

Yeas.

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

Yeas—27.

Nays—None.

So the bill passed title as stated.

Senate Bill No. 38:

A bill to be entitled an act to amend Section 219 of the General Statutes of the State of Florida, relative to directions for printing, etc., ballot.

Was taken up and read a second time in full, with the following committee amendment:

Amend Section One (1) by striking out all after the word "construed" in line two from the bottom or end of said Section One (1) and inserting the following: To prohibit the names of the several candidates for national, State and county offices, and other matters to be voted on, being printed in the same order as now, and in one or more columns on the same ballot.

Mr. Hudson moved that Senate Bill No. 38 be placed on Calendar of Bills on Second Reading, and that it be made the special order for Tuesday, April 16, at 11 o'clock.

Mr. Hudson withdrew his motion.

Mr. Adams moved the adoption of the committee amendment.

Pending which:

Mr. McCreary moved that the Senate adjourn until 10 o'clock tomorrow.

Which was agreed to.

Thereupon the Senate stood adjourned until 10 o'clock tomorrow, Thursday, April 11, 1907.

## THURSDAY, APRIL 11, 1907.

The Senate met pursuant to adjournment.

The President in the chair.

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

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.

A quorum present.

Prayer by the chaplain.

ployees, and that said committee be directed, if a feasible plan can be devised to report by bill.

Which was read the first time.

Mr. Hudson moved that the rules be waived, and the resolution be read the second time.

Which was agreed to by a two-thirds vote.

And the resolution was read the second time.

The Journal of Tuesday, April 9, was corrected and approved.

Mr. Henderson gave notice that on to-morrow he would move to reconsider the vote by which Senate Bill No. 138 failed to pass.

#### INTRODUCTION OF RESOLUTIONS.

Mr. Hudson offered the following—

Senate Concurrent Resolution No. 9:

Resolved by the Senate, the House concurring, That a committee of two from the Senate and three from the House be appointed to investigate as to the feasibility of addition to the capitol or additional buildings, to secure more commodious quarters for State officers and em-

Mr. Hudson moved the adoption of the resolution.

Pending which, Mr. Hudson asked consent to withdraw his motion and permit the resolution to go over under the rules. Which was granted by unanimous consent.

Mr. Cone offered the following—

Senate Concurring Resolution No. 10:

Whereas, There is located at Lake City, Florida, property consisting of lands and buildings, with an estimated valuation of a quarter of a million dollars, the title to which is in the State of Florida, and,

Whereas, There is also a monetary consideration involving principal and interest, involving about forty thousand dollars of the State's money. Therefore, be it

Resolved, by the Senate, the House of Representatives concurring, That a joint committee composed of three on the part of the Senate and four on the part of the House be appointed to investigate the State's interest therein, and report their recommendations and findings by bill or otherwise.

Which was read the first time, and laid over under the rules.

IN MEMORY  
OF  
**Hon. J. R. Newlan,**

OF SEVENTEENTH DISTRICT.

**Senate Resolution No. 32.**

Whereas, It has seemed good to the Almighty Disposer of Events to remove from our midst our worthy and esteemed fellow member, Senator J. R. Newlan, of the 17th District; and

Whereas, The intimate relations held by the deceased with the members of this body render it proper that we should place upon record our appreciation of his services as a citizen, and as a member of this body; therefore, be it

Resolved, That we deplore the loss of Senator Newlan, with deep feelings of regret, softened only by the confident hope that his spirit is with those who have fought the good fight and are now resting in a better world;

Resolved further, That we tender to his afflicted relatives our sincere condolence and our earnest sympathy in their affliction from the loss of one who was a good citizen, an upright man, and an able member of the Senate;

Resolved further, That the desk made vacant by his death be draped in black for thirty days, or until it is occupied by his successor;

Resolved further, That an engrossed copy of the foregoing resolutions, signed by the President of this body, and certified by the Secretary, be transmitted to the relatives of the deceased, and that a special page of the Journal of this body be set aside for the publication of these resolutions, and that this resolution be put upon a separate page of journals of the Senate.

S. W. CLARK,  
F. M. HUDSON,  
JAMES E. CRANE.

## INTRODUCTION OF BILLS.

By Mr. Leggett—  
Senate Bill No. 144:

A bill to be entitled an act to organize a municipal government for the town of Greenville, and to provide for its government.

Which was read the first time by its title.

Mr. Leggett moved that the rules be waived and that Senate Bill No. 144 be read a second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 144 was read a second time by its title.

Mr. Leggett moved that the rules be further waived and that Senate Bill No. 144 be read a third time and put upon its passage, which was agreed to by a two-thirds vote.

And Senate Bill No. 144 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, Baker, Beard, Broome, Buckman, Clark, Cone, Crane, Crews, Davis, Henderson, Hudson, Humphries, Jackson, Leggett, McCreary, Massey, Neel, Trammell, Withers, West (1st District), West (4th District), Zim—Ayes, 25.

Nays—None.

So the bill passed, title as stated.

Mr. Leggett moved that the rules be waived and that Senate Bill No. 144 be immediately certified to the House of Representatives.

Which was agreed to by a two-thirds vote, and Senate Bill No. 144 was so certified.

By Mr. Crane—  
Senate Bill No. 145:

A bill to be entitled an act to extend the time limit within which the Charlotte Harbor and Northern Railway Company is required to complete the construction of its road.

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

By Mr. Trammell—  
Senate Bill No. 146:

A bill to be entitled an act to require commission mer-

chants, produce merchants and other persons selling produce on commission in this State, to make out and mail to the slipper, or consignor of produce, certain reports within a certain time from delivery and sale of such produce, and fixing a penalty for failure therein.

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

By Mr. West—

Senate Bill No. 147:

A bill to be entitled an act making tax deeds heretofore issued or hereafter to be issued, prima facie evidence of title.

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

By Mr. Crill—

Senate Bill No. 148:

A bill to be entitled an act for the protection of shad in this State to prescribe a close season to prohibit the transportation or possession of such shad during the close season.

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

By Mr. Beard (by request)—

Senate Bill No. 149:

A bill to be entitled an act for the relief of R. M. Cary, I. M. Aiken, Geo. Lappington, J. M. Flinn, J. M. Harvell and J. E. Abercrombie, as pilot commissioners of the port of Pensacola.

Which was read the first time by its title.

By unanimous consent Mr. Beard amended title and enacting clause to Senate Bill 149.

Mr. Beard moved that the rules be waived and that Senate Bill No. 149 be read a second time.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 149 was read a second time in full.

Mr. Beard moved that the rules be further waived and that Senate Bill No. 149 be read a third time and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 149 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, Sams, Willis, Withers, West (1st District), West (4th District), Zim.

Ayes—28.

Nays—None.

So the bill passed, title as stated.

By Mr. Jackson—

Senate Bill No. 150:

A bill to be entitled an act to prohibit the sale, barter or giving away of cigarettes or cigarette material in this State and prescribing penalties for the violation thereof.

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

By Mr. Sams—

Senate Bill No. 151:

A bill to be entitled an act to provide for the erection of a public building at the State Capital for the Supreme Court and other officers of the State.

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

By Mr. Alford—

Senate Bill No. 152:

A bill to be entitled an act to amend Chapter 5399, Section 5, of the Laws of Florida, the same being an act defining the duties of the several State attorneys of this State and fixing their salaries.

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

By Mr. Crill—

Senate Bill No. 153:

A bill to be entitled an act relating to guardians and authorizing certain charitable or benevolent corporations to be appointed and act as guardians of minor children, and validating all such appointments heretofore made.

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

By Mr. West of the Fourth—

Senate Bill No. 154:

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. Humphries—

Senae Bill 155:

A bill to be entitled an act to abolish the present municipal government of the town of Wauchula, DeSoto County, Florida, and organize a city government for the same, and to provide its jurisdiction and powers.

