discharge the duties imposed upon them in pursuance of and by virtue of said law.

All of which is respectfully submitted.

N. B. BROWARD
A. C. CROOM,
W. H. ELLIS,
W. V. KNOTT,
B. E. McLIN.

BOARD OF DRAINAGE COMMISSIONERS OF FLORIDA.

Whereas, The Legislature of the State of Florida enacted a law, Chapter No. 5377 (No. 6), approved by the Governor of the State of Florida on the 27th day of May, 1905, as follows to wit:

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 benefited, 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 purposes of drainage, reclamation and improvement aforesaid.

Be it Enacted by the Legislature of the State of Florida:

Section 1. The Governor, the Comptroller, the State Treasurer, the Attorney-General and the Commissioner of Agriculture of the State of Florida and their successors in office, are hereby constituted and designated as a Board of Drainage Commissioners, and are hereby authorized and empowered to establish a system of canals, drains, levees, dikes and reservoirs of such dimensions and depth as in the judgment of said Board of Drainage Commissioners is deemed advisable, to drain and reclaim the swamp and overflowed lands within the State of Florida or such parts or portions thereof as is deemed best by said Board of Drainage Commissioners from time to time, and to provide for the irrigation of the lands

reclaimed in such manner as will be most advantageous to the territory so drained, the State of Florida, its inhabitants and the commerce thereof.

Sec. 2. That the Board of Drainage Commissioners are hereby authorized and empowered to establish drainage districts and to fix the boundaries thereof in the State of Florida. That the Board of Drainage Commissioners be, and it is hereby authorized and empowered to prepare a list or lists of all the alluvial or swamp and overflowed taxable lands within such drainage district or districts, and levy thereon an acreage tax not exceeding ten cents per acre per annum to be fixed annually by said Board of Drainage Commissioners, and the various Tax Assessors of the various counties embraced in part or in whole within such drainage district or districts shall receive such list or lists and enter the same upon the tax rolls of the county or counties in which such lands may lie and the amount so levied by the Board of Drainage Commissioners from time to time, which amount shall be collected by the various Tax Collectors of the counties wherein such levies have been made as other taxes are collected in accordance with law, and pay over said amounts collected to the Board of Drainage Commissioners.

Sec. 3. That the Board of Drainage Commissioners be, and it is hereby authorized to exercise the right of eminent domain in the condemnation of land for the location of its canals, drains, levees, dikes and reservoirs for the purposes aforesaid and may enter upon, take and use such lands as it may, pending condemnation proceedings, deem necessary for such purposes, and in ascertaining the compensation to be paid for such land or right of way, benefits to be derived from such drainage shall be considered by the jury.

Sec. 4. That all laws and parts of laws in conflict with this act be, and the same are hereby repealed.

Sec. 5. This act shall take effect upon its approval by the Governor.

Approved May 27th, 1905.

Whereas, It is incumbent upon the members of the Board of Drainage Commissioners named and constituted in said law to proceed to carry out the provisions thereof, and execute the powers and duties devolved

upon said Board of Drainage Commissioners as therein set forth with as little delay as possible; therefore, be it

Resolved, That the Board of Drainage Commissioners, viz: N. B. Broward, Governor; A. C. Croom, Comptroller; W. V. Knott, Treasurer; W. H. Ellis, Attorney-General, and B. E. McLin, Commissioner of Agriculture, all members being present, this the 15th day of June, A. D. 1905, proceed with the organization of said Board of Drainage Commissioners by the election of a President, Treasurer and Secretary;

Whereupon, Governor N. B. Broward was unanimously elected President, and W. V. Knott was duly elected Treasurer, and M. A. Brown was duly elected Secretary of said Board of Drainage Commissioners, at a salary of twenty-five dollars per month.

The President stated briefly the object of the meeting, and suggested that it would be necessary in order to carry out the provisions of the law to designate and fix the boundaries of a Drainage District; to have lists of the alluvial or swamp and overflowed taxable lands prepared for the use of the various Tax Assessors to fix a tax per acre to be collected, and to prescribe rules and regulations for the guidance of the Tax Collectors in the discharge of their duties in the collection of the acreage tax provided for under the provisions of said law.

After some discussion the following resolutions were adopted:

(1) Resolved, That the Board of Drainage Commissioners, under and by virtue of the authority vested in said Board under the provisions of Chapter No. 5377, Laws of Florida, authorizing said Board to establish Drainage Districts and to fix the boundaries thereof; that a Drainage District is hereby established, and the boundaries of said Drainage District are hereby fixed as follows:

Beginning at the intersection of the township line between township thirty-two (32) and township thirty-three (33) south, with the range line dividing ranges twenty-seven (27) and twenty-eight (28) east and extending east along said township line to the waters of the Atlantic Ocean, thence south along the coast of the Atlantic Ocean, to the waters of the Gulf of Mexico and along the coast line of said waters of the Gulf of Mexico to the point where the range line between ranges twenty-

six (26) and twenty-seven (27) intersect with the coast line of said Gulf of Mexico, thence north along the said range line to its intersection with the township line between townships forty-eight (48) and forty-nine (49), thence east along said township line to where it intersects with the range line between ranges twenty-seven (27) and twenty-eight (28), thence north along said range line to its intersection with the township line between townships thirty-two (32) and thirty-three (33), the point of beginning.

(2) Resolved further, That the Board of Drainage Commissioners of the State of Florida, proceed to prepare a list or lists of all the alluvial or swamp and overflowed taxable lands lying and being situate within the boundary of said Drainage District set forth and described in the foregoing resolution by counties in quadruplicate, one of which shall be retained by the Board of Drainage Commissioners as a part of its files and records, three of which shall be forwarded to each of the various Tax Assessors within such Drainage District to be substantially affixed to each tax roll or books of said Tax Assessor. Said list or lists shall be prepared and made describing said lands in the usual legal subdivisions thereof, or by such other description as may be deemed advisable by the Board of Drainage Commissioners.

(3) Resolved, further, That the lists shall be furnished to the Tax Assessors of the various counties embraced in part or in whole within said Drainage District, and the said Tax Assessor of each county be, and he is hereby authorized and directed to assess said lands the amount fixed by said Board, and direct the various Tax Collectors of the Counties wherein such assessments are made by his legal warrant, to collect the amount so levied and fixed in accordance with law and pay the same over to the Board of Drainage Commissioners.

(4) Resolved further, That under and by virtue of the provisions of said law the sum of five cents per acre on each and every acre of the alluvial or swamp and overflowed taxable lands, be, and the same is hereby levied thereon as an acreage tax, and it is hereby ordered that the levy of said acreage tax of five cents per acre on each

and every acre of alluvial or swamp and overflowed taxable lands within said Drainage District so established, and the boundaries thereof so fixed by the Board of Drainage Commissioners, shall be the annual acreage tax on said alluvial or swamp and overflowed lands aforesaid for the year A. D. 1905.

(5) Resolved further, That the various Tax Assessors of the various counties embraced in part or in whole within such Drainage District aforesaid, shall receive such list of alluvial or swamp and overflowed lands so prepared and furnished by the Board of Drainage Commissioners and enter the same upon the tax rolls of the county in which the Tax Assessor so furnished is the Tax Assessor duly elected and qualified under the laws of Florida in which county the lands so assessed lie, in the following manner; That is to say, that said Tax Assessor shall, upon receipt of said lists of land aforesaid, enter and affix said list substantially in the Tax Assessor's books, and when so affixed and entered upon such books or tax rolls, shall become a part thereof and so perpetuated.

The Tax Assessor aforesaid shall enter the amount of acreage tax so levied by the Board of Drainage Commissioners in a suitable column on said Tax Assessor's books or tax roll of said tax book page which column shall be designated by writing at the top thereof in substantially the form of other designations of columns on such page or pages the following words and figures, to wit: "Drainage District Acreage Tax five cents per acre," opposite the lands so assessed as the lands appear on said tax books or rolls as entered thereon for the assessment of State and County Taxes for the year A. D. 1905, substantially in the manner and form indicated below, as follows:

(See heading tax book and add thereto column as indicated.)

"Drainage District
"Acreage Tax Five
"Cents per Acre."
.....
.....
Dollars. Cents.
.....
.....
.....

(6) Resolved further, That the various Tax Assessors of the various counties embraced in part or in whole within such Drainage District aforesaid, after entering the amount of the acreage tax so levied by the Board of Drainage Commissioners, in the suitable column on said Tax Assessor's books or tax roll of said tax book page as herein provided for opposite the lands so assessed as the lands appear on the said tax books or roll, as entered thereon for the assessment of State and county taxes for the year A. D. 1905, and shall find that there are lands set forth and described in the list or lists so furnished said Tax Assessor by the Board of Drainage Commissioners that have not been assessed regularly on said tax books or roll and entered theron for the assessment of the State and county taxes for the year A. D. 1905, said Tax Assessor shall then in that event enter all of the lands remaining in said list or lists, as furnished by the Board of Drainage Commissioners in his said tax books or roll in the same manner and form and upon the suitable and proper page or pages immediately following the assessments of the real estate already made for the year 1905, as said lands are usually assessed for State and county purposes, and where the owner thereof is not known, assess said lands as "Unknown," writing the word "Unknown" in the usual manner and in the column provided for this purpose in the regular form for the assessment of State and county taxes, and set opposite said lands when so entered the amount of Drainage District Acreage Tax so levied for the year A. D. 1905."

The Board then adjourned.

N. B. BROWARD,
President.

Attest: M. A. BROWN,
Secretary Board of Drainage Commissioners
Tallahassee, Florida,

Executive Office,
June 15th, 1905.

At a meeting of the Board of Drainage Commissioners held this date, there were present:

N. B. Broward, Governor,
A. C. Croom, Comptroller.
W. V. Knott, Treasurer.
W. H. Ellis, Attorney-General.
B. E. McLin, Commissioner of Agriculture.

It was Resolved, That the Trustees of the Internal Improvement Fund be, and they are hereby requested to supply the Drainage Commissioners with lists of all alluvial or swamp and overflowed lands lying within the Drainage District heretofore defined and established, designating on such lists that portion of the said lands now owned by the Trustees.

The Board then adjourned.

N. B. BROWARD,
President.

Attest: M. A. BROWN,
Secretary of Board of Drainage Commissioners.

Tallahassee, Florida,
Executive Office,
June 26th, 1905.

At a meeting of the Board of Drainage Commissioners held this date, there were present:

N. B. Broward, Governor,
A. C. Croom, Comptroller,
W. V. Knott, Treasurer,
W. H. Ellis, Attorney General,
B. E. McLin, Commissioner of Agriculture.

It was resolved, That the Secretary is hereby authorized to procure such additional clerical force as will be necessary to prepare the lists of alluvial or swamp and overflowed lands in time for them to be filed with the Tax Assessors in the various counties by July 3, 1905.

The Board then adjourned.

N. B. BROWARD,
President.

Attest:
M. A. BROWN,
Secretary of Board of Drainage Commissioners.

Executive Office,
Tallahassee, Fla., June 29, 1905.

At a meeting of the Board of Drainage Commissioners, held this date, there were present:

N. B. Broward, Governor,
A. C. Croom, Comptroller,
W. V. Knott, Treasurer,
W. H. Ellis, Attorney General,
B. E. McLin, Commissioner of Agriculture.

It was resolved, That the following instructions to Tax Assessors of the counties in the drainage district be

printed by the Secretary and attached, properly signed by the Board, to each of the three lists of alluvial or swamp and overflowed taxable lands sent to the Assessor:

INSTRUCTIONS TO TAX ASSESSORS.

Tallahassee, Florida, ..., 1905.

Hon. .....,

Tax Assessor in and for ..... County, Florida.

Whereas, The Legislature of the State of Florida enacted a law, Chapter No. 5377, approved by the Governor of the State of Florida, on the 27th day of May, A. D. 1905, which provides, among other things, the following:

The Governor, the Comptroller, the State Treasurer, the Attorney General, and the Commissioner of Agriculture of the State of Florida, and their successors in office, are hereby constituted and designated as a Board of Drainage Commissioners, and are hereby authorized and empowered to establish a system of canals, drains, levees, dikes and reservoirs of such dimensions and depth as in the judgment of said Board of Drainage Commissioners is deemed advisable, to drain and reclaim the swamp and overflowed lands within the State of Florida, or such parts or portions thereof as is deemed best by said Board of Drainage Commissioners from time to time, and to provide for the irrigation of the lands reclaimed, and to maintain such canals, drains, levees, dikes and reservoirs in such manner as will be most advantageous to the territory so drained, the State of Florida, its inhabitants and the commerce thereof.