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

#### CONSIDERATION OF RESOLUTIONS.

Senate Concurrent Resolution No. 8:

Requiring the Secretary of State to distribute the compiled acts relating to Public Roads and Duties of County Commissioners, in pamphlet form, to certain officers in the State.

Was read a second time.

Mr. McCreary moved the adoption of the resolution.

Which was agreed to.

And Senate Concurrent Resolution No. 8 was adopted.

The following message was received from the Governor:

Tallahassee, April 10, 1907.

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

*Sir:*

I beg to transmit herewith the report of the Board of Commissioners appointed to examine into the Indian War Claims, under Chapter 5451, Laws of Florida.

Respectfully submitted,

N. B. BROWARD, Governor.

REPORT OF BOARD OF COMMISSIONERS, APPOINTED TO EXAMINE INTO INDIAN WAR CLAIMS.

*To Honorable Napoleon B. Broward,  
Governor of Florida.*

*Sir:*

Under Chapter 5451, Laws of Florida, 1905, the Governor, Attorney General, and Treasurer were constituted a Board of Commissioners, to "examine into all claims in which it is set forth that the said State of Florida has received moneys from the United States, in the settlement of Indian War Claims, which money the State never paid out, and which is now justly due to the claimants."

The preamble of the act indicates that it was the intention of the Legislature that the commission should confine its investigation to the moneys received by the State in July 1902, in settlement of what was known as the Indian War Claim. Section One (1) of the act, however, makes it the duty of the commissioners to examine into all claims in which it is set forth that the State of Florida has received moneys from the United States in the settlement of Indian War Claims, which money the State never acting under the provisions of Chapter 5451, Laws of Florida.

paid out, and which is now justly due to the claimants. We have construed this language to mean that the investigation by this commission should cover every transaction between the State of Florida and the United States Government, in which the latter paid to the former any money on account of the expenses incurred by the State in the suppression of Indian hostilities in 1849 and 1855, 1856, 1857, and during part of the year 1858.

On the 29th day of January, A. D. 1906, we met in the executive office at Tallahassee, and organized by electing your Excellency, Chairman, and W. H. Ellis, Attorney General, as Secretary of the board. No claims having been filed, the Board adjourned to meet again on the second day of April, A. D. 1906.

On the second day of April, 1906, the Board met, and the following claims were presented:

Hon. J. P. Wall on behalf of the estate of W. W. Wall, submitted the following claims:

Warrant No. 1385, favor of Wm. M. Lang.....	\$ 114.37
Warrant No. 1387, favor of Jas. T. Fountain....	45.62
Warrant No. 1127, favor of A. Garrard.....	690.26
Warrant No. 1398, favor of S. T. Thomas.....	233.63
Warrant No. 1097, favor of Chesley B. Hill.....	211.47
Warrant No. 1104, favor of Rufus Hoyt.....	185.75
Warrant No. 1112, favor of Jno. F. Bassett .....	115.41
Warrant No. 1389, favor of Jno. McNeil.....	145.77
Warrant No. 1101, favor of Edw. C. McGenchy..	185.73
Warrant No. 1394, favor of Wright W. Bowen...	145.79
Warrant No. 1136, favor of Isam A. Munden.....	184.22
Warrant No. 1354, favor of Thomas N. Wilson...	114.37
Warrant No. 1382, favor of Wilson Tyner.....	50.40
Warrant No. 1041, favor of Jacob Wells .....	80.17

Attached to the above list of warrants is an affidavit of Samuel E. Hope, stating that he was partner in business of W. W. Wall, and that the said W. W. Wall was the actual bona fide purchaser of the above described warrants for a valuable consideration, and without any notice of any defect in any of said warrants, dated April 7th, 1880 and made before William B. Brown, Clerk of Circuit Court, Hillsborough County, Florida.

Hon. J. P. Wall on behalf of the estate of C. K. Friebele, deceased, submitted the following claims:

Warrant No. 1050, favor of Thomas R. Rucker....	\$ 70.35
Warrant No. 977, favor of Jno. W. Harrall.....	63.09
Warrant No. 1005, favor of Lewis W. Wansley...	31.50
Warrant No. 1054, favor of Lewis W. Wansley....	70.35
Warrant No. 998, favor of Thos. R. Tucker.....	31.50
Warrant No. 1011, favor of Geo. Stafford.....	47.25
Warrant No. 993, favor of Alonzo W. Tucker....	49.89
Warrant No. 1065, favor of Thomas M. Tucker....	70.35
Warrant No. 988, favor of Thomas M. Tucker....	47.25
Warrant No. 1010, favor of Geo. Stafford.....	47.25
Warrant No. 1046, favor of Geo. Stafford.....	73.68
Warrant No. 1001, favor of Edw. D. Tucker.....	31.50
Warrant No. 1049, favor of Edw. D. Tucker.....	70.35
Warrant No. 1082, favor of Alonzo Harn.....	66.57
Warrant No. 1071, favor of Jno. W. Harrall.....	70.35
Warrant No. 1346, favor of Jas. M. Cooper.....	185.73
Warrant No. 974, favor of Nathan Boyett.....	63.09
Warrant No. 986, favor of James H. Hand.....	21.00

Attached to the above list of warrants is affidavit of C. L. Friebele, stating that he became the owner of the warrants above described for a valuable consideration, and without notice of any defect in the said described warrants; that the said described warrants were issued by the Comptroller of the State of Florida, in payment for services rendered during the last Seminole Indian War, under and by virtue of Chapter 1175, of the laws of Florida, approved February 8th, A. D. 1861, dated 7th day of April, A. D. 1880, and made before H. L. Crane, County Judge, Hillsborough County, State of Florida.

Capt. Samuel E. Hope, as agent for Mrs. Anderson Mayo, administratrix of the estate of Anderson Mayo, submitted the following claims:

Warrant No. 1380, favor James T. Phelps.....	\$ 63.00
Warrant No. 1083, favor Tyborn Kersey .....	66.57
Warrant No. 1088, favor J. W. Jackson .....	40.45
Warrant No. 1047, favor Nathan Boyett .....	73.68
Warrant No. 1379, favor Richard C. Wingate.....	38.07
Warrant No. 1075, favor W. E. Boyett.....	70.35
Warrant No. 1023, favor Joseph Merritt .....	233.63
Warrant No. 973, favor J. W. Jackson .....	63.00
Warrant No. 1076, favor J. A. Boyett.....	70.35

Capt. Samuel E. Hope, on behalf of Mrs. E. H. Thompson, submitted the following claims:

Warrant No. 985, favor Morgan Mizzell.....	\$ 49.35
Warrant No. 608, favor A. D. Johnston, attorney	500.00
Warrant No. 994, favor of Jacob Godwin.....	47.25
Warrant No. 1384, favor Richard G. Wingate....	18.13
Warrant No. 1051, favor P. T. Tucker.....	70.35
Warrant No. 978, favor Stephen D. Hall.....	63.00
Warrant No. 1052, favor Elijah A. Tucker.....	70.35
Warrant No. . . . . favor Robt. J. Bates .....	42.00
Warrant No. 1068, favor John Knight, Adm.....	70.35
Warrant No. 991, favor William L. McMinn.....	63.00
Warrant No. 1086, favor Wm. L. McMinn.....	60.78
Warrant No. 1000, favor Jesse Carter .....	31.50
Warrant No. 1004, favor P. J. Tucker.....	31.50
Warrant No. 1084, favor Jackson Tyner.....	66.57
Warrant No. 990, favor John F. Barnes .....	94.59
Warrant No. 1070, favor Jacob Godwin.....	70.35
Warrant No. 1094, favor E. A. Tucker .....	18.12

Warrant No. 1356, favor Howell Morrison.....	114.37
Warrant No. 1363, favor Roderic Morrison.....	114.37
Warrant No. 1090, favor James F. Barnes.....	40.45
Warrant No. 1374, favor Wilson Tyner.....	70.35

Capt. Samuel E. Hope, on behalf of F. B. Hagin, submitted the following claim:

Warrant No. 1381, favor F. B. Hagin.....\$ 65.10

Capt. Samuel E. Hope, on behalf of Joshua Platt, submitted the following claim:

Warrant No. 1375, favor Joshua Platt.....\$ 70.35

To which was attached a letter signed by Eliza A. Platt, dated January 12, 1906, Arcadia, Florida, and addressed to Mr. S. E. Hope.

Capt. Samuel E. Hope, on behalf of John M. Bates, submitted the following claim:

Warrant No. 1376, favor John M. Bates.....\$ 70.35

To which was attached a document signed by John M. Bates, dated 8th day of January, 1905; Witnesses by John F. Bates, appointing Samuel E. Hope, attorney for the said Bates to present said warrant to the Board.

Capt. Samuel E. Hope, on behalf of himself, submitted the following claims, which are hereby marked as follows:

Exhibit "A"—Receipt of Mathew Alderman to Wm. B. Hooker for \$18.00, dated June 25th, 1859.

Exhibit "B"—Receipt of Mathew Alderman to Wm. B. Hooker for \$18.00, dated June 25th, 1859.

Exhibit "C"—Receipt of John H. Hollingsworth to Wm. B. Hooker for \$150.00, dated May 1st, 1859.

Exhibit "D"—Receipt of James D. Green to Wm. B. Hooker for \$51.00, dated September 11, 1858.

Exhibit "E"—Receipt of Benjamin Moody to Wm. B. Hooker for \$130.00, dated February 13, 1856.

Exhibit "F"—Receipt of Lewis Lanier to Wm. B. Hooker for \$83.52, dated May 1st, 1859.

Exhibit "G"—Receipt of Benjamine Moody to Wm. B. Hooker, for \$14.40, dated February 13, 1856.

Exhibit "H"—Receipt of Charles W. Hendry to Wm. B. Hooker for \$45.00, dated July 10th, 1859, to which was attached due bill to Charles W. Henry for \$45.00, dated July 10th,

- 1859, signed by Wm. B. Hooker, marked paid.
- Exhibit "I"—Receipt of John Parker to Wm. B. Hooker for \$14.55, dated December 10th, 1858.
- Exhibit "J"—Receipt of Daniel Sloan to Wm. B. Hooker, for Hooker's note for \$186.06 $\frac{1}{4}$ , dated March 11th, 1859.
- Exhibit "K"—Receipt of John Parker to Wm. B. Hooker for \$95.00, dated December 10th, 1858.
- Exhibit "L"—Receipt of Daniel Gillett to Wm. B. Hooker for \$13.50, dated April 28th, 1856.
- Exhibit "M"—Receipt of John L. Hooker to Wm. B. Hooker for \$300.00, dated October 27th, 1859.
- Exhibit "N"—Receipt of James H. Thomas to Wm. B. Hooker, for dues for back rations.
- Exhibit "O"—Receipt of John H. Hollingsworth to Wm. B. Hooker for \$150.00, dated May 1st, 1859.  $\frac{1}{4}$
- Exhibit "P"—Receipt of Benjamine Moody, Adm., of Joseph M. Pearse to Wm. B. Hooker for \$25.00, dated May 3rd, 1859.  $\frac{1}{4}$
- Exhibit "Q"—Receipt of W. B. Varn to Wm. B. Hooker for \$25.00, dated March 28th, 1861.
- Exhibit "R"—Receipt of Daniel Sloan to Wm. B. Hooker for \$144.50, dated March 11, 1859.
- Exhibit "S"—Receipt of Mathew Burnett to Wm. B. Hooker for \$20.00, dated January 5th, 1860.
- Exhibit "T"—Receipt of Lewis Lanier to Wm. B. Hooker for \$22.50, dated May 1st, 1859.
- Exhibit "U"—Receipt of Jas. D. Green to Wm. B. Hooker for \$27.00, dated January 5th, 1859.
- Exhibit "V"—Receipt of Daniel Sloan to Wm. B. Hooker for \$36.80, dated March 11, 1859.
- Exhibit "W"—Receipt of Phillips and Winchester to Wm. B. Hooker for \$81.12, without date.
- Exhibit "X"—Receipt of Phillips and Winchester to Wm. B. Hooker for \$6.50, without date.
- Exhibit "Y"—Receipt of Daniel Gillett to Wm. B. Hooker for \$15.80, dated April 28, 1856.
- Exhibit "Z"—Receipt of David W. Gillett to Wm. B. Hooker for \$13.50, dated April 28, 1856.

Exhibit "A1"—Receipt of James D. Green to Wm. B. Hooker for \$27.00, dated January 15th, 1859.

Exhibit "B1"—Two receipts, one from Benjamin Moody to Wm. B. Hooker for \$30.00, the other from Benjamin Moody, Admr. to Wm. B. Hooker, for \$25.76, both receipts dated May 3d, 1859.

Accompanying said receipts is a document signed by various persons acknowledged before John C. Oats, on the 21st day of August, 1856, appointing Wm. B. Hooker, their lawful attorney of said persons to sign the pay rolls for such pay as may have been due to them from the United States or from the State of Florida for services in Capt. Wm. B. Hooker's Company of Florida Volunteers in service in the Seminole War in 1856 in Florida; said document is marked No. 1.

Also, order of Thomas Summerall on Wm. B. Hooker to pay C. Q. Crawford \$172.00, dated February 23rd, and marked No. 2.

Also, document signed by Andrew Canova and witnessed by Wm. A. Lively, dated August 26th, 1856, appointing Capt. Wm. B. Hooker, as attorney for Andrew Canova, to receive from the State of Florida all sums of money due to the said Canova for his monthly pay, traveling pay and other allowances for services in the said Hooker's company from the 3d day of January, 1856, to the 21st day of February following; said document is marked No. 3.

In support of the above enumerated claims, Capt. Samuel E. Hope submitted a letter of John W. Pearson, disbursing agent to His Excellency, Governor Perry, Tallahassee, Fla., November 30th, 1859, as printed on page 39 of Senate Report No. 1962 of the 49th Congress, 2d session and views of the minority.

He also submitted letter of the Auditor for the War Department, dated August 6th, 1902, addressed to Hon. S. M. Sparkman, and calls attention to it as follows: November 1st, 1858, H. B. Hooker, \$2,440.64, and calls attention to the mistake in the initials of Mr. Hooker, the H. B. Hooker, should be W. B. Hooker; said letter is also offered in evidence as supporting all the claims which have been submitted to said Board by the said

Samuel E. Hope, on behalf of himself and others, and also in support of the claim of the estate of W. W. Wall, and C. L. Friebele. Said letter is marked No. 4.

Capt. Samuel E. Hope on behalf of himself presented the following claim:

Warrant No. 1059 favor M. E. Jones for \$70.35; to which was attached affidavit of W. A. Jones, made April 7th, 1880, before Wm. C. Brown, Clerk Circuit Court for Hillsborough county; that as administrator of the estate of M. E. Jones, he came into possession of said warrant, to which was attached statement of Wm. A. Jones that said warrant was given to Gen. Robert Bullock, while Commissioner, and a letter from Samuel E. Hope to Governor G. E. Mabry, dated February 9th, 1903.

Dr. D. J. Peterson on behalf of himself submitted the following claims:

Receipt of Wm. C. Brown, Commissioner to E. C. Peterson, of Brooksville, Fla., for certain warrants without date, therein described, said receipt marked Exhibit "AA."

Also, receipt of Wm. C. Brown to E. C. Peterson, of Brooksville, Fla., for certain warrants therein described. Said receipt marked Exhibit "BB."