That the Board of Drainage Commissioners are hereby authorized and empowered to establish drainage districts and to fix the boundaries thereof in the State of Florida. That the Board of Drainage Commissioners be, and it is hereby, authorized and empowered to prepare a list or lists of all the alluvial or swamp and overflowed taxable lands within such drainage district or districts, and levy thereon an acreage tax not exceeding 10 cents per acre per annum to be fixed annually by the said Board of Drainage Commissioners; and the various Tax Assessors of the various counties embraced in part or in whole within such drainage district or districts shall receive such list or lists and

enter the same upon the tax rolls of the county or counties in which such lands may lie and the amount so levied by the Board of Drainage Commissioners in such manner and form as may be prescribed by the Board of Drainage Commissioners from time to time, which amount shall be collected by the various Tax Collectors of the counties wherein such levies have been made as other taxes are collected in accordance with law, and pay over said amounts collected to the Board of Drainage Commissioners; and,

Whereas, The Board of Drainage Commissioners named and constituted under the provisions of said law, after duly organizing, proceeded to carry out the provisions of said law, and to execute the power and duties devolved upon them, the said Board of Drainage Commissioners, as therein provided, and adopted certain resolutions and orders which appear upon the minutes of the Board of Drainage Commissioners, among which is the following:

(1). Resolved, That the Board of Drainage Commissioners, under and by virtue of the authority vested in said Board under the provisions of Chapter No. 5377, Laws of Florida, authorizing said Board to establish drainage districts and to fix the boundaries thereof; that a drainage district is hereby established, and the boundaries of said drainage district are hereby fixed as follows:

Beginning at the intersection of the township line between township thirty-two (32) and township thirty-three (33) south, with the range line dividing ranges twenty-seven (27) and twenty-eight (28) east, and extending east along said township line to the waters of the Atlantic Ocean, thence south along the coast of the Atlantic Ocean to the waters of the Gulf of Mexico, and along the coast line of the said waters of the Gulf of Mexico to the point where the range line between ranges twenty-six (26) and twenty-seven (27) intersects with the coast line of said Gulf of Mexico, thence north along said range line to its intersection with the township line between townships forty-eight (48) and forty-nine (49), thence east along said township line to where it intersects with the range line between ranges twenty-seven (27) and twenty-eight (28), thence north along said range line to its intersection with the township line between township thirty-two (32) and thirty-three (33), the point of beginning.

(2). Resolved further, That the Board of Drainage

Commissioners of the State of Florida proceed to prepare a list or lists of all the alluvial or swamp and overflowed taxable lands lying and being situate within the boundary of said drainage district set forth in the foregoing resolution by counties in quadruplicate, one of which shall be retained by the Board of Dranage Commissioners as a part of its files and records, three of which shall be forwarded to the various Tax Assessors within such drainage district to be substantially affixed to each tax roll or books of said Tax Assessor. Said list or lists shall be prepared and made describing said lands in the usual legal subdivisions thereof, or by such other descriptions as may be deemed advisable by the Board of Drainage Commissioners.

(3). Resolved further, That the lists shall be furnished to the Tax Assessors of the various counties embraced in part or in whole within said drainage district, and the said Tax Assessor of each county be, and is hereby, authorized and directed to assess said lands the amount levied thereon by the Board of Drainage Commissioners in the amount fixed by said Board, and direct the various Tax Collectors of the counties wherein such assessments are made by his legal warrant, to collect the amount so levied and fixed in accordance with law and pay the same over to the Board of Drainage Commissioners.

The Tax Assessor as aforesaid shall include and cover the drainage district acreage tax so levied and assessed in the various counties embraced in whole or in part in said drainage district in his warrant to the Tax Collector as aforesaid, who shall proceed to collect said drainage district acreage tax in the same manner as is provded for collection of State and county taxes.

(4). Resolved further, That under and by virtue of the provisions of said law, the sum of 5 cents per acre on each and every acre of the alluvial or swamp and overflowed taxable lands be, and the same is hereby levied thereon as an acreage tax, and it is hereby ordered that the levy of said acreage tax of 5 cents per acre on each and every acre of the alluvial or swamp and overflowed taxable lands within said drainage district so established and the boundaries thereof so fixed by the Board of Drainage Commissioners shall be the annual acreage tax on said alluvial or swamp and overflowed lands aforesaid for the year A. D. 1905.

(5). Resolved further, That the various Tax Assessors

of the various counties embraced in part or in whole within such drainage district aforesaid, shall receive such list of alluvial or swamp and overflowed lands so prepared and furnished by the Board of Drainage Commissioners and enter the same upon the tax rolls of the county in which the Tax Assessor so furnished is the Tax Assessor duly elected and qualified under the Laws of Florida in which county the lands so assessed lie, in the following manner: That is to say, that said Tax Assessor shall, upon receipt of said lists of land aforesaid, enter and affix said list substantially in the Tax Assessor's books, and when so affixed and entered upon such books or tax rolls, shall become a part thereof and so perpetuated.

The Tax Assessor aforesaid shall enter the amount of acreage tax so levied by the Board of Drainage Commissioners in a suitable column on said Tax Assessor's books or tax roll of said tax book page, which column shall be designated by writing at the top thereof in substantially the form of other designations of columns on such page or pages the following words and figures, to wit:

"Drainage District,
"Acreage Tax,
"Five Cents Per Acre,"

opposite the lands so assessed as the lands appear on said tax books or rolls as entered thereon for the assessment of State and county taxes for the year A. D. 1905, substantially in the manner and form indicated below, as follows:

"Drainage District
"Acreage Tax Five
"Cents Per Acre."
.....
Dollars. Cents.
.....
.....
.....

(See bottom of this instruction sheet, showing headings of tax book page, as it should appear.)

(6). Resolved further, That the various Tax Assessors of the various counties embraced in part or in whole within such drainage district aforesaid, after entering the amount of the acreage tax so levied by the Board of Drainage Commissioners, in the suitable column on said Tax Assessor's books or tax roll of said tax book page as here-

in provided for opposite the lands so assessed as the lands appear on the said tax books or rolls, as entered thereon for the assessment of State and county taxes for the year A. D. 1905, and shall find that there are lands set forth and described in the list or lists so furnished said Tax Assessor by the Board of Drainage Commissioners that have not been assessed regularly on said tax books or roll and entered thereon for the assessment of the State and county taxes for the year A. D. 1905, said Tax Assessor shall then in that event enter all of the lands remaining in said list or lists, as furnished by the Board of Drainage Commissioners in his said tax book or roll in the same manner and form and upon the suitable or proper page or pages immediately following the assessment of the real estate already made for the year 1905, as said lands are usually assessed for State and county purposes, and where the owner thereof is unknown, assess said lands as "Unknown," writing the word "Unknown" in the usual manner and in the column provided for this purpose in the regular form for the assessment of State and county taxes, and set opposite said lands when so entered the amount of drainage district acreage tax so levied for the year A. D. 1905.

Your are further instructed, under and by virtue of the authority vested in the Board of Drainage Commissioners, to observe the foregoing resolutions so far as they refer to the powers and duties of Tax Assessors under the provisions of said law or resolutions, and to comply with the provisions of said law and the terms of said resolutions as therein set forth.

Your attention is invited to the manner and form prescribed by the Board of Drainage Commissioners as set forth in the foregoing resolutions relating to amounts of drainage district acreage tax so levied and fixed by the Board of Drainage Commissioners, and the manner and form in which said amounts are to be entered upon your tax rolls, and the manner of affixing the list or lists furnished you by the Board of Drainage Commissioners of the alluvial or swamp and overflowed lands within your

county, which lands are embraced within the drainage district so established as aforesaid.

....., Governor.
....., Comptroller.
....., Treasurer.
....., Attorney General.
....., Commr. Agriculture.
Board of Drainage Commissioners.

The Board then adjourned.

N. B. BROWARD,
President.

Attest:

M. A. BROWN,
Secretary of Board of Drainage Commissioners.

Tallahassee, Florida,
Executive Office,
....., 1905.

This is to certify that the foregoing sheets, numbered from 1 to ...., contain a true and correct list of all the alluvial or swamp and overflowed taxable lands lying and being in the County of ....., State of Florida, and in the Everglade district as established by the Board of Drainage Commissioners under and by virtue of Section 2, Chapter 5377, Laws of Florida, approved May 27, A. D. 1905, as the said drainage district appears of record at page 2 and 3 of the minutes of the said Board of Drainage Commissioners, and that the said lists of ..... alluvial or swamp and overflowed taxable lands are the lists prepared by said Board, as directed by the provisions of said Section 2, Chapter No. 5377, Laws of Florida, and the resolutions of said Board duly recorded in their minutes.

....., Governor.
....., Comptroller.
....., Treasurer.
....., Attorney General.
....., Commr. Agriculture.
Board of Drainage Commissioners.

.....,
President.

Attest:

.....,
Secretary of the Board of Drainage Commissioners.

The Board then adjourned.

N. B. BROWARD,
President.

Attest:
M. A. BROWN,
Secretary of Board of Drainage Commissioners.

Tallahassee, Fla., Jan. 3, 1906.

The Board of Drainage Commissioners met this day in the Executive Office; present, a full Board, except Attorney General Ellis.

Ordered that the bill of J. Emmet Wolfe, as Secretary of the Board of Drainage Commissioners from October 16th to December 31st, 1905, at $25 per month, be approved.

The Board then adjourned.

N. B. BROWARD,
President.

J. EMMET WOLFE,
Secretary.

Tallahassee, Fla., March 22, 1906.

The Board of Drainage Commissioners met this day in the Executive Office; present, a full Board.

The matter of the collection of the State and county taxes in those counties where a drainage assessment had been levied, separate from the collection of the drainage assessment, was considered, and thereupon it was determined by the Board that, except in those cases where injunctions had been issued restraining the collection of the drainage assessment, the entire taves, State, county and drainage, should be collected by the several Tax Collectors, but in cases where injunctions have been granted restraining the collection of the drainage assessment, the Collectors be advised to collect the State and county taxes due, allowing the collection of the drainage assessment to await the final result of litigation.

The Board then adjourned.

N. B. BROWARD.
President.

J. EMMET WOLFE,
Secretary.

Tallahassee, Fla., April 4, 1906.

The Board of Drainage Commissioners met this day in the Executive Office, all members of the Board present.

The question of directing the Tax Collectors of the counties lying wholly or in part in the drainage district to suspend the collection of the drainage assessments was considered, and the following resolution was adopted:

Whereas, The Tax Collectors of those counties lying wholly or in part within the drainage district have been restrained from collecting a large part of the drainage assessments upon the suits of several corporations owning large quantities of lands in the drainage district; and,

Whereas, Such restraining orders materially affect the collection of the State and county taxes proper; and,

Whereas, The amounts collected by the Tax Collectors under Chapter 5377, Laws of 1905, known as the Drainage Act, will not be used by the Board of Drainage Commissioners until the final disposition of said suits in the Court; and,

Whereas, The Board of Drainage Commissioners have no power under said act to suspend the collection of said drainage assessment, and will not undertake to instruct the Tax Collectors to suspend the collection of the same to await the determination of said suits; and,

Whereas, The enforcement of the collection of the drainage assessments will be a hardship upon those who are unable to institute suit to restrain the collection of the same, and also operates to retard the collection of the State and county taxes, thereby depriving the counties of funds for the administration of their affairs; therefore, be it

Resolved, That the Board of Drainage Commissioners deem it proper to advise the Tax Collectors that the Board will consent to the severance of the drainage assessment from the State and county taxes, and that the collection of the drainage assessments be deferred until the final determination of the suits aforesaid.

Resolved further, That the Secretary of this Board be directed to forward to the Comptroller a copy of this resolution with the request that the Comptroller forward

copies of same to the Tax Collectors of the counties lying wholly or in part within the Drainage District.

The Board then adjourned.

N. B. BROWARD,
President.

J. EMMET WOLFE,
Secretary.

Tallahassee, Fla., April 7, 1907.

The Board of Drainage Commissioners met this day in the Executive office. Present, a full Board.

Ordered, that upon request of J. E. Ingraham, 3d Vice-President of the Florida East Coast Railway Company, presented by Hon. Fred T. Myers, the Secretary of this Board prepare for Mr. Ingraham, six transcripts of the proceedings of the Board of Drainage Commissioners, relative to the State Drainage Tax, from and including its organization, June 15th, 1905, to the present time; also including six plats of the Drainage District, created by the Board, with proper certificate from the Secretary of the Board of the correctness of both the minutes and plats; the cost of same to be paid by the said J. E. Ingraham.

The Board then adjourned.

N. B. BROWARD,
President.

J. EMMET WOLFE,
Secretary.

Tallahassee, Florida, Jan. 22d, 1907.

At the meeting of the Board of Drainage Commissioners of the State of Florida, held this day, all members being present, the following resolution was offered and unanimously adopted:

Whereas, The Attorney-General of Florida, in a communication to the Comptroller, dated January 14, 1907, has stated, as his official opinion, that the money collected under Chapter 5377, Acts of 1905, constitutes a public fund within the meaning of Section 24 of Article IV. of the Constitution of the State of Florida, which requires the Treasurer to receive and keep all funds, bonds and other securities;

And Whereas, William V. Knott was, on the 15th day of June, 1905, designated and elected by the Board of

Drainage Commissioners of the State of Florida to be Treasurer of the said Board, to receive and to keep all money collected under Chapter 5377, Acts of 1905, and the said William V. Knott has since said designation and election as Treasurer of said Board received and kept all such money, and now holds same by virtue of such designation and election.

It is now therefore ordered by the Board of Drainage Commissioners of the State of Florida that, in view of the aforesaid opinion of the Attorney-General of Florida, the said William V. Knott, as Treasurer of said Board of Drainage Commissioners, is hereby authorized and directed to transfer and pay over to the State Treasurer of the State of Florida any and all money heretofore or hereafter received by him as Treasurer of said Board.

The Board then adjourned.

N. B. BROWARD,
President.

J. EMMET WOLFE,
Secretary.

In the Circuit Court of the United States, Southern District of Florida.

Report of the General Counsel to the Board of Drainage Commissioners in the Drainage Cases, Showing the Status of the Suits; Names of Complainants, Acreage Claimed and the Amount of Acreage Tax Assessed thereon.

In the Circuit Court of the United States, Southern District of Florida.

SUMMARY.

Status Suits Against the Board of Drainage Commissioners.	Rule Day, Dec. 1906.
1. Sou. States Land & Timber Co.	Defendant's testimony not completed.
2. Empire Land Co. et al.	Gen'l replication by Compt's.
3. Florida Cypress Company,	Gen'l replication by Compt's.
4. Model Land Company,	Appearance filed.
5. Fla. East Coast Ry.,	Appearance filed.
6. Boston & Fla. At. C. L. Co.,	Appearance filed.

INJUNCTIONS.

The Board of Drainage Commissioners was enjoined from enforcing collection of the acreage tax until the further order of the Court.

Summary of Lands Claimed by various Complainants in Suits against Drainage Commissioners in pending suits:

	Acres.
Southern States Land and Timber Co.	1,070,257.20
Miss. Valley Realty Co.	187,201.02
Empire Land Company	748,251.24
Consolidated Land Company	806,958.60
Frank Q. Brown	102,933.15
Florida Cypress Company	83,840.00
Model Land Company	127,939.00
Florida East Coast Railway	150,030.00
Boston & Fla. A. C. L. Co.	58,050.30
Total	3,335,460.51

In the United States Circuit Court, in and for the Southern District of Florida.

Southern States Land and Timber Co., vs. Board of Drainage Commissioners, et al.

Date.		Index to File.
Jan. 11, 1906,	(1)	Bill filed.
Jan. 11, 1906.	(2)	Injunction granted, with order to show cause, etc., February 2, 1906.
Feb. 2, 1906.	(3)	Order to show cause extended to February 8th.
Feb. 8, 1906.	(4)	Argument by counsel; affidavits and other proof filed.
Mar. 1, 1906.	(5)	Order made continuing injunction.
Mar. 5, 1906.	(6)	General demurrer filed by all defendants.
Mar. 17, 1906.	(7)	Demurrers argued.
Mar. 30, 1906.	(8)	Demurrer overruled.
May 7, 1906.	(9)	Answer of four defendant Tax Collectors and Board of Drainage Commissioners filed.

May 7, 1906.	(10)	Defendants moved to dissolve injunction as to collection of State and county taxes.
June 4, 1906.	(11)	General replication by complainants to answer.
July 30, 1906.	(12)	Examiner C. S. Adams gave notice that he would begin taking testimony for complainants August 14.
Nov. 12, 1906.	(13)	Continued complainants' testimony.
Nov. 16, 1906.	(14)	Issued summons to defendants' witnesses to appear before Examiner Adams, November 28.
Nov. 28, 1906.	(15)	Defendants took testimony before Examiner.

In the United States Circuit Court, Southern District of Florida.

Florida Cypress Company vs. Board of Drainage Commissioners of Florida, et al.

Date.		Index to File.
Mar. 29, 1906.	(1)	Bill filed.
Mar. 29, 1906.	(2)	Injunction granted.
Mar. 29, 1906.	(3)	Writ of injunction issued.
Apr. 3, 1906.	(4)	Writ served.
May 7, 1906.	(5)	Defendants appeared.
June 4, 1906.	(6)	Defendants filed general demurrer.
Aug. 6, 1906.	(7)	Defendants answered.
Sep. 3, 1906	(8)	General replication filed by complainants.

In the United States Circuit Court, Southern District of Florida.

Empire Land Company, Mississippi Valley Realty Company, Consolidated Land Company, Frank Q. Brown, Trustee, vs. Board of Drainage Commissioners of Florida, et al.

Date.		Index to File.
Mar. 29, 1906.	(1)	Bill filed.
Mar. 29, 1906.	(2)	Injunction granted.
Mar. 29, 1906.	(3)	Writ of injunction issued.
Apr. 3, 1906.	(4)	Writ served.
May 7, 1906.	(5)	Defendants appeared.

June 4, 1906.	(6)	Defendants filed general demurrer.
Aug. 6, 1906.	(7)	Defendants answered.
Sep. 3, 1906.	(8)	General replication filed by complainants.

In the United States Circuit Court, Southern District of Florida.

The Boston and Florida Atlantic Coast Land Company vs. Board of Drainage Commissioners of Florida, et al.

Date.		Index to File.
May 4, 1906.	(1)	Bill filed.
May 4, 1906.	(2)	Subpoenas issued.
May 31, 1906.	(3)	Motion for injunction issued.
June 4, 1906.	(4)	Appearance filed.
July 6, 1906.	(5)	Demurrer filed.

In the United States Circuit Court, Southern District of Florida.

The Model Land Company vs. Board of Drainage Commismissioners of Florida, et al.

Date.		Index to File.
Apr. 25, 1906.	(1)	Bill filed.
Apr. 25, 1906.	(2)	Subpoenas issued.
May 31, 1906.	(3)	Motion for injunction argued.
June 4, 1906.	(4)	Appearance filed.
July 6, 1906.	(5)	Demurrer filed.

In the United States Circuit Court, in and for the Southern District of Florida.

Florida East Coast Railway vs. Board of Drainage Commissioners of the State of Florida, et al.

Date.		Index to File.
Apr. 25, 1906.	(1)	Bill filed.
Apr. 25, 1906.	(2)	Subpoenas issued.
May 31, 1906.	(3)	Motion for injunction argued.
June 4, 1906.	(4)	Appearance filed.
July 6, 1906.	(5)	Demurrer filed.

Annual Report of General Counsel.

(Dated December 30th, 1906).

The Board of Drainage Commissioners,
Tallahassee, Florida.

Gentlemen:

I have the honor to submit the following report of services rendered as counsel for the Board of Drainage Commissioners since my engagement by you, January 17, 1906, in the matters of the litigation to enjoin the collection of the acreage tax levied by your Honorable Board for the year 1905, in which litigation Hon. W. H. Ellis, Attorney General, has rendered great service and able assistance.

SUITS.

Southern States Land and Timber Company.

The Southern States Land and Timber Company instituted a suit in the Circuit Court of the United States, in and for the Southern District of Florida, by bill in chancery, filed January 11, 1906, alleging, among other things, that the law, Chapter 5377, Acts of 1905, was unconstitutional, and that the acts and proceedings of the Board were ineffective and invalid; that the Board did not have the power to determine and fix the boundaries of the district and otherwise carry out the provisions of said law; that the complainant's lands were not swamp and overflowed lands; that the acts of the Board were arbitrary; that the assessment was illegal.

And praying, among other things, for an injunction, which was granted, pending the hearing to show cause by the 2nd day of February, A. D. 1906, why said injunction should not be granted.

The many questions raised by complainant's bill required a great deal of investigation, study and preparation, and the gathering up of data relating to the facts of the case, as well as briefing the many points raised by complainant's bill touching constitutionality and validity of the law, acts and proceedings of the Board, the regularity of the assessment, etc.

On the 2nd day of February we appeared for the purpose of showing cause why the injunction should not be granted, which presentation and argument was postponed by the Court until the 8th day of February; at which time

the presentation of affidavits and documentary evidence was submitted on behalf of the defendants, the complainant presenting many affidavits and other proof to sustain the allegations of its bill, which presentation and argument in said cause consumed four days' time.

On March 1st an order was made continuing the injunction until the further order of the Court.

On March 5th I filed a general demurrer on behalf of the defendants, and on March 17th and 18th the demurrer was argued at length.

On March 30th the Court overruled the demurrer of defendants, allowing them until the Rule Day in May to answer.

During this interval much time was devoted to the preparation of answers on behalf of the defendants, the Board of Drainage Commissioners, and on behalf of the four Tax Collectors, by both Attorney General Ellis and myself. These answers were duly prepared and filed on the Rule Day in May, 1906, being the 7th day thereof.

On the 7th day of May, 1906, we filed a motion on behalf of the defendants as Tax Collectors, aforesaid, to dissolve the injunction as to the collection of State and county taxes, which was duly presented and argued, and at which time it was suggested by the Court that it was not the intention of the Court to embrace State and county taxes in the injunction that had been granted, and under this suggestion the motion was not further pressed.

General replication was filed by the complainants to defendants' answer on the 4th day of June, 1906, thus concluding the pleadings and joining issues in said cause.

On July 30th, 1906, Hon. C. S. Adams, having been appointed examiner to take testimony in said cause, gave notice that he would begin taking testimony for complainant on August 14th. Since which time the greater portion of my personal attention has been given to the question of testimony, and the examination of and research incident to the questions raised in this cause and the legal questions touching the competency, relevancy and admissibility of the testimony, and the law of the case.

The taking of testimony was begun in accordance with the notice of the master, and has been continued from time to time, including the taking of testimony on behalf of the defendants, to the date hereof, that had not been concluded; the testimony taken approximating eight hun-

dred pages of typewritten matter, while the exhibits involved, consisting of maps, profiles, engineers' reports, reports touching the topography, character and condition of the country, rainfall, waterflow, and matters pertaining to the feasibility and practicability, cost, time required to drain and reclaim the swamp and overflowed lands in the district, filed in the cause, covered many hundred pages.

The testimony having been practically concluded, as of the date hereof, it is presumed that the taking of testimony will be closed by the 15th day of January, 1907, and will doubtless be presented to the Court soon thereafter as the testimony can be typewritten by the stenographer under the direction of the examiner, and that will suit the convenience of the Court.

2. *Florida Cypress Company.*

On the 29th day of March, 1906, the Florida Cypress Company filed its bill in the United States Circuit Court in and for the Southern District of Florida, against the Board of Drainage Commissioners, claiming to own 83,-840.00 acres in the drainage district upon which the 5 cents an acre tax had been levied by the Board of Drainage Commissioners under the Act of 1905, Chapter 5377, alleging, in effect, the same matters as set forth in the bill of the complainant in the case of the Southern States Land and Timber Company above referred to, and praying for the same relief, in effect, and the injunction was granted by the Honorable Judge of the said Court, enjoining the collection of said acreage tax on the lands of the complainant until the further order of the Court.

I prepared and filed a general demurrer on behalf of the defendants in said cause on June 14th, 1906, which was argued at some length, and overruled by the Court. The defendants were allowed until the Rule Day in August to answer. During the interval Attorney General Ellis and myself prepared answers on behalf of the defendants, which were duly filed on August 6th, 1906, in said cause.

On September 3, 1906, the complainant filed a general replication in said cause. Later an order was made referring the cause to Hon. C. S. Adams, Special Examiner, to take the testimony on the issues presented by the pleadings in said cause.