In support of the above named claims, Mr. Peterson submitted letters and documents numbered from 1 to 18 inclusive.

Capt. John T. Lesley submits for himself and heirs and assigns of the officers and privates in the company of Capt. L. G. Lesley, a typewritten copy of the muster roll of said company, and claims payment for services from January 3, 1856, to March 12, 1856.

In support of said claims reference to the muster roll of said company as appear by the roster of said company published under the authority of Chapter 5203, of the Laws of Florida, on page 19 of said publication; and he also submits in support of said claims Exhibit No. 10, on page 19 of Executive Document No. 203, of the first session of the 47th Congress, House of Representatives.

He also submits in support of said claims, 29 affidavits of the following named persons: John T. Lesley, John Johnson, James M. Mobley, Samuel S. Harris, Thomas Shurley, Octavus Drew, James L. Gay, David Summeral, Jordan Hancock, John G. Oats, Oswell Lang, Levi Lang,

Martin J. Hancock, Henry P. Hill, E. B. Haliday, Elijah G. Cook, Joseph Eddy, John J. Clark, Giddean Hague, Nathaniel Long, Jas. T. Long, Sherrod B. McGuire, Raymond Caruthers, J. D. W. Boney, John W. Barton, Isaac Pierson, Wm. P. Rogers, Wm. H. Williamson, David White.

Hon. John P. Wall, on behalf of the claims heretofore submitted, offers in evidence Executive Document No. 203, of the first session of the 47th Congress, House of Representatives, now on file in the State Treasurer's office, date of filing March 11th, 1903.

Also, published origin and history of the "Blue Scrip," or Warrants, issued by R. C. Williams, Comptroller, under the act of February 8th, 1861, being Chapter 1175, of the Laws of Florida, under the head of services "Rendered the State of Florida in the Last War with the Seminole Indians." Which said publication is marked Exhibit "CC."

W. H. Ellis, on behalf of W. M. Crews, of Zolfo, Fla., presented the latter's claim, which consisted of the following papers:

Affidavit of W. M. Crews, made on the 24th day of February, 1906.

Affidavit of Maxfield I. McClelland and affidavit of L. A. Boney, both made on the 31st day of March, 1906.

W. H. Ellis, in behalf of Edwin Spencer, of Ocala, Fla., submitted the following claim:

Warrant No. 1425 favor of Jacob Vogt, \$304.50 to which was attached affidavit of J. E. Williams, made on the 7th day of June, 1880, as to the heirs of Jacob Vogt.

Warrant No. 1420 favor of J. H. Cants for \$200.00 to which was attached the affidavit of J. H. Cants, made on the 24th day of May, 1880, as to the ownership of said warrant.

Warrant No. 1422 favor of Thomas Steal for \$75.00 to which was attached affidavit of T. A. Steal, made on the 7th day of June, 1880, as to the ownership of said warrant.

Warrant No. 1423 favor of James D. Gates for \$304.50 to which was attached affidavit of James M. Gates, dated 8th day of June, 1880, as to the heirs of James D. Gates.

Warrant No. 1414 favor of Joshua McGahagin. \$1,167.08

Warrant No. 1433 favor of Musko Fogg. . . . . 75.00

Warrant No. 1435 favor of Musko G. Fogg....	75.00
Warrant No. 1429 favor of John Gray.....	304.50
Warrant No. 1434 favor of John Bleach.....	125.00
Warrant No. 1415 favor of Joshua McGahagin.	61.12
Warrant No. 1436 favor of Joshua McGahagin.	500.00

All of which was accompanied by a list of said warrants, addressed to the Honorable Board, in the matter of Indian War Claims, Tallahassee, Florida, signed by Edwia Spencer.

M. V. Knott, on behalf of James M. Thomas, of Higley, Fla., submitted the following claims; statement of services rendered in the Seminole Indian War, with affidavits as to the character of services and claim accompanying same, dated August 16, 1905.

Also, declaration of service, with affidavit attached thereto, dated August 16, 1905.  
August 16th, 1905.

M. V. Knott, on behalf of R. B. Gorman, submitted the following claim:

Warrant No. 637, favor of A. D. Johnston, at'y..\$174.24

M. V. Knott, on behalf of E. T. Williams, of Ocala, Fla. submitted the following claim:  $\frac{1}{4}$

Warrant No. 1416, favor John E. Williams.....\$1099.58

Warrant No. 1417, favor John E. Williams .... 57.92

There was attached to the above warrants affidavit of J. E. Williams, dated 2nd day of June A. D. 1880, also letter from E. T. Williams to Hon. A. C. Croom, Comptroller, dated March 26th, 1906; also letter from Hon. A. C. Croom, Comptroller, to Hon. M. V. Knott, Sec. Commission, dated March 28th, 1906.

It was decided that any claim filed with any member of the Board, on or before June 2nd, A. D. 1906, would be considered by the Board.

W. H. Ellis, on behalf of Benjamin Rush, submitted on June 2nd, 1906, the following warrants:

Warrant No.1361, favor J. M. Bridges.....\$114.37

Warrant No. 1362, favor Aaron Smith ..... 114.37

Warrant No. 1359, favor Calvin Smith ..... 114.37

Warrant No. 915, favor Malcom McGeachy..... 25.67

Warrant No. 949, favor B. W. Crews ..... 303.93

Warrant No. 1397, favor S. T. Thomas..... 233.63

Warrant No. 1030, favor B. W. Crews..... 233.63

Warrant No. 1333, favor B. O. Grenad, Atty..... 340.60

Warrant No. 782, favor B. O. Grenad, Atty.....	372.00
Warrant No. 806, favor A. L. Caruthers.....	264.00
Warrant No. 1391, favor Samuel B. Colding.....	145.73
Warrant No. 692, favor Aaron Wooley.....	70.64

Together with the list of said warrants.

On the 18th day of March A. D. 1907, the Board met to consider all claims filed, and to consider the matter of this report. The following claims were submitted, which had, since the last meeting, and before June 2nd, 1906, been filed with members of the Board

N. B. Broward, Governor, presented the following claims, on behalf of the following persons, which claims had been filed by such persons with Governor Broward, prior to June 2nd, 1906.

He presented on behalf of I. J. Carter, affidavit of I. J. Carter, dated June 1st, 1906.

He presented on behalf of G. Starke, a letter dated May 28th, 1906, and the following warrants, signed by R. C. Williams, Comptroller:

Warrant No. 1306, favor Wm. Merritt.....	\$226.95
Warrant No. 968, favor Wm. Hays.....	79.75

On behalf of A. L. Harrell, he submitted petition signed by Wm. B. Farley, as attorney of A. L. Harrell, et al.

On behalf of J. L. Colding, he submitted a letter dated May 28th, 1906.

On behalf of Joshua Mizell, he submitted a letter dated May 26th, 1906, and a letter to S. M. Sparkman, signed by the Military Secretary, dated April 28th, 1906, and a type-written copy of the letter signed in blank to Joshua Mizell, dated May 28th, 1906.

On behalf of Enoch B. Phelps, he submitted letter dated May 12th, 1906, and the following warrants signed by R. C. Williams, Comptroller:

Warrant No. 935, favor Enoch B. Phelps.....	\$ 18.12
Warrant No. 1042, favor Enoch B. Phelps.....	80.17
Warrant No. 1009, favor E. B. Phelps.....	47.25

On behalf of E. B. Wells, Atty., for Mary Todd, et al., he submitted petition dated March 31st, 1906, a letter of S. W. Bradley to A. C. Croom, dated April 2d, 1906, and letter of F. L. Ainsworth to S. M. Sparkman, dated March 12th, 1906, and the following warrants, signed by R. C. Williams:

Warrant No. 971, favor A. A. Boyett.....	\$ 23.63
Warrant No. 1006, favor Irwin I. Williams....	47.25
Warrant No. 1067, favor W. R. Smith .....	70.35
Warrant No. 1443, favor A. D. Johnston, Atty.	100.00
Warrant No. 1002, favor S. B. Todd, M. D....	1,017.00

On behalf of Willett C. Trabeau, he submitted a petition containing a list of fifteen warrants, and a letter from Jno. P. Walker, New York City, dated May 6th, 1906.

On behalf of Martha Haddock, he presented a petition signed by Martha Haddock, and the warrant signed by R. C. Williams.

Warrant No. 815, in favor of J. F. P. Johnston, \$1,000.00.

He presented a petition on behalf of James M. Mixon.

On behalf of James E. Comeford he presented a petition signed by Comeford; also, a letter from A. Purdee, dated May 30th, 1906.

On behalf of Robt. L. Ivey he presented an affidavit dated March 3d, 1906, and two letters dated March 10th, 1906, signed by R. L. Ivey.

On behalf of James W. Rawls he presented a petition signed by Rawls, and a letter from A. Purdee, dated March 22d, 1906.

On behalf of Nancy J. Rawls he presented a petition signed by Rawls, and a letter signed by Purdee, dated October 25th, 1906.

On behalf of the heirs of Wm. W. Sloan he submitted a letter from G. B. Wells, and the following warrants:

Warrant No. 1012, favor Wm. M. Sloan .....	\$926.63
Warrant No. 1031, favor W. W. Sloan.....	926.63
Warrant No. 951, favor W. W. Sloan .....	99.55

On behalf of B. B. Pope, he submitted a petition dated April 21st, 1906, and the following warrants, signed by R. C. Williams, Comptroller:

Warrant No. 886, favor J. M. Singleton .....	\$264.00
Warrant No. 777, favor B. O. Grenad, Atty..	5,000.00
Warrant No. 1342, favor Wm. Cook .....	253.65

On behalf of Frances L. Simmons he presented a petition dated April, 1906, and certificate of discharge issued

by the mustering officer of the United States Volunteer Service to Jno. B. Patrick, and certificate of discharge issued to Jno. B. Patrick.

On behalf of Mary E. Mickler he submitted list of warrants and affidavit of M. E. Mickler, and letter of Fred L. Stringer, dated April 24th. 1906, and the following warrants, signed by R. C. Williams, Comptroller:

Warrant No. 1100, favor Thomas B. Law .....	\$185.73
Warrant No. 937, favor Thomas B. Law .....	43.58
Warrant No. 944, favor Thomas B. Law.....	144.38

W. V. Knott, State Treasurer, presented the following claims: On behalf of Jno. T. Lesley, he submitted the claim of Wm. and Samuel Stafford, heirs of Geo. Stafford (see letter of Jno. T. Lesley, dated May 12th, 1906), and account against the State of Florida in favor of Geo. Stafford for \$1,030.00.

On behalf of Jno. T. Lesley he submitted a claim of the daughters of W. H. and E. T. Kendrick (see letter of J. T. Lesley, dated May 12th, 1906). He submitted duplicate certificates of M. Whitesmith, and one account dated ..... of \$2,880.00, against the State of Florida, payable to W. H. Kendrick. He presented certificate of Kendrick that he furnished subsistence, forage, and transportation for his company, who were mustered into the service of the United States on the 6th day of December, 1856. He submitted written statement signed by Wm. Smith, and eleven ancient documents, powers of attorney, executed by different persons.

Capt. Samuel E. Hope appeared before the Commission, and in support of the validity of the claims presented by him to this Commission, quoted from Page 16 and 17. of the pamphlet entitled, "Origin and History of the Blue Scrip or Warrants issued by R. C. Williams, Comptroller, under the act of February 8th, 1861, Chapter 1175. Laws of Florida," and on Page 8 from the Senate Journal of the Second Session of the 49th Congress, Public Document entitled "Report No. 1962 made by Mr. Jones of Arkansas, from the Committee on Claims. The report was from the Committee on Claims, to whom was referred bill (H. R. 3877) to authorize the Secretary of the Treasury to settle and pay the claims of the State of Florida, on account of the expenditures made in suppressing Indian hostilities, and for other purposes; hereafter this

report will be referred to as "Report No. 1962." One Page 13 of same report, reference was made.

The Commission here adjourned until 9:30 o'clock of the 19th day of March, A. D. 1907.

Pursuant to adjournment on the 18th instant, meeting of the Board of Commissioners was again resumed at the Executive Chamber on this 19th day of March, A. D. 1907.

Hon. R. W. Williams, on behalf of George Lewis, presented the following bonds:

No. of Bond.	Date of last Coupon.	Prin- pal.	Inter- est.	Aggre- gate.
1	.....July 1, 1867....	\$ 25.00	\$ 79.50	\$ 104.50
2	.....July 1, 1867....	100.00	318.00	418.00
3	.....July 1, 1867....	100.00	318.00	418.00
4	.....July 1, 1867....	100.00	318.00	418.00
5	.....July 1, 1867....	100.00	318.00	418.00
6	.....July 1, 1867....	100.00	318.00	418.00
433	.....July 1, 1867....	500.00	1,590.00	2,090.00
437	.....July 1, 1867....	500.00	1,590.00	2,090.00
438	.....July 1, 1867....	500.00	1,590.00	2,090.00
439	.....July 1, 1867....	500.00	1,590.00	2,090.00
1	.....July 1, 1869....	100.00	302.00	402.00
434	.....July 1, 1869....	500.00	1,510.00	2,010.00
435	.....July 1, 1869....	500.00	1,510.00	2,010.00
436	.....July 1, 1869....	500.00	1,510.00	2,010.00

He also presented as evidence of the correctness and justness of his claim, claimant attached hereto, the fourteen bonds, the muster rolls of Captain Handford D. Dyches' Company and Captain A. Jerigan's Company, "History of the Florida Indian War Claim," page 10, list of certificates exchanged for bonds, said list endorsed "verified with original receipt of W. K. Beard, State agent, dated April 13, 1881, on file in Comptroller's office. "Statement on behalf of this claim with endorsement thereon by W. D. Barnes, Comptroller, January 27, 1883, letter," Comptroller's office, State of Florida, Tallahassee, February 9th, 1883, signed W. D. Barnes, Comptroller, Journal of Senate of the State of Florida, May 21, 1903, pages 24, 25 and 26.

He also presented a petition setting forth a list of the above documents, signed by George Lewis, and dated May 10, 1906.

These documents have been on file with the Commission for some time prior to June 2, 1906.

Three warrants were also submitted by R. W. Williams, as follows:

Warrant No. 716, favor W. H. Hendrick, Atty.	\$500.00
Warrant No. 778, favor B. O. Grenad, Atty.....	500.00
Warrant No. 792, favor A. Wooley.....	264.00

He also submitted a letter to the Commission at Tampa, signed by B. C. Lewis, dated March 31, 1880.

The claims which have been filed with the Board, including interest at seven per cent from January 1st, 1858, aggregate about \$225,000.00. In order that we might ascertain what claims, if any, presented to this Board, entered into and formed a part of the claim of the State of Florida against the United States for the suppression of Indian hostilities, it would be necessary to examine the items one by one forming the basis of the State's claim. As the State's claims were not paid in full, it would be necessary to examine the items making up the total which was disallowed, in order to determine if any of the claims presented to this Board came within the category of those which were disallowed by the United States.

Many of the claims presented to this Board were for subsistence and forage, quartermaster's stores, transportation and other necessities. In the letter from the Secretary of the Treasury, transmitting the report of the Third Auditor of the Treasury upon the mutual demands of the State of Florida, and the United States, it appears that the items under the heads of "subsistence," "forage," "ordnance," contingencies," and "stationery" were allowed, notwithstanding no formal receipts were submitted by the State showing that those items were paid for by the State in money.

Many such items were allowed, because the "evidence of possession and use by the State" was substantial.