During the taking of testimony in the case of the Southern States Land and Timber Company, counsel for com-

plainants and defendants entered into a stipulation to the effect that the testimony taken in the Southern States Land and Timber Company should be used in this cause, so far as applicable, which covers the testimony in this suit.

3. *Empire Land Company, Et Al.*

On March 29, 1906, the Empire Land Company, et al., claiming to own 748,251.24 acres,

The Mississippi Valley Realty Company, claiming to own 187,201.02 acres,

The Consolidated Land Company, claiming to own 806,-958.60 acres,

Frank Q. Brown, Trustee, claiming to own 102,933.15 acres,

filed their bills in said court with allegations, in effect, the same as those in the suit of the Southern States Land and Timber Company, and praying for similar relief. An injunction was granted enjoining the collection of the 5 cents per acre acreage tax levied on the lands claimed under said law for the year 1905.

Appearance on behalf of the defendants was duly filed on May 7, 1906, and on June 4, 1906, I prepared and filed general demurrers on behalf of all of the defendants in said causes. Later these demurrers were argued and overruled, and the defendants allowed until the Rule Day in August to answer, during which interval answers were prepared by Attorney General Ellis and myself, and duly filed, as required by the order of said Court, to which general replication was filed on behalf of complainants on September 3, 1906, and an order was made referring the causes to Hon. Chas. S. Adams, Special Examiner, to take testimony on the issues raised by the pleadings in said causes.

During the taking of testimony in the case of the Southern States Land and Timber Company, it was stipulated between counsel for complainants and defendants to use the testimony taken in the case of the Southern States Land and Timber Company in these suits so far as applicable, which stipulation covers the testimony in these suits.

4. *The Boston and Florida Atlantic Coast Land Co.*

On May 4, 1906, the Boston and Florida Atlantic Coast Land Company filed its bill in chancery in the United States Circuit Court, Southern District of Florida, on behalf of the above, claiming to own 58,050.30 acres within the drainage district; the allegations of said complainant's bill being, in effect, the same as those presented in the bill of the Southern States Land and Timber Company against the Board of Drainage Commissioners, with some further allegations relating to the classification of the lands claimed to be owned by the complainant, praying, in effect, for the same relief as set forth in the prayer of complainant's bill in the suit above referred to.

On May 31, 1906, the motion for the injunction in said cause was argued, and an injunction was granted by the Court, enjoining the collection of the 5 cents per acre acreage tax levied by the Board on the complainant's lands for the year 1905, until the further order of the Court.

Appearance was duly filed on behalf of the defendants on June 4, 1906.

On the Rule Day in July, 1906, general demurrer was filed on behalf of defendants, which demurrer has not been called up by the complainant, nor presented to the Court, prior to the date hereof.

5. *The Model Land Company.*

On April 25, 1906, the Model Land Company, claiming to own 127,939 acres, filed its bill of complaint against the Board of Drainage Commissioners in the United States Circuit Court, Southern District of Florida, the allegations of said bill being similar, in effect, to those of the Southern States Land and Timber Company, heretofore referred to, praying for the same relief, in effect, as set forth in the prayer of the former suit referred to.

Motion for an injunction was agrued on May 31, 1906, and injunction was granted, enjoining the collection of said 5 cents per acreage tax until the further order of the Court.

On June 4, 1906, I filed appearance on behalf of all of the defendants in said cause. On Rule Day in July, I filed a general demurrer on behalf of the defendants, which

demurrer has not been called up by the Solicitor for the complainant, or presented to the Court, prior to the date hereof.

6. *Florida East Coast Railway.*

On April 25, 1906, the Florida East Coast Railway, claiming to own 150,030 acres within said drainage district, filed its bill in the United States Circuit Court, in and for the Southern District of Florida, against the Board of Drainage Commissioners, and certain Tax Collectors therein named, alleging, in effect, the same matters and things as were set forth in complainant's bill in the Southern States Land and Timber Company suit, and praying, in effect, for the same relief.

A motion for injunction was argued on May 31, 1906, at which time an order was made, enjoining the collection of the 5 cents per acre acreage tax levied by the Board of Drainage Commissioners on said lands, until the further order of the Court.

Appearance was prepared and filed on behalf of the defendants on June 4, 1906. At the July Rule Day I filed a general demurrer on behalf of the defendants in said cause. The demurrer so filed has not been presented to the Court for its consideration.

BRIEFS.

1. At the February hearing to show cause why the injunction should not be granted in the case of the Southern States Land and Timber Company, I presented a brief, which was subsequently printed, covering some thirty pages, references and citations of authorities presented and submitted at said hearing.

2. At the further hearing of said cause on the demurrer filed on behalf of the defendants, I presented a brief that was used in the presentation of the defendants' cause, embracing about forty printed pages of authorities and citations.

3. On the 11th of June, I presented an additional brief at the argument of the demurrers in the cases of the Florida East Coast Railway and other cases, embracing fifteen printed pages of references, authorities and citations.

TESTIMONY.

The time devoted to the question of testimony, the examination of historical and documentary evidence, the research incident to meeting the questions raised by the complainant's bill required several weeks of constant investigation and the preparation of questions to be used as a guide in the examination of witnesses.

SUPPLEMENTAL REPORT OF GENERAL COUNSEL.

March 20th, 1907.

The Board of Drainage Commissioners,

Tallahassee, Florida.

Gentlemen:

I have the honor to submit the following Supplemental Report relating to the progress of the litigation pending against the Board of Drainage Commissioners and Certain Tax Collectors, enjoining the collection of the acreage tax levied by your Honorable Board for the year 1905, as set forth at length in the Report of Counsel, under date of December 30th, 1906, as follows:

The testimony in the case of the Southern States Land and Timber Company was concluded on or about the 15th day of January, A. D. 1907, which testimony was typewritten under the direction of the Honorable Special Examiner, consisting of 804 typewritten pages, including the stipulation of counsel relating to exhibits, documentary evidence, etc., and filed by the Honorable Special Examiner in said cause on or about the 15th day of February, 1907; since which time I have dictated and caused to be typewritten a Narrative Synopsis of the Testimony Reported by the Honorable Special Examiner, Charles S. Adams, together with a Synopsis of Exhibits filed in said cause, with suitable index to both Testimony and Exhibits, which is handed you herewith and made a part of this Report.

I have also prepared a brief in said Cause, summarizing the testimony under certain classified headings, being the issues presented by the pleadings in the Cause, relating to the objections interposed on behalf of the Defendants to the testimony offered on behalf of the Complainant, and on the legal and Constitutional questions raised, by the pleadings in the various suits to be presented at

the final hearing of the Cause, which has been set by Judge Locke for the 25th day of March, 1907; a copy of which brief will be furnished you as a part of this report.

Respectfully submitted.

W. S. JENNINGS,
Counsel.

Tallahassee, Fla., March 30, 1907.

To the Governor:

Sir—

I have the honor to report that at your request I have visited all the counties comprising the drainage district of the State and made an examination of the assessment and collection of the drainage tax in said district, with the following results:

RECAPITULATION.

Total Acreage Assessment—

In Dade County	977,661	
In DeSoto County	986,310	
In Lee County	1,487,269	
In Osceola County	249,184	
In St. Lucie County	529,102—	4,229,526

On Residents of County—

In Dade County	59,171.00		
In DeSoto County	57,332.91		
In Lee County	14,691.50		
In Osceola County	7,714.50		
In St. Lucie County	27,217.00—	166,126.91	

On Non-Residents of the County—

In Dade County	918,490.00		
In DeSoto County	928,977.09		
In Lee County	1,472,577.50		
In Osceola County	241,469.50		
In St. Lucie County	501,885.00—	4,063,399.09—	4,229,526

Total Amount of Tax Levied—

In Dade County	$48,993.07	
In DeSoto County	49,315.50	
In Lee County	74,363.45	
In Osceola County	12,459.20	
In St. Lucie County	$26,455.13—	$211,476.35

Total Amount Taxes Paid—

In Dade County	$ 1,796.27		
In DeSoto County	832.80		
In Lee County	180.30		
In Osceola County	93.77		
In St. Lucie County	$ 1,477.43—	4,380.57	

Unpaid by Residents of County—

In Dade County	$ 1,316.36		
In DeSoto County	2,033.85		
In Lee County	554.27		
In Osceola County	327.88		
In St. Lucie County	637.90—	$ 4,870.26	

Unpaid by Non-Residents of County—

In Dade County	$45,770.44		
In DeSoto County	46,448.85		
In Lee County	73,628.88		
In Osceola County	12,037.55		
In St. Lucie County	24,339.80—	$202,225.52—	$211,476.35

Total Acreage Assessment—

In Dade County	977,661	
In DeSoto County	986,310	
In Lee County	1,487,269	
In Osceola County	249,184	
In St. Lucie County	529,102—	4,329,526

Total Acreage Paid—

In Dade County	35,925.00	
In DeSoto County	16,656.00	
In Lee County	3,606.00	
In Osceola County	1,875.00	
In St. Lucie County	29,549.00—	87,611.00

Unpaid by Non-Residents—

In Dade County	915,408.98	
In DeSoto County	928,977.09	
In Lee County	1,472,577.50	
In Osceola County	240,751.25	
In St. Lucie County	486,795.00—	4,044,509.82

Unpaid by Residents of County—

In Dade County	26,327.02		
In DeSoto County	40,676.91		
In Lee County	11,085.50		
In Osceola County	6,558.25		
In St. Lucie County	12,758.00—	97,405.68—	4,229,526.50

Acreage Assessment—

	Paid.	Unpd. Res.	Unpd. No. Res.	Total A.
Dade	35,925	26,327.02	915,408.98	977,661.00
DeSoto	16,656	40,676.91	928,977.09	986,310.00
Lee	3,606	11,085.50	1,472,577.50	1,487,269.00
Osceola	1,875	6,558.25	240,751.25	249,184.50
St. Lucie	29,549	12,758.00	486,795.00	529.102.00
Total	87,611	97,405.68	4,044,509.82	4,229,526.50

Tax Assessment—

	Paid.	Unpd. Res.	Unpd. N. Res.	Total Tax Levy.
Dade	$1,796.27	$1,316.36	$ 45,770.44	$ 48,883.07
DeSoto	832.80	2,033.85	46,448.85	49,315.50
Lee	180.30	554.27	73,628.88	74,363.45
Osceola	93.77	327.88	12,037.55	12,459.20
St. Lucie	1,477.43	637.90	24,339.80	26,455.13
Total	$4,380.57	$4,870.26	$202,225.52	$211,476.35

DADE COUNTY.

Total acreage assessment		977,661
Resident county owners	59,171	
Non-resident county owners	918,490—	977,661
Total acreage tax paid		35,925
Paid by resident county owners	32,843.98	
Paid by non-resident county owners	3,081.02	35,925
Unpaid acreage tax		941,736
Due by resident county owners	26,327.02	
Due by non-resident county owners	915,408.98—	941,736.00
Total amount tax assessment		$ 48,883.07
Amount paid by resident county owners	$ 1,642.22	
Amount paid by non-resident county owners	154.05	
Amount due by resident county owners	1,316.36	
Amount due by non-resident county owners	45,770.44—	$ 48,883.07

DE SOTO COUNTY.

Total acreage assessment.....		986,310
By resident county owners....	57,332.91	
By non-resident county owners..	928,977.09	986,310
Total acreage paid		16,656
Paid by resident county owners..	16,656.00	
Paid by non-resident county owners....none		16,656
Total acreage unpaid		969,654
Due by resident county owners..	40,676.91	
Due by non-resident county owners	928,977.09	969,654
Total amount tax assessment .....$		49,315.00
Paid by resident county owners..$	832.80	
Unpaid by resident county owners	2,033.85	
Due by non-resident county owners	46,448.85	
Paid by non-resident county owners	none	$ 49,315.50

LEE COUNTY.

Total acreage assessment		$1,487.269
To non resident county owners.	1,472.577.50	
To resident county owners.....	14,691.50	1,487.269
Total acreage tax paid		3.606
Paid by resident county owners..	3.606	
Paid by non-resident county owners	none	3,606
Total acreage tax unpaid.....		1,483.663
Due by resident county owners..$	11,085.50	
Due by non-resident county owners	1,472,577.50	1,483.663
Total amount taxes assessed		74,363.45
Paid by resident county owners..	180.30	
Due by resident county owners..	554.27	
Due by non-resident county owners	73,628.88	74,363.45

OSCEOLA COUNTY.