There is no doubt that the articles covered by those items were had by the State, but it is insisted by some of the claimants before this Board, that many of such articles were furnished by individuals who never received pay therefor. We think that a thorough investigation of all the claims submitted to this Board would necessi-

tate an exhaustive research in the War and Treasury Departments at Washington, as well as the Comptroller's Office in this State, and, as no provision was made by the Legislature of 1905 for the payment of such expense, we deemed it improper to incur it. No provision was made for the payment of witnesses, nor was any authority given to enforce their attendance. No proof was submitted by any of the claimants, which, in the opinion of this Board, established the fact that the claims submitted, or any of them, form any part of the State's claim against the United States, for which the State received payment. We do not, however, report adversely upon these claims for that reason, because it may be possible to establish the validity of some of the claims by a thorough and exhaustive examination of the records in the Departments mentioned. We think that the Legislature should provide by law for the appointment of a Commission, and vest it with the power to hear and investigate all claims against the State on account of expenses incurred in the suppression of Indian hostilities since January 1, 1849, and authorize such Commission to employ the services of such persons as it may deem necessary to secure copies of all the State's vouchers now on file in the Departments of War and the Treasury in Washington, filed in support of its claim against the United States, for expenses incurred in the suppression of Indian hostilities, and such clerical assistance as may be necessary; and authorize the Commission to subpoena witnesses and pay for their attendance, and to pay the necessary traveling expenses of the Commission, if any should be incurred.

All claims should be required to be filed within a time to be fixed, and the burden of establishing the validity of the claim should rest upon the claimant. The Commission should be required to report to the Legislature in 1909 for such action thereon, as it may deem proper to take. We have found that the State of Florida has, since 1849, received from the United States, on account of the expenses incurred by the State in the suppression of Indian hostilities, the following sums of money, interest excluded:

November 8th, 1851 .....	\$ 31,103.49
June 14th, 1852 .....	5,373.83
October 18th, 1852 .....	1,830.36
June 18th, 1853 .....	2,834.40
May 26th, 1857 .....	92,788.10
	<hr/>
Making a total of.....	\$133,930.18
In 1902 .....	261,934.31
	<hr/>
Making a total receipt of .....	\$395,930.18

From information that we could gather, we found that State had expended on account of Indian hostilities during the year 1849, the following sums:

1849 .....	\$ 871.35
1851 .....	39,857.06
1853 .....	26,669.64
1857 .....	48,927.49
1858 .....	10,662.05
1859 .....	2,617.95
1859 .....	755.60
1862 .....	8,899.53

The claim made by the State against the United States, on account of expenditures made in suppressing Indian hostilities in '55 and '56, was \$268,103.40, and the amount of her claim for the suppression of Indian hostilities in 1849 was \$21,685.72. Upon the first claim she received \$246,426.51, from which was deducted \$1,405.65 on account of the sales by the State of military stores. Upon the second claim, she received \$16,913.45.

#### LEWIS CLAIM.

The claim of George Lewis, as Trustee for the estate of R. C. Lewis, William Baily, John McDougall, and P. D. Brokaw, rests upon the fourteen bonds hereinabove listed. Those bonds on their faces show that they were issued in pursuance of ordinance passed by the Convention of Florida, on the 26th day of April, 1861. The bonds expressly state that they are "redeemable in lawful money of the Confederate States of America;" they are dated as follows:

No.	Amount.	Issued.	Payable.
436	\$500.00	July 1, 1861	July 1, 1881
435	500.00	July 1, 1861	July 1, 1881
434	500.00	July 1, 1861	July 1, 1881
433	500.00	July 1, 1861	July 1, 1881
437	500.00	July 1, 1861	July 1, 1881
438	500.00	July 1, 1861	July 1, 1881
439	500.00	July 1, 1861	July 1, 1881
1	25.00	Jan. 1, 1862	July 1, 1881
2	100.00	Jan. 1, 1862	July 1, 1881
3	100.00	Jan. 1, 1862	July 1, 1881
4	100.00	Jan. 1, 1862	July 1, 1881
5	100.00	Jan. 1, 1862	July 1, 1881
6	100.00	Jan. 1, 1862	July 1, 1881
1	100.00	Jan. 1, 1862	July 1, 1881

The ordinance under which the above listed bonds were issued, is printed in a pamphlet entitled "Constitution or Form of Government for the People of Florida, as revised and amended at a Convention of the people begun and holden at the City of Tallahassee, on the 3d day of January, A. D. 1861, together with the ordinances adopted by said Convention." The ordinance was No. 34, and is entitled "An ordinance to raise money for the immediate exigencies of the State, and for the payment of the public debt." It was passed April 26th, 1861. It is stated in the pamphlet that the ordinance was passed April 21st, 1861; that is an error: April 21st, 1861, was Sunday.

Section one (1) of the ordinance authorized the Governor to borrow the sum of \$500,000 to be applied, first, to the debt of the State, and secondly to such other purposes as the Commission of the country may render necessary.

Sec. two (2) provides that the bonds should be made payable at the expiration of twenty years from the first day of July next, and the interest thereon should be payable semi-annually, in the City of Charleston, at the rate of eight per cent per annum.

Section Four (4) provides that the revenue arising from the sale of public lands, except the proceeds of the lands subsequently set apart for education and internal improvements, shall be primarily applied to the payment of the interest on the bonds.

Section Five (5) provides that in case the revenue arising from the sale of lands shall be insufficient to pay the interest the general assembly shall levy a special tax to pay the same.

Section Eight (8) requires that the money subscribed to the loan, authorized by the ordinance, shall be paid to the Treasurer of the State.

Section Nine (9) directed the Treasurer to deliver to the subscribers to said loan, bonds for such amount as may be subscribed and paid under the provisions of the ordinance.

Section Ten (10) repealed the act of February 14th, 1861, which was an act for creating a loan of \$500,000. This convention adopted the ordinance of secession. On the 26th day of April, 1861, and prior to the adoption of Ordinance No. 34, the convention adopted Ordinance No. 33, entitled "Ordinance relative to the public lands of this State."

Section one of that ordinance provided that the State of Florida has jurisdiction of the public lands within her limits, and she now assumes the proprietary right therein, and will account for the same, subject to any claims the State of Florida may have against the late United States through the government of the Confederate States in such manner as may be determined in a final adjustment of all rights and questions pending between said Confederate States and such government as may represent the other States of the late Federal Union.

Section Thirty-four (34) provided that the general assembly of the State should be debarred and precluded from granting or disposing of the lands in any manner whatever, provided that after the bonds and the interest which may have accrued thereon, as well as the Treasury notes issued by the State, shall have been paid, then the general assembly shall have the power to apply any balance arising from the sale of the lands to contingent expenses of the government.

On the 23rd day of January, 1862, the convention adopted Ordinance No. 49, entitled "An ordinance for redeeming the Treasury notes of the State of Florida."

Section one of the ordinance provided that whereas by Ordinance No. 34, bonds of this State to the amount of \$500,000 were ordered to be issued; and, whereas, by Or-

dinance No. 33, all moneys arising from the sale of public lands were to be applied to the payment of such interest as may accrue on those bonds, and to the final extinguishment of the debt created by said bonds; and, whereas, certain of those bonds to the amount of about \$300,000 have been deposited in the Treasury of the Confederate States, as collateral security for the payment of \$300,000 advanced by the Confederate States to the State of Florida, and the balance of those bonds, except about \$9,000 otherwise disposed of, yet remain unused in the Treasury of this State; now, it is hereby ordained that no more of said bonds shall be issued, but that the Treasury of the State shall, under the direction of the Governor, cancel such and so many of said bonds as have not been used, and that a suitable and discreet person shall be appointed by this convention as agent for the State, whose duty it shall be to lift the bonds hypothecated, as above stated, in the Treasury of the Confederate States, by substituting for them Florida Treasury notes or other securities, and if any of said bonds shall have been disposed of by sale or otherwise, it shall be the duty of said agent to lift them in like manner.

On the 27th day of January, 1862, the convention adopted a report of the "Committee of the Whole," declaring that among other ordinances, No. 34 was temporary, and had been repealed.

On the 4th day of November, 1862, Hon. C. H. Austin, State Treasurer, made a report to Hon. Jno. Milton, Governor of Florida, in which occurs the following: "Amount of bonds sent to Richmond \$300,000. Amount returned to Treasury (being informal) \$2,500. Balance \$297,500. Previous to the repeal of the ordinance there was also issued \$4.125 of their bonds, to parties holding Indian War Claims of 1849, making the total issue \$301,625."

On November 4th, 1865, the Constitutional Convention adopted the following ordinance: "All ordinances and resolutions heretofore passed by any convention for the people of this State, and all acts and resolutions of the general assembly of this State conflicting or inconsistent with the Constitution of the United States, and of the State of Florida, and in derogation of the existence or position of this State as one of the United States of America, be, and the same are hereby repealed."

On November 6th, 1865, the Constitutional Convention adopted the following ordinances: "All State Treasury notes issued, and all other liabilities contracted by the State of Florida, on or after the 10th day of January, A. D. 1861, to the 25th day of October, A. D. 1865, except such liabilities as may be due to the seminary and school fund, and such other liabilities as are provided for by this Constitution, be, and are declared void, and the general assembly shall have no power to provide for the payment of the same, or any part thereof."

On November 7th, 1865, the following ordinance was adopted: "The ordinance in relation to State liabilities and Treasury notes shall not be so construed to invalidate, impair, or make void any bona fide contract or liability of the State of Florida, incurred or undertaken, prior to the date of the ordinance of secession; provided, that this ordinance shall not apply to any claims which have heretofore been declared fraudulent, or have been rejected by the State."

Section four of Article fourteen, of the Constitution of the United States, provided that "Neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void."

In October, 1859, T. W. Beard, Comptroller of the State of Florida, issued certain certificates of indebtedness, under Chapter 929, Laws of 1859, entitled "An act to provide for the payment of the Volunteer Company of Capt. Hansford D. Dyches, and other companies therein named, for services in 1849." It is contended by Mr. Lewis, as Trustee, that B. C. Lewis, William Bailey, Jno. McDougall and P. B. Brockaw became the purchasers of some of those certificates, to the amount of \$3,551.68, for a "valuable consideration," and that those certificates were exchanged for \$4,125 of the bonds of the State issued under Ordinance No. 34, to which reference is above made. Those bonds were issued to raise money for the immediate exigencies of the State, and for the payment of the public debt. The certificates which were exchanged for these bonds were payable two years after date; they were due, therefore, in October, 1861, and were payable at the State Treasury, with six per cent. interest.

At that time the Ordinance of secession had been adopted and payment of the State's obligations was made in Confederate money; the bonds as stated, were redeemable in Confederate money; the holders of these certificates, instead of accepting Confederate money or Treasury notes, purchased the bonds above listed.

From the investigation made by us, we believe that a great many more certificates than those which were exchanged for the above listed bonds, were issued under Chapter 929. The claim made by the State in the settlement of 1902, shows that it paid for services of Capt. Dyches', Capt. Jernigan's and Capt. Duvall's companies the sum of \$11,345.91; the amount allowed was \$11,105.41.

The Treasurer's report made on November 4th, 1862, to which reference is above made, shows that he expended in 1862 \$8,899.53 on account of Indian hostilities of 1849; this amount was in State scrip. During the period between January 10th, 1861, and April, 1865, the debts of the State were paid largely, if not entirely, in Confederate obligations. Hundreds of thousands of dollars worth of property and labor were exchanged for Confederate money, and other Confederate obligations, and there is no doubt that certificates issued under Chapter 929 were exchanged for Confederate money.

The members of this commission think that the holders of the above listed bonds stand in the exact position of the holders of Confederate money which was accepted between 1861 and 1865 for the certificates issued by the State in payment of the expenses incurred in the suppression of Indian hostilities in 1849.

We think that it is the purpose of the State Legislature to reimburse the holders of Confederate obligations which were accepted by individuals in payment of the certificates of indebtedness issued by the State in settlement of the expenses incurred in the suppression of Indian hostilities in 1849 out of the amount received in 1902, the amount of such certificates which were taken by the State with Confederate obligations or Treasury notes should be ascertained, and the amount received in 1902 equitably apportioned thereto.

Chapter 1175, Acts of 1861, under which many warrants were issued, known as the "Blue Scrip" was repealed by Ordinance No. 60, adopted July 27th, 1862.

In 1861 C. H. Austin, as Treasurer, in his report to Governor Milton, stated that "there has been information from high official sources filed in this office that fraud has been perpetrated in claims audited under Act No. 83, Chapter 1175." We have not attempted to make a list of the warrants issued under Chapter 1175, nor attempted to segregate therefrom the warrants which may have been fraudulently issued, as indicated by the report of the Treasurer, because if the Legislature adopts the position therein made, concerning the appointment of a commission, this investigation, and report from all these so called Indian War Claims, every warrant presented to the commission will be passed upon, and thoroughly investigated and a report made as to its validity, which we hope will end forever all contention concerning these alleged fraudulent and void warrants.

It has been necessary to engage the services of a stenographer in the preparation of this report, the bill for whose services is hereto attached, approved by the commissioners.

Respectfully submitted.

N. B. BROWARD,  
(Signed) W. H. ELLIS,  
W. V. KNOTT.

Tallahassee, Fla., April 1, 1907.

State of Florida,

Board of Commissioners to examine into Indian War  
Claims.

To

Clarisse Owen, Public Stenographer, Dr.

Sec. 1846, G. S.

6 pkgs. typewritten work at 300 words each at 12½c per folio of 100 words.....	\$ 2.25
6 pkgs. carbon copy at 300 words each at 6c per folio of 100 words.....	1.08
28 pkgs. typewritten work at 300 words each at 12½c per folio of 100 words.....	10.50
28 pkgs. typewritten work at 300 words each at 6c per folio of 100 words (carbon copies).....	5.04
1 day's attendance at hearing at \$5 per day.....	5.00

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\$23.87

April 10th—

28 pkgs. typewritten work at 300 words each at 12½c per folio of 100 words.....	\$10.50
28 pkgs. typewritten work at 300 words each at 6c per folio of 100 words.....	5.04
	<hr/>
	\$39.41

Mr. Cone moved that it be received and ordered spread upon the Journal, together with the report, and that 200 copies of same be printed for the use of the Senate.

Which was agreed to, and the message with Report was referred to the Committee on Claims.

#### 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 concurred in the Senate amendment to House Concurrent Resolution No. 1, as follows:

Add to the resolution the following:

Resolved further, That the committee provided for in the foregoing resolution be, and they are, hereby required to make a full and thorough investigation into all the acts and doings of the Internal Improvement Board from its creation to the present, and to that end they be authorized to incur such expenses as may be necessary to carry out these instructions, and they are further empowered to send for persons and papers.

Resolved further, That said committee shall make their report to the Legislature of 1907.

And has refused to concur in the following amendment:

Amend as follows:

That the said committee be, and the same is, hereby authorized and empowered to employ counsel, an expert accountant or accountants, a stenographer or stenogra-

phers, a typewriter or typewriters, and such other assistance, and to take all steps necessary to a complete and exhaustive examination and investigation of said fund.

And respectfully ask that the Senate recede therefrom.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Concurrent Resolution No. 1, contained in the above message, was read the first time by its title.

Mr. Beard moved that the Senate do not recede from the Senate amendment to House Concurrent Resolution No. 1, to which the House refused to concur, and that a committee of conference be appointed on the part of the Senate.