Total acreage assessment		$ 249,184
To resident county owners	$ 7,714.50	
To non-resident county owners	24,469.50	249.184
Total acreage paid by resident county owners	718.25	
Acreage paid by non-resident county owners	1,156.25	
Acreage unpaid by resident county owners	6,558.25	
Acreage unpaid by non-resident county owners	240,751.25	249.184
Total amount taxes assessed		$12,459.20
Paid by resident county owners	$ 57.85	
Paid by non-resident county owners	35.92	
Due by resident county owners	327.88	
Due by non-resident county owners	12,037.55	$12,459.20

ST. LUCIE COUNTY.

Total amount of acreage assessed		529,102
To resident county owners	27,217	
To non-resident county owners	501,885	529,102
Total acreage paid by resident county owners	14,459	
Total acreage paid by non-resident county owners	15,090	
Due by resident county owners	12,758	
Due by non-resident county owners	486,795	529,102
Total amount of taxes assessed		$26,555.13
Pair by resident county owners	722.93	
Paid by non-resident county owners	754.50	
Due by resident county owners	637.90	

Due by non-resident county owners	24,339.80	$26,455.13

All of which is respectfully submitted.

W. B. SADLER,
Assistant State Auditor.

The President announced that he had appointed Messrs. Clark, Henderson and Crane a committee of three to prepare suitable resolutions of condolence on the death of Senator J. R. Newlan of the 17th District, as required by Senate Resolution No. 28.

INTRODUCTION OF BILLS.

By Mr. Cone—

Senate Bill No. 85:

A bill to be entitled an act validating certain obligations contracted for the sum of $43.200 in the city of Lake City during the years 1906 and 1907, authorizing said city to issue bonds for the payment of said indebtedness, and providing for the payment of said bonds.

Mr. Cone moved that the rules be waived and that Senate Bill No. 85 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 85 was read a second time by its title only.

Mr. Cone moved that the rules be further waived and that Senate Bill No. 85 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 85 was read a third time in full.

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

Mr. President, Senators Adams, Alford, Baker, Beard, Broome, Buckman, Canova, Clark, Cone, Crane, Crews, Crill, Davis, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Trammell, Withers, West (1st District), West (4th District), Zim.

Yeas—27.

Nays—None.

So the bill passed, title as stated.

Mr. Cone moved that the rules be waived and that Senate Bill No. 85 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 85 was so certified.

By Mr. Cone—

Senate Bill No. 86:

A bill to be entitled an act amend Sections 9 and 45 of Chapter 5091 of the Laws of Florida, entitled "an act to abolish the present municipal government of the town of Lake City, in the County of Columbia, and State of Florida, and to establish, organize and constitute a municipality to be known and designated as the city of Lake City and to define its territorial boundaries and to provide for its jurisdiction, powers and priileges;" to amend Section 67 of said act as amend by Section 4 of Chapter 5350 of the Laws of Florida, approved April 16, 1903, and to supplement said act and extend the powers of the government of said municipality.

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

Mr. Cone moved that Senate Bill No. 86 be recalled from committee.

Which was unanimously agreed to and the bill was recalled.

Mr. Cone moved that the rules be waived and that Senate Bill No. 86 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 86 was read a second time by its title only.

Mr. Cone moved that the rules be further waived and that Senate Bill No. 86 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 86 was read a third time in full.

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

Mr. President, Senators Adams, Alford, Baker, Beard, Broome, Buckman, Canova, Clark, Cone, Cottrell, Crane, Crews, Crill, Davis, Girardeau, Henderson, Hudson, Humphries, Leggett, McCreary, Massey, Neel, Sams, Withers, West (1st District), West (4th District), Zim.

Ayes—28.

Nays—None.

So the bill passed, title as stated.

Mr. Cone moved that the rules be waived and that Sen-

ate Bill No. 86 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote, and Senate Bill No. 86 was certified.

By Mr. Adams.

Senate Bill No. 87.

A bill to be entitled an act to amend Section 112 of Chapter 5382, Laws of Florida, entitled "'an act to define the grades of instruction which shall be taught in the uniform systems of public schools of Florida; to aid and encourage te establishment of public high schools, to prescribe the conditions, and to make appropriations therefor.

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

Mr. Adams.

Senate Bill No. 88.

A bill to be entitled an act establishing a system of good roads in this State, method of using the funds arising from the hire of State prisoners in furtherance thereof, for the creation by vote of the people of tax road districts, providing for a system of tax levy for road purposes, for the hiring out of county convicts by boards of County Commissioners; creating district road commissioners and defining their powers and duties relative to construction of said roads; defining the powers and duties of the boards of County Commissioners relative to the location and construction of said roads and the joint action of said boards of County Commissioners relating thereto and limiting the disbursement of funds in construction of said roads.

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

By Mr. Zim—

Senate Joint Resolution No. 89:

Memorial to Congress by Mr. Zim.

Memorial to Congress relative to improving the harbor of St. Augustine.

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

By Mr. West, of the 4th—

Senate Bill No. 90:

A bill to be entitled an act to provide for compulsory education in the State of Florida, and to provide a penalty for the violation of the same.

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

By Mr. West, of the 4th—

Senate Bill No. 91:

A bill to be entitled an act to legalize and confirm the incorporation of the town of Cottondale, in Jackson county, Florida, and to declare the same legally incorporated town.

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

Mr. West, of the 4th, moved that the rules be waived and that Senate Bill No. 91 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 91 was read a second time by its title only.

Mr. West, of the 4th, moved that the rules be further waived and that Senate Bill No. 91 be read a third time and put upon its passage, which was agreed to by a two-thirds vote.

And Senate Bill No. 91 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, Baker, Beard, Broome, Canova, Clark, Cone, Cottrell, Crane, Crews, Crill, Davis, Henderson, Humphries, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, Withers, West (1st District), West (4th District), Zim.

Ayes, 28; Nays, 0.

So the bill passed, title as stated.

By Mr. West, of the 4th—

Senate Bill No. 92:

A bill to be entitled an act to amend Section 1969 of the General Statutes of the State of Florida upon the subject of discovery and ejectment.

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

By Mr. West, of the 4th—

Senate Bill No. 93:

A bill to be entitled an act to amend Section 1337 of the General Statutes of the State of Florida.

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

By Mr. Sams.

Senate Bill No. 94.

A bill to be entitled an act for the improvement of the public roads and bridges in Volusia county, providing for the employment of convicts under certtain conditions, and for the levy and collection of a road and bridge tax, and the means of its expenditure.

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

By Mr. Withers.

Senate Bill No. 95.

A bill to be entitled an act to prescribe the time for holding the terms of the Circuit Court in and for the Fifth Judicial Circuit of the State of Florida.

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

By Mr. West, of First District.

Senate Bill No. 96.

A bill to be entitled an act to provide for the establishment and maintenance of schools of agriculture and mechanic arts in the respective congressional districts of this State.

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

By Mr. Massey.

Senate Bill No. 97.

A bill to be entitled an act to prescribe the terms and conditions upon which foreign corporations for profit may transact business, or acquire, hold, or dispose of property in this State.

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

By Mr. Neel.

Senate Bill No. 98.

A bill to be entitled an act to amend Section 1512 of the General Statutes of Florida relative to the compensation of witnesses in civil cases in courts of county judges and justices of the peace.

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

By Mr. Neel.

Senate Bill No. 99.

A bill to be entitled an act to amend Sections 751 and 752 of the General Statutes of Florida, relative to pensions.

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

My Mr. West, of the First District.

Senate Bill No. 100.

A bill to be entitled an act to provide for State aid for public schools in this State and to prescribe conditions and to make appropriations therefor.

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

By Hr. Humphries.

Senate Bill No. 101.

A bill to be entitled an act to secure to the people of Florida school text books at reduced prices, to provide special editions of said books at low prices, to empower county boards of public instruction to adopt such books if desired, to authorize county boards of public instruction to make contracts with publishers to provide for the filling of contracts, to provide a penalty for any dealer, clerk, or agent who may sell school text books at greater prices than may be entered in contracts between boards of public instruction and publishers, and for other purposes.

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

By Mr. Humphries.

Senate Bill No. 102.

A bill to be entitled an act to amend Section 324 of the General Statutes of the State of Florida, the same

being Section 1 and 2 of Chapter 4682, Acts of 1899, as revised by the Commissioners appointed under Chapter 2567 of the Statutes of Florida, authorizing the board of public instruction of any county of the State of Florida to contract debts for the purchase of real estate to be used for educational purposes, for the erection of school buildings, and to provide for the payment thereof, approved June 1st, 1899, and to authorize the issuance of bonds and to provide for the calling of elections, and to validate bonds already issued or voted for under the provisions of Chapters 4678 and 4682.

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

By Mr. Broome—

Senate Bill No. 103:

A bill to be entitled an act to amend sections 786, 787 of the General Statutes of the State of Florida prescribing the purposes for which County bonds may issue, and authorizing the County Commissioners to levy a tax to pay off such bonds.

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

By Mr. Trammell—

Senate Bill No. 104:

A bill to be entitled an act to amend Sections 2, 8, 37 and Section 51 of Chapter 4869 of the Laws of the State of Florida, being an act entitled "an act to abolish the present municipal government of the city of Lakeland, in the county of Polk, and State of Florida, and to establish, organize and constitute a municipality to be known and designated as Lakeland, and to define its territorial boundary and to provide for its jurisdiction, powers and privileges."

Mr. Trammell moved that the rules be waived and that Senate Bill No. 104 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 104 was read a second time by its title only.

Mr. Trammell moved that the rules be further waived and that Senate Bill No. 104 be read a third time and put upon its passage, which was agreed to by a two-thirds vote.

And Senate Bill No. 104 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, Baker, Beard, Broome, Clark, Cone, Cottrell, Crane, Crews, Criill, Creary, Massey, Neel, Trammell, Withers, West (1st District), West (4th District), Zim—25.

Nays—None.

So the bill passed, title as stated.

By Mr. Hudson—

Senate Bill No. 105:

A bill to be entitled an act to amend Section 2213 of the General Statutes of the State of Florida, relating to the enforcement of liens.

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

By Mr. Hudson—

Senate Bill No. 106:

A bill to be entitled an act to legalize and validate an election held in special Tax School District No. 1 of Dade County, Florida, on the 18th day of September, A. D. 1906, and to legalize and validate the issue of certain bonds sold or to be sold by the Board of County Commissioners of Dade county, Florida, under authority of in pursuance of said election.

By unanimous consent Mr. Hudson was allowed to amend the title of the bill.

Mr. Hudson moved that the rules be waived and that Senate Bill No. 106 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 106 was read a second time by its title only.

Mr. Hudson moved that the rules be further waived and that Senate Bill No. 106 be read a third time and put upon its passage, which was agreed to by a two-thirds vote.

And Senate Bill No. 106 was read a third time in full.

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

Mr. President, Senators Adams, Alford, Baker, Beard, Broome, Buckman, Canova, Clark, Cone, Cottrell, Crane, Crews, Crill, Davis, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell,

Willis, Withers, West (1st District), West (4th District), Zim—30.

Nays—None.

So the bill passed as amended, title as stated.

By Mr. Clarke—

Senate Bill No. 107:

A bill to be entitled an act to esablish a property right of owners of lands abutting the Chipola Lakes of Calhoun county, known as the dead lakes.

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

Mr. Clark moved that the rules be waived that Senate Bill No. 107 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 107 was read a second time by its title.

Mr. Clark moved that the rules be further waived and that Senate Bill No. 107 be read a third time and put upon its passage, which was agreed to by a two-thirds vote.

And Senate Bill No. 107 was read a third time in full.

Pending the roll call.

Mr. Henderson moved that the progress of Senate Bill No. 107 be amended and that the bill be placed back in its order on bills on first reading and that the bill be referred to the Judiciary Committee.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 107 was referred to the Judiciary Committee.

By Mr. Crews—

Senate Bill No. 108:

A bill to be entitled an act to amend Section 1586 of the General Statutes of the State of Florida relative to the pay of jurors.

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

By Mr. Baker—

Senate Bill No. 109:

A bill to be entitled an act to amend Section 751 of the General Statutes of the State of Florida, relative to pensions.

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

By Mr. Baker—
Senate Bill No. 110:

A bill to be entitled an act to amend Section 851 of General Statutes of the State of Florida, relating to the employment by County Commissioners of labor for work on roads and bridges.

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

By Mr. Baker—
Senate Bill No. 111:

A bill to be entitled an act to define the duties of County Surveyors and their deputies, and to fix penalties for neglect of the same.

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

By Mr. Baker—
Senate Bill No. 112:

A bill to be entitled an act to amend Section 1571 of the General Statutes of the State of Florida relating to the selection of jurors.

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

By Mr. Crews—
Senate Bill No. 113:

A bill to be entitled an act requiring teachers' summer training schools and making appropriations therefor.

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

By Mr. Crane—

Senate Bill No. 114:

A bill to be entitled an act vesting in county commissioners power to make, grant and give permits for the occupation and use of highways, roads and streets, outside of the corporation limits of cities and towns, by surface street railways, and legalizing and confirming all grants and permits heretofore made and given by county commissioners in relation to the occupation and use of such highways, roads and streets by surface street railways.

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

By Mr. Crane—
Senate Bill No. 115:
A bill to be entitled an act to legalize, validate, ratify, confirm and approve all actions of county commissioners in relation to laying out, grading, constructing, repairing and paving and making contracts with relation to the same of paved, macadamized or rock public highways, roads or boulevards.
Which was read the first time by its title and referred to the Committee on City and County Organizations.

By Mr. Crane—
Senate Bill No. 116:
A bill to be entitled an act to provide a penalty for delay in delivery of telegraph and telephone messages within the State of Florida.
Which was read the first time by its title and referred to the Committee on Canals and Telegraphs.

By Mr. Crane—
Senate Bill No. 117:
A bill to be entitled an act to revise and amend the city charter of the city of West Tampa and to ratify and confirm certain acts and proceedings of the said city.

Mr. Crane moved that the rules be waived and that Senate Bill No. 117 be read a second time by its title only.
Which was agreed to by a two-thirds vote.
And Senate Bill No. 117 was read a second time by its title only.
Mr. Crane moved that the rules be further waived and that Senate Bill No. 117 be read a third time and put upon its passage, which was agreed to by a two-thirds vote.
And Senate Bill No. 117 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, Baker, Beard, Broome, Canova, Clark, Cone, Cottrell, Crane, Crews, Crill, Davis, Henderson, Hudson, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, Withers, West (1st District), West (4th District), Zim—28.
Nays—None.
So the bill passed, title as stated.

Mr. Crane moved that the rules be waived and that all bills be immediately certified to the House of Representatives upon its passage by the Senate.

Which was agreed to by a two-thirds vote, and so ordered.

By Mr. Crane—

Senate Bill No. 118:

A bill to be entitled an act legalizing all contracts, assessments and other proceedings, to establish public drains, ditches or canals under Chapter 5035 of the Laws of Florida.

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

By Mr. Beard—

Senate Bill No. 119:

A bill to be entitled an act relating to the improvement by the city of Pensacola of its streets, alleys and public ways.

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

Mr. Beard moved that the rules be waived and that Senate Bill No. 119 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 119 was read a second time by its title only.

Mr. Beard moved that the rules be further waived and that Senate Bill No. 119 be read a third time and put upon its passage, which was agreed to by a two-thirds vote.

And Senate Bill No. 119 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, Baker, Beard, Broome, Buckman, Canova, Clark, Cone, Cottrell, Crane, Crews, Crill, Davis, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, Withers, West (1st District), West (4th District), Zim—30.

Nays—None.

So the bill passed, title as stated.

A message from the Governor.

By Mr. Willis—
Senate Bill No. 120:
A bill to be entitled an act to amend Section 1586 of the General Statutes of the State of Florida relating to pay of jurors.
Which was referred to the Committee on Judiciary.

By Mr. Willis—
Senate Bill No. 121:
A bill to be entitled an act to amend Section 1512 of the General Statutes of the State of Florida, relating to pay of witnesses.
Which was referred to the Committee on Judiciary.

By Mr. Willis—
Senate Bill No. 122:
A bill to be entitled an act to amend Section 3765 of the General Statutes of the State of Florida, relating to catching fish with seins, nets, or other set devices, or by shooting or gigging in fresh water lakes.
Which was read the first time by its title and referred to the Committee on Fish.

By Mr. Willis—
Senate Bill No. 123:
A bill to be entitled an act to prescribe a method of assistance, by the inspectors and others, and to any elector applying to vote in the primary election in this State, who, by reason of blindness, or loss of a hand or hands, or for any other reason whatsoever, is unable to prepare his ballot, and providing a penalty for any violation of this act.
Which was read the first time by its title and referred to the Committee on Privileges and Elections.

By Mr. Trammell—
Senate Bill No. 124:
A bill to be entitled an act to empower the State to engage in the life insurance business, to prescribe the powers and duties of the Board of Commissioners of State institutions in connection therewith, to provide for suits against the State upon insurance policies, and to provide for the payment thereof, and making appropriation to carry out the provisions of said act.
Which was read the first time by its title and referred to the Committee on Judiciary.

By Mr. Crane—

Senate Bill No. 125:

A bill to be entitled an act to empower boards of County Commissioners to contract with electric or other passenger railway companies for the joint construction and maintenance of bridges along public highways, and for the construction and maintenance of railway tracks on such bridges, and to validate such contracts heretofore made.

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

By Mr. Crews—

Senate Bill No. 126:

A bill to be entitled an act to require County Commissioners to keep or have kept a detailed record of the expenditure of the said Commissioners in the several commissioners districts in each county for this State, and provide for the enforcement of said act.

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

The following message was received from the Secretary of State:

Office of Secretary of State,
Tallahassee, Fla., April 2, 1907.

Hon. W. Hunt Haris,
President of the Senate.

Sir:

In conformity with the requirements of the Constitution of the State of Florida, I herewith transmit to you, for the consideration of the Senate, the following vetoed acts, with the Governor's objections written thereon, viz:

"An act to extend the time for beginning work upon the Pan-American Railway, and thereupon to confirm to said railway all rights, power, privileges and grants heretofore conferred upon the same."

"An act to grant rights and franchises to the Manatee Light and Traction Company to operate street cars and electric lightning and power business within the municipality of Manatee and for other purposes."

"An act to extend the time for completing the canal of the Florida Coast Line Canal and Transportatiion Company, and to preserve and continue the grant of land to aid

in its construction and authorizing the trustees of the Internal Improvement Fund of the State of Florida to hold one hundred thousand acres of the lands now held in reserve for said company until it shall complete its canals and waterways from St. Augustine to the St. Johns river, and providing the time said canals and waterways between St. Augustine and the St. Johns river shall be commenced, and for its continuous prosecution until completed, and providing that in the event said company desires to sell its canal, the State of Florida shall have the refusal, and providing that the provision as to one hundred thousand acres and the provision as to giving the State of Florida the refusal if said company desires to sell, shall not be construed so as to interfere with, alter, change or impair any rights, privileges, property, grants or franchises of said company now existing, except as to the one hundred thousand acres (100,000) of land, as hereinafter mentioned."

"'An act to prescribe the fees of sheriffs in lunacy proceedings."

"An act to provide a method of assistance to any elector applying to vote in the primary election in this State, who, by reason of blindness, or the loss of a hand or hands, or who is unable to read or write, to prepare his ballot by the inspectors of such election, and providing a penalty for any violation of this act."

"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 Bradentown, and for other purposes."

"An act requiring State officers to make biennial detail reports, and providing a penalty for failure to comply with said requirement."

"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 Bradentown, and for other purposes."

Respectfully,
W. CLAY CRAWFORD,
Secretary of State.

Mr. Adams moved that the bills and veto msesages be spread on Journal and lie on table subject to call. Mr. Adams withdrew motion.

The following communication was received from the House of Representatives and ordered spread upon the Journal:

House of Representatives.
Tallahassee, Fla., April 9, 1907.

Hon. W. Hunt Harris,

President of the Senate.

Sir—In accordance with a resolution adopted by the House of Representatives on yesterday, the members of the Senate are respectfully requested to attend a lecture to be given by Rev. Crawford Jackson, of Atlanta, Ga., this evening at 8 o'clock, in the Chamber of the House of Representatives.

Respectfully,
J. G. KELLUM,
Chief Clerk.

By permission Mr. Hudson offered the following:

Senate Resolution No. 31—

Resolved, That the Senate accept the invitation of the House of Representatives to attend an address by Rev. Crawford Jackson to be delivered in the Hall of Representatives on April 9th at 8 o'clock in the eening.

Which was read.

Mr. Hudson moved the adoption of the resolution.

Which was agreed to.

And the resolution was adopted.

Mr. Adams moved that Senate Bill No. 88 be received from committee and that 200 copies of same be printed for the use of the Senate.

Which was agreed to and the bill was recalled.

CONSIDERATION OF RESOLUTIONS.

Senate Concurrent Resolution No. 2:

Be it resolved by the Senate, the House of Representatives concurring, That a committee, to be composed of two on the part of the Senate and three from the House of Representatives, be appointed to visit the State University at Gainesville to examine into and investigate the present condition of that institution and report with

as little delay as possible their findings to this Legislature, so that the members thereof can vote intelligently on all appropriations to maintain the same.

Mr. Buckman moved to amend Senate Concurrent Resolution No. 2 as follows:

Amend Senate Concurrent Resolution No. 2 so as to read as follows:

That said committee shall consist of three from the Senate and four from the House; and that said committee shall visit and report upon the University of the State of Florida at Gainesville, the Institute for the Blind, Deaf and Dumb at St. Augustine, the Florida Female College and the Colored Normal School at Tallahassee.

Mr. Buckman moved to adopt the amendment.

Which was agreed to.

And the amendment was adopted.

And the resolution was read the second time as amended.

Mr. Buckman moved the adoption of the resolution.

Which was agreed to.

And the resolution was adopted as amended.

Senate Concurrent Resolution No. 3:

Relative to appointing a committee to visit the Florida School for the Blind, Deaf and Dumb, to examine and investigate its present condition, etc.

And the resolution was read the second time.

Mr. Zim requested permission to withdraw Senate Concurrent Resolution No. 2.

The request was granted and Senate Concurrent Resolution No. 2 was withdrawn.

Senate Concurrent Resolution No 4:

Senate Concurrent Resolution No. 4, relating to State appropriations and tax levies.

Whereas, The best interest of the taxpayers of the State demand that all appropiations made from the State Treasury shall be safeguarded, and whereas those who are burdened with taxes for the payment of appropriations made should be advised of the amounts and of the uses and purposes of such taxes and expenditures, and whereas, the method heretofore pursued of making general appropriations from the general revenue fund of the State government has not been in accordance with the system prevailing for many years in making apropriations for ordinary State expenses, and whereas, special tax levies

and for the State Board of Health, and whereas, it is proper that the taxpayers and citizens of the State should be fully advised of the purposes for which all tax levies are made and of the expenditures from such levies, and whereas large appropriations in bulk from the general revenue fund of the State are mileadihng to the taxpayerh and render it difficult to etimate the proper tax levy that should be made by such fund, and whereas the method used in designating in detail the number of officers, clerks and employees to be engaged in the several departments of the State government and the amount to be paid to each such persons, should be extended as far as practicable to all institutions of the State having appropriations from the State;

Therefore, be it Resolved by the Senate, the House of Representatives concurring, That it is the sense of the Legislature of the State of Florida, that all appropriations made by the State for any purpose should state its purpose, and if for any institution, to state in detail the number of officers or other persons to be employed and the amount to be paid to each such person or other persons, as is done for all officers, clerks and employees in the different departments of the State Government; that necessary contingent and incidental expenses of such institutions be provided for by limited apropriations to be used only upon such vouchers; and that appropriations of any appreciable amount made for purposes other than the current expenses of the State Government shall be provided for by special tax levies, designating the particular purposes, and the amounts to be levied therefor.

And the resolution was read the second time.

Mr. Henderson moved that Senate Concurring Resolution No. 4 be referred to Committee on Appropriations and 200 copies be printed.

Which was agreed to.

By Mr. Canova—

Senate Concurrent Resolution No. 6:

Relative to appointing a committee to inspect State and county prisoners and prison camps.

Which was read.

Mr. Canova moved that the resolution be read the second time.

Which was agreed to by a two-thirds vote.

And the resolution was read the second time.

Mr. Canova moved the adoption of the resolution.

Which was agreed to.

And the resolution was adopted.

Mr. Canova moved to reconsider the vote by which Senate Concurrent Resolution No. 6 had been adopted.

Which was agreed to by a two-thirds vote and the vote was reconsidered and the resolution placed back upon its second reading.

By unanimous consent Mr. Canova withdrew the resolution.

MESSAGES FROM HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 9, 1907.

Hon. W. Hunt Harris,
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. 138:

A bill to be entitled an act to legalize and confirm the incorporation of the town of Cottondale, in Jackson county, Florida, and to declare the same a legally incorporated town.

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. 138 contained in the above message was read the first time by is title and referred to the Committee on City and County Organization.

Also the following:

House of Representatives,
Tallahassee, Fla., April 4, 1907.

Hon W. Hunt Harris,
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. 27:

A bill to be entitled an act to legalize the election held in the City of Bradentown on the 6th day of November, A. D. 1906, to determine by an affirmative vote of a majority of the qualified electors of said city who are resident owners of real estate within the corporate limits of said city, and who had paid taxes thereon for the last year when said such taxes were due, whether or not the bonds proposed by an ordinance entitled: "An ordinance to provide for the issuance of bonds of the City of Bradentown and for the expenditure and disbursement of funds received from the sale of said bonds," passed by the City Council of said city on the 31st day of August, A. D. 1906, and approved by the Mayor of said city on the said 31st day of August, A. D. 1906, should be authorized and issued, and to declare and render valid and legal said election and notice thereof, and the result as shown by the returns thereof, and to declare and render legal and valid said ordinance, and to authorize the issue of bonds as provided by said ordinance, and to declare valid and binding all bonds which have or may be issued under the terms of said ordinance.

With the following amendment thereto:

Amend Senate Bill No. 27 so as to read, "A bill to be entitled an act."

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,
J. G. KELLUM,
Chief Clerk of the House of Representatives.

Mr. Humphries moved that the Senate concur in House amendment to Senate Bill No. 27.

Which was agreed to and the bill as amended was referred to the Committee on Enrolled Bills.

The following resoluution was offered by Mr. Adams:

Resolved by the Senate, That messages received from the House of Representatives be spread on the Journal without being read except when otherwise ordered by the Senate.

Which was agreed to and the resolution was adopted.

Also the following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., April 9, 1907.

Hon W. Hunt Harris,
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. 51:

A bill to be entitled an act authorizing the City of Tallahassee to issue bonds for making, constructing and putting in operation a waterworks plant, or for purchasing or lesing or acquiring, by the exercise of the right of eminent domain, any such plant, and for enlarging, extending and improving any such plant so purchased or leased or acquired by the exercise of the right of eminent domain, and to provide for the payment of the principal and interest of such bonds, and the application of the proceeds of any such bonds to the purpose for which the same may be issued, and the construction, enlargement, extension, improvement, establishment and management of any such plant.

Very respectfully,
J. G. KELLUM,
Chief Clerk of the House of Representatives.

And Senate Bill No. 51 contained in the above message was read the first time by its title and referred to the Committee on Enrolled Bills.

Also the following:

House of Representatives,
Tallahassee, Fla., April 4, 1907.

Hon. W. Hunt Harris,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform

the Senate that the House of Representatives has passed—

House Bill No. 37:

A bill to be entitled an act authorizing the City of Tallahassee to issue bonds for making, constructing and putting in operation a water works plant, or for purchasing or leasing or acquiring, by the exercise of the right of eminent domain, any such plant, and for enlarging, extending and improving any such plant, so purchased or leased or acquired by the exercise of the right of eminent domain, and to provide for the payment of the principal and interest of such bonds and the application of the proceeds of any such bonds to the purpose for which the same may be issued, and the construction, enlargement, extension, improvement, establishment and management of any such plant.

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. 337 contained in the above message was read the first time by its title and referred to the Committee on City and County Organization.

Also the following:

House of Representatives,
Tallahassee, Fla., April 9, 1907.

Hon. W. Hunt Harris,
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. 25:

A bill to be entitled an act making appropriation for traveling expenses of the State Auditor.

And respectfully request the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 25 contained in the above message was read the first time by its title and referred to the Committee on Appropriations.

Also the following:

House of Representatives,
Tallahassee, Fla., April 9, 1907.

Hon. W. Hunt Harris,
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 Concurrent Resolution No. 10:

Resolved, That a committee of seven, four on the part of the House and three on the part of the Senate, be appointed to visit, inspect and report on the condition, management and needs of the Institute for the Blind, Deaf and Dumb, located at St. Augustine, and the University of the State of Florida, located at Gainesville, and the Female College and the Colored Normal Institute, located at Tallahassee.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,
J. G. KELLUM,
Chief Clerk of the House of Representatives.

And House Concurrent Resolution Bill No. 10 contained in the above message was read the first time and laid over under the rules.

Mr. Neel moved that the rules be waived and that House Concurrent Resolution No. 10 be now considered.

Which was agreed to by two-thirds vote, and House Concurrent Resolution No. 10 was read a second time.

Mr. Neel moved the adoption of the resolution.

Which was agreed to and House Concurrent Resolution No. 10 was adopted.

Also the following:

House of Representatives,
Tallahassee, Fla., April 9, 1907.

Hon. W. Hunt Harris,
President of the Senate:

Sir:

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

House Concurrent Resolution No. 6:

Be it resolved by the House of Representatives, the Senate concurring, That a committee of three, to be composed of one on the part of the Senate and two on the part of the House, be appointed to visit and inspect the convicts and convict camps of the State; to investigate their conditions and report their findings.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,
J. G. KELLUM,
Chief Clerk of the House of Representatives.

And House Concurrent Resolution No. 6 contained in the above message was read the first time and was laid over under the rules.

Also the following:

House of Representatives.
Tallahasse, Fla., April 9, 1907.

Hon. W. Hunt Harris,
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 Concurrent Resolution No. 7 relative to the appointment of a committee to visit and inspect the work being carried on by the Internal Improvement Board in the vicinity of New River.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,
J. G. KELLUM,
Chief Clerk of the House of Representatives.

Mr. Clark moved that the rules be received and House Concurrent Resolution No. 7 be now considered.

Which was agreed to by two-thirds vote.

House Concurrent Resolution No. 7 was read a second time.

Mr. Clark moved the adoption of the resolution.

Which was agreed to.

And House Concurrent Resolution No. 7 was adopted.

Also the following:

House of Representatives.
Tallahassee, Fla., April 9, 1907.

Hon. W. Hunt Harris,
President of the Senate.

Sir:

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

Senate Concurrent Resolution No. 1:

Relating to an investigation of the Internal Improvement Fund of the State.

Very respectfully,
J. G. KELLUM,
Chief Clerk of the House of Representatives.

Also the following:

House of Representatives.
Tallahassee, Fla., April 9, 1907.

Hon. W. Hunt Harris,
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 Concurrent Resolution No. 8:

Be it Resolved by the House of Representatives, the Senate concurring, That a commitee of three, to be composed of one on the part of the Senate and two on the part of the House, be appointed to visit the Hospital for the Insane at Chattahoochee.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Concurrent Resolution No. 8 contained in the above message was read the first time and laid over under rules.

Also the following:

House of Representatives.
Tallahassee, Fla., April 9, 1907.

Hon. W. Hunt Harris,
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 Concurrent Resolution No. 5:

Be it Resolved by the House of Representatives, the Senate concurring, That a committee consisting of two on the part of the House and one on the part of the Senate be appointed to visit, examine into, and report upon the condition of the State Reform School at Marianna.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Concurrent Resolution No. 5 contained in the above message was read the first time and laid over under rules.

The President announced the following Committees:

To visit and examine the State institutions of learning on the part of the Senate, to act with a committee from the House of Representatives.

Messrs. Neel, Crill and Baker:

Committee to visit and examine into and report upon

the drainage work in the New River and the Caloosahatchie river:

Messers. Clark, Crane and Leggett.

REPORTS OF COMMITTEES.

Senate Chamber,
Tallahassee, April 4, 1907.

Hon. W. Hunt Harris,
President of the Senate.

Sir:

Your Committee on State Prisons and Convicts, to whom was referred—

Senate Bill No. 47:

A bill to be entitled an act to provide for the proper Care, Maintenance and Protection, Inspection, Rules for Regulation and control of County Prisoners; Manner of their discharge and inspection of county jails, and to pay for the expense of carrying out the Provissions of this act,

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

Very respectfully,
A. J. ALFORD,
Chairman of Committee.

And Senate Bill No. 47 was put on the calendar for Bills on the Second Reading.

Senate Chamber,

Hon. W. Hunt Harris,
President of the Senate.

Sir:

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

Senate Bill No. 81:

A Bill to be entitled an Act to incorporate and establish a Municipal government for the town of Sarasota in Manatee County, Florida, etc.,

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

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

And Senate Bill No. 81 was put on the calendar of Bills for Second Reading.

Senate Chamber,

Hon. W. Hunt Harris,
President of the Senate.

Sir:

Your Committee on City and County Organization, to whom was referred Senate Bill No. 23—

A Bill to be entitled an Act to legalize the election held on the 28th day of December, A. D. 1906, in the County of Manatee to determine by a majority vote of the duly qualified electors of said county whether or not a county court should be established in said county, persuant to Chapter 5566 of the laws of Florida, Acts A. D. 1905, etc.,

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

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

And Senate Bill No. 23 was placed on the Calendar of Bills on the Second Reading.

State of Florida,
Executive Department.
Tallahassee, June 3, 1905.

Hon. H. C. Crawford,
Secretary of State,
Tallahassee, Florida.

Sir:

I have the honor to transmit herewith under and by virtue of the provisions of Section 28, Article III of the Constitution of the State of Florida, an Act 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 aid in its construction, and authorizing the Trustees of the Internal Improvement Fund of the State of Florida to hold one hundred thousand acres of the lands now held in reserve for said company until it shall complete its canals and waterways from St. Augustine to the St. Johns River, and providing the time said canals and waterways between St. Augustine and the St. Johns River shall be commenced and for its continuous prosecution until completed, and providing that in the event said company de-

sires to sell its canal, the State of Florida shall have the refusal, and providing that the provision as to one hundred thousand acres and the provision as to giving the State of Florida the refusal if said company desires to sell, shall not be construed so as to interfere with, alter, change or impair any rights, privileges, property, grants or franchises of said company now existing except as to the one hundred thousand acres (100,000) of land as hereinafter mentioned" without my approval.

The Congress of the United States passed an act, approved September 28th, 1850, Chapter 84, entitled "An Act to enable the State of Arkansas and other States (including Florida) to reclaim the 'swamp lands' within their limits, which provides, among other things, that to enable the State of Arkansas (and other States) to construct the necessary levees and drains to reclaim the swamp and overflowed lands therein, the whole of those swamp and overflowed lands made unfit thereby for cultivation, which hall remain unsold at the passage of this act, shall be and the same are hereby granted to said State." That a patent shall issue "and on that patent the fee simple of said lands shal vest in the said State of Arkansas, subject to the disposal of the Legislature thereof."

The Legilature enacted the law, Chapter 610, Laws of Florida, entitled "An Act to provide for and encourage the liberal system of Internal Improvements in this State," which provides, among other things, "that so much of the five hundred thousand acres of land granted to this State for Internal Improvement purposes, by an act of Congress, passed the third day of March, A. D. 1845, as remains unsold, and proceeds of the sales of such said lands heretofore sold as now remains on hand and unappropriated, and all proceeds that may herefter accrue from the sales of said lands; also all the swamp land or lands subject to overflow, granted to this State by an act of Congress, approved September 28, 1850, together with all the proceeds that have accrued, or may hereafter accrue to the State from the sale of said lands, are hereby set apart and declared a distinct and separate fund, to be called the Internal Improvement Fund of the State of Florida, and are to be strictly applied according to the provisions of this act," and further, "That for the purpose of assuring a proper application of said fund for the purposes

herein declared, said lands and all the funds arising from the sale thereof, after paying the necessary expenses of selection, management and sale, are hereby irrevocably vested in five Trustees, therein named, and their successors in office, to hold the same in trust for the uses and purposes hereinafter provided, with the power to sell and transfer said lands to the purchasers and receive payment for the same, and invest the surplus moneys arising therefrom, from time to time, as therein provided.

This law has been in force since its approval, January 6, 1855, more than fifty years. The Trustees aforesaid have continued in the exercise of the powers and duties vested in them in the exercise of the lands vested in them irrevocably during this long period of time, and are now, in the full exercise of all the powers and duties and control of the lands remaining in the fund, aforesaid, and perform the powers and duties and functions vested in them as such Trustees. Thus does it appear that the Legislature in 1855 by the enactment of Chapter 610, Laws of Florida, in vesting the lands referred to therein, which are the subject of the said bill under consideration, and referred to in the bill as a grant of lands of this character, parted with its title to all of the swamp and overflowed lands in this State to the Trustees aforesaid, for the expressed purposes and trust set forth in the act of Congress, approved September 28, 1850, and the Act of the Legislature of Florida, approved January 6, 1855, and the conclusion is irresistible that this Legislative enactment cannot convey or pass a title to the lands therein referred to, and that the Legislature had not the power to grant swamp and overflowed lands as therein set forth, and for these reasons I object to the bill under consideration becoming a law, and deem it my duty to withhold my approval therefrom.

I have the honor to remain,

Yours very truly,

N. B. BROWARD,

Governor.

And the act vetoed by the Governor, together with the veto message, was referred to the Committee on Drainage and Reclamation:

State of Florida,
Executive Department,
Tallahassee, June 10, 1905.

Hon. H. C. Crawford,
Secretary of State,
Tallahassee, Florida.

Sir:

I have the honor to transmit herewith under and by virtue of the provisions of Section 28, Article III, of the Constitution of the State of Florida, an act entitled, "An act to grant rights and franchises to the Manatee Light and Traction Company to operate streetcars and electric lighting and power business within the municipality of Manatee, and for other purposes," without my approval.

The following are my objections to this act:

1st. By the provisions of Section 8, of Chapter 5355, Laws of Florida, the municipality of Manatee is empowered to regulate and control streets, avenues and public grounds of the town, and grant the right-of-way across and along the same for street and other railways and other public purposes," and where a municipality has the power to act, such matters should be left to it to exercise that power.

2nd. I do not believe the Legislature has the power to exempt from taxation, as is attempted to be done in this measure.

3rd. The protest filed with me by the officers of the City of Manatee and many of the citizens of the town shows that the provisions of this act are objectionable to the citizens of the locality to be affected, and for these reasons, I therefore object to the acts under consideration becoming a law, and deem it my duty to withhold my approval therefrom,

I have the honr to remain,

Very respectfully,
N. B. BROWARD,
Governor.

Also the following acts and veto message was read and referred to the Committee on Railroads:

State of Florida,
Executive Department,
Tallahassee, June 10, 1905.

Hon. H. C. Crawford,
Secretary of State,
Tallahassee, Florida.

Sir:

I have the honor to transmit herewith under and by virtue of the provisions of Section 28, Article III, of the Constitution of the State of Florida, an act 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 Bradentown, and for other purposes," without my approval, for the reason that the same is defective and that another act upon the same subject intending to correct the defect has been passed and presented to me for my approval.

I have the honor to remain,

Very respectfully,
N. B. BROWARD,
Governor.

And the following act, together with the veto message, was read and referred to the Committee on Railroads:

State of Florida,
Executive Department.
Tallahassee, June 10, 1905.

Hon. H. C. Crawford,
Secretary of State,
Tallahassee, Florida.

Sir:

I have the honor to transmit herewith under and by virtue of the provisions of Section 28, Article III, of the Constitution of the State of Florida, an act entitled, "An act requiring State officers to make biennial detail reports and providing a penalty for a failure to comply with said requirement," without my approval; my reason for vetoing this act is that the information sought in detail can be ascertained at any time from the Comptroller's reports and the records of his office, and for the further reason that the burden of preparing the reports required would require additional clerical assistance in their preparation, for which no appropriation is made, and I therefore object to this

act becoming a law, and I deem it my duty to withhold my approval therefrom.

I have the honor to remain,

Very respectfully,

N. B. BROWARD,

Governor.

And the following act, together with the veto message, was read and referred to the Committee on State Affairs:

State of Florida,

Executive Department.

Tallahassee, June 10, 1905.

Hon. H. C. Crawford,

Secretary of State,

Tallahassee, Florida.

Sir:

I have the honor to transmit herewith under and by virtue of the provisions of Section 28, Article III, of the Constitution of the State of Florida, an act entitled, "An act to provide a method of assistance to any elector applying to vote in the primary election in this State, who, by reason of blindness, or the loss of a hand, or who is unable to read or write, to prepare his ballot by the inspectors of such election, and providing a penalty for any violation of this act," without my approval.

I object to the provisions of this act because while its purpose, that of affording opportunity for the worthy voter who by misfortune or otherwise is not able to intelligently mark his ballot so as to express his honest choice thereby, meets my approval, yet the opportunity afforded by its provision for the abuse of this privilege by the vicious and corrupt in the large cities and towns of the State greatly outweighs this advantage and makes it a very dangerous means in the hands of the unscrupulous, affording an opportunity for the abuse of the confidence of the voter and destroy the secrecy of the Australian ballot; for these reasons, I object to this act becoming a law and therefore deem it my duty to withhold my approval therefrom,

Yours very truly,

N. B. BROWARD,

Governor.

The following act, together with the veto message, was read and referred to the Committee on Privileges and Elections:

State of Florida,
Executive Department,
Tallahassee, June 10th, 1905.

Hon. H. C. Crawford,
Secretary of State,
Tallahassee, Florida,

Sir:

I have the honor to transmit herewith under and by virtue of the provisions of Section 28, Article III of the Constitution of the State of Florida, an Act entitled, "An Act to extend the time for begining work upon the Pan-American Railway, and thereupon to confirm to said railway all rights, powers, privileges and grants heretofore conferred upon the same," without my approval.

The Congress of the United States passed an Act, approved September 28th, 1850, Chapter 84, entitled an "Act to enable the State of Arkansas and other States (including Florida) to reclaim the swamp lands" within their limits, which provides, among other things, that "to enable the State of Arkansas (and other States to construct the necessary levees and drains to reclaim the swamp and overflowed lands therein, the whole of those swamp and overflowed lands made unfit thereby for cultivation, which shall remain unsold at the passage of this Act, shall be and the same are hereby granted to said State." That a patent shall issue "and on that patent the fee simple of said lands shall vest in the said State of Arkansas, subject to the disposal of the Legislature thereof."

The Legislature enacted the law, Chapter 610, Laws of Florida, entitled "An Act to provide for and encourage the liberal system of Internal Improvements in this State," which provides, among other things, "that so much of the five hundred thousand acres of land granted to this State for Internal Improvement purposes, by an Act of Congress, passed the third day of March, A. D. 1845, as remains unsold, and proceeds of the sales of such of said lands heretofore sold as now remains on hand and unappropriated, and all proceeds that may hereafter accrue from the sale of said lands; also all the swamp land or lands subject to the overflow, granted to this State by an Act of Congress, ap-

proved September 28th, 1850, together with all the proceeds that have accrued, or may hereafter accrue to the State from the sale of said lands, are hereby set apart and declared a distinct and separate fund, to be called the Internal Improvement Fund of the State of Florida, and are to be strictly applied according to the provisions of this Act;" and further, "That for tne purpose of assuring a proper application of said fund for the purposes herein declared, said lands and all the funds arising from the sale thereof, after paying the necessary expenses of selection, management and sale, are hereby irrevocably vested in five Trustees, therein named, and their successors in office, to hold the same in trust for the uses and purposes hereinafter provided, with the power to sell and transfer said lands to the purchasers and receive payment for the same, and invest the surplus moneys arising therefrom, from time to time, as therein provided."

This law has been in force since its approval, Jaunary 6th, 1855, more than fifty years. The Trustees aforesaid have continued in the exercise of the powers and duties vested in them in the exercise of the lands vested in them irrevocably during this long period of time, and are now, in the full exercise of all the powers and duties and control of the lands remaining in the fund, aforesaid, and perform the powers and duties and functions vested in them as such Trustees. Thus does it appear that the Legislature in 1855 by the enactment of Chapter 610, Laws of Florida, in vesting the lands referred to therein, which are the subject of the bill under consideration, and referred to in the bill as a grant of lands of this character, parted with its title to all of the Swamp and overflowed lands in this State to the Trustees aforesaid, for the expressed purpose and trust set forth in the Act of Congress, approved September 28th, 1850, and the Act of the Legislature of Florida, approved January 6th, 1855, and the conclusion is irrevocably that this Legislative enactment can not convey or pass a title to the lands therein referred to, and that the Legislature had not the power to grant swamp and overflowed lands as therein set forth, and for these reasons I object to the bill under consideration be-

coming a law, and, I deem it my duty to withhold my approval therefrom.

I have the honor to remain,

Yours very truly,

N. B. BROWARD,

Governor.

Also the following act, together with the veto message, was read and referred to the Committee on Railroads:

State of Florida,

Executive Department.

Tallahassee, June 10, 1905.

Hon. H. C. Crawford,

Secretary of State,

Tallahassee, Florida.

Sir:

I have the honor to transmit herewith under and by virtue of the provisions of Section 28, Article III, of the Constitution of the State of Florida, an act 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 Bradentown, and for other purposes," without my approval.

The following are my objections to this act:

1st. By the provisions of Sections 9 and 18 of Chapter 5337, Laws of Florida, the municipality of Bradentown has full power to submit the question of franchises involving the use of its streets, avenues and public grounds to the vote of the electors of said municipality, and where this power exists in a municipality, I do not deem it wise or proper for such franchise to be disposed of by the Legislature.

2nd. I do not believe that the Legislature has the power to exempt from taxation as is attempted to be done by this act; for these reasons, I object to the bill under consideration becoming a law and, I deem it my duty to withhold my approval therefrom,

I have the honor to remain,

Yours truly,

N. B. BROWARD.

Governor.

Also the following act, together with the veto message, was read and referred to the Committee on Judiciary:

State of Florida,
Executive Department.
Tallahassee, June 10, 1905.

Hon. H. C. Crawford,
Secretary of State,
Tallahassee, Florida.

Sir:

I have the honor to transmit herewith under and by virtue of the provisions of Section 28, Article III, of the Constitution of the State of Florida, an act entitled, "An act to prescribe the fees of sheriffs in lunacy proceedings," without my approval, because I have already signed a bill of which this bill is an exact copy. I therefore withhold my approval and hereby veto the same.

I have the honor to remain,

Very respectfully,
N. B. BROWARD,
Governor.

Also the following act, together with the veto message, was read and referred to the committee on Judiciary.

The Committee on Organized Labor offered the following report:

Senate Chamber,

Hon. W. Hunt Harris,
President of the Senate.

Sir:

Your Committee on Organized Labor, to whom was referred Senate Bill No. 83:

A bill to be entitled an act prohibiting the employment of minors under a certain age in factories, workshops, bowling alleys, barrooms, beer gardens and places of amusement where intoxicating liquors are sold, and in or about any mine or quarry; providing for and fixing the duties of parents and guardians with reference to the employment of children under their control, and fixing a penalty for violations of same; providing and prescribing the duties of and restrictions upon persons, firms, corporations, their agents or managers employing minors and fixing penalties for violation thereof; perscribing certain restrictions and conditions upon the employment of minors for hire or wages under a certain age or condition, and at certain times; perscribing certain penalties for the violation of its provisions, and providing for the enforcement of the same,

Beg leave to return same to the Senate without recommendation, with the request that it be re-referred, and that 500 copies of said bill be printed.

Very respectfully,

F. P. CONE,

Chairman of Committee.

Mr. Cone moved that the report be received and spread upon the Journal, and that 100 copies be printed.

Which was agreed to.

Mr. Crill moved that Senate Bill No. 26 be taken up out of its order and now considered.

Which was agreed to by a two-thirds vote,

And

Senate Bill No. 26:

A bill to be entitled an act to provide for change of venue in Criminal Courts of Record,

Was taken up, and read a second time by its title only.

Mr. Crill moved that the rules be waived and Senate Bill No. 26 be read a second time by its title only.

Which was a greed to by a two-thirds vote.

And Senate Bill No. 26 was read a second time by its title only.

Mr. Crill moved that the rules be further waived, and that Senate Bill No. 26 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. 26 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, Baker, Beard, Broome, Buckman, Canova, Clark, Cone, Cottrell, Crane, Crews, Crill, Davis, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Willis, Withers, West (1st District), West (4th District), Zim—30.

Nays—None.

So Senate Bill No. 26 was passed, title as stated.

Mr. Buckman moved to adjourn until 10 o'clock a. m. to-morrow.

Which was agreed to.

Thereupon the Senate stood adjourned until 10 o'clock a. m. to-morrow, Wednesday April 10, 1907.