The yeas and nays were demanded and the vote was:

Yeas—Mr. President, Senators Beard, Broome, Canova, Clark, Humphries, Willis.

Nays—Senators Adams, Alford, Baker, Buckman, Cone, Cottrell, Crane, Crews, Crill, Davis, Henderson, Hudson, Jackson, Leggett, McCreary, Massey, Neel, Sams, Trammell, Withers, West (1st District), West (4th District), Zim.

Yeas—7.

Nays—23

So the motion not to recede did not prevail.

Mr. Adams moved that the Senate recede from the amendment not concurred in by the House of Representatives in House Concurrent Resolution No. 1, as passed by the House.

Which was agreed to, and the Senate receded from the amendment.

The President announced the following committee on the part of the Senate under House Concurrent Resolution No. 1:

Messrs. Beard, Buckman and West of 1st District.

Mr. Beard asked to be excused from serving on the committee, because he thought that the committee was not given sufficient powers to make such an investigation as the conditions demand, and that he would not be responsible for an investigation that did not investigate.

The request was granted, and Mr. Humphries was added to the committee.

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. 14:

Relative to the Secretary of State having the Journals of the House and Senate, messages and documents bound for each member and Chief Clerk of the House and Secretary of the Senate and sent to them after the close of the session.

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. 14, contained in the above message, was read the first time and laid over under the rules.

#### SPECIAL ORDERS.

By Mr. West—

Senate Bill No. 133:

To be entitled an act to authorize Legislative committees to require persons appearing before such committees to disclose upon oath what interests such person or persons represent, authorizing the administration of oath in such cases, and providing a penalty for false swearing in such cases.

The hour of 11 o'clock A. M., the time set for its consideration, having arrived.

Mr. Humphries, pending the reading of Senate Bill No. 133, with the amendment, moved that it be made a special order for Friday, April 12, 1907, at 11 o'clock A. M.

#### 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—

Senate Bill No. 52:

A bill to be entitled an act to provide for keeping the streets of Tallahassee in good repair.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 52, 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 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. 11:

Be it resolved by the House, the Senate concurring, That a committee of five be appointed, two on the part of the Senate and three on the part of the House, to inspect State and county prison camps in this State, and to report their findings to the Legislature.

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. 11, contained in the above message, was read the first time and laid over under the 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 adopted—

House Concurrent Resolution No. 13:

Relative to a special committee of seven being appointed to draft a bill and present to this session of the Legislature reappportioning the representation of the Legislature, according to the census of 1905.

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. 13, contained in the above message was read the first time, and laid over under the 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 adopted—

House Concurrent Resolution No. 12:

Relative to the appointment of a committee of seven to examine the General Statutes of Florida, both in substance and form, and report their findings to this body; also to draft a bill and present to this body to correct such errors as may exist.

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. 12, contained in the above message, was read the first time and laid over under the rules.

Mr. Humphries moved that the rules be waived, and the resolution be read the second time.

Which was withdrawn.

Mr. Crill moved that House Concurrent Resolution No. 12 be referred to the Judiciary Committee.

The amendment was agreed to, and House Concurrent Resolution No. 12 was referred to the Judiciary Committee.

### MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

Tallahassee, Fla., April 9, 1907.

*Gentlemen of the Senate and House of Representatives:*

One year or more ago I visited the battlefield of Chickamauga, near Chattanooga, Tenn., as the guest of the Chattanooga Board of Trade, and accompanied by United States Senator Frazier of Tennessee, Governor Terrell of Georgia, Governor Montague of Virginia, and Governor Vardeman of Mississippi, and a large delegation of persons from many of the other States of the Union.

I was shown many splendid monuments, built in honor of the heroism displayed by the troops of other States, both Northern and Southern; but there was nothing to mark the place occupied by Florida troops, although it is a fact that Florida's troops occupied a conspicuous place in the memory of the old soldiers who fought on the battlefield on that day, but not now conspicuous by any mark of any kind indicative of the valued service rendered and the bravery exhibited by them on that desperate and bloody battlefield.

Twenty-one States were represented on the Chickamauga battlefield, and twenty of these have reared one hundred and seventy-seven monuments and have besides nearly four hundred markers to designate the position of their troops during the engagement. Of these States divided States were Kentucky and Maryland—these States erected a joint monument each, and set the mark—seven were Confederate States, in whole or in part; the

ers for the Confederate troops from the States. Seven Confederate States, Maryland, Kentucky, Georgia, Missouri, Tennessee, South Carolina and North Carolina, have ten monuments; Tennessee has four, one for each of the three arms of service, and one for the Federal Tennessee regiments. The positions of the Confederate regiments are marked by 147 markers of Tennessee marble or granite. In all this array there is not one thing to show that Florida had a man on the field save the iron tablets put up by the United States Government, and these, for Federal and Confederate, are all alike in appearance. The reports of the battle, both Confederate and Federal, make especial mention of the Floridians and their gallant conduct. These reports tell us that the men from Florida were excelled by none on the field; that they responded with enthusiasm to every call, and that their colors were in the forefront in every charge that was made, and that their heroism and devotion wrote the name of Florida in ineffaceable characters at the top of the scroll of fame. Is it right, is it just, that the deeds of such men should sink into oblivion? The State owes it to the men who fought and died that a grand monument be erected on that field to tell coming generations the story of their deeds. She owes it to the widows and to the orphans made there, at her command; but more deeply does the State owe it to herself to build this monument to the honor of the men who at her call offered and gave all in obedience to that grandest word of our language, the word DUTY.

I have asked for some information concerning the cost of some of the monuments erected, and find that the cost of such of these monuments and markers as I have been able to gather is as follows: Georgia has decidedly the handsomest monument on the field; this monument and 55 markers cost complete, about \$20,000. The State appropriated \$25,000 for this purpose and it covered all the expenses of the Commission, erection of the monument and the placing of all the markers. The South Carolina monument, with ten markers, cost about \$15,000; the Kentucky combination monument with twenty-eight markers, cost about \$15,000; the combination Maryland monument with six markers, cost about \$12,000. The four Tennessee monuments and forty-seven markers, cost about \$10,000; but the monuments are all small as com-

pared with the ones already mentioned, and then there was much less expense owing to the fact that it was all right at home. The Northern States are prolific of monuments on the field of Chickamauga; Wisconsin has 9; Pennsylvania, 7; Michigan, 10; Illinois, 37; Indiana, 39; Ohio, 55. Several of these prolific States have more monuments than they have markers. Pennsylvania, for instance, has seven monuments and but one marker.

I also desire to communicate to your body the following resolutions adopted at the sixteenth annual encampment of the Florida Division, U. C. V., and to urge your favorable consideration of the matters set forth therein:

#### RESOLUTION.

Adopted at the Sixteenth Annual Encampment of the Florida Division, U. C. V.:

Whereas, valuable records are constantly going to destruction or being lost because their value is not appreciated or understood; and

Whereas, many valuable books and documents are practically valueless because, in the mass of accumulated books and documents, they are inaccessible; and,

Whereas, it is the duty of the State to watch over and protect its archives that history may be truthfully recorded; therefore, be it

Resolved. That the Legislature of the State be, and is hereby, requested and urged to enact a law that will establish and maintain a Department of Archives and History at the Capitol, to the end that the many invaluable relics and records of the early days of our State, now rapidly going to decay for want of proper care and attention, may be preserved that posterity may be able to correctly read and understand the story of the past as well as know that of today.

#### RESOLUTION.

Whereas, the records of the soldiers of Florida form a most important link in the history of the State and should be as nearly accurate as they can be made at this late day; therefore, be it

Resolved. That the Florida Division, United Confed-

erate Veterans, respectfully request the coming Legislature to appropriate at least \$5,000.00 for the perfection and publication of a revision of the rolls and for the publication of the stories of the organizations that made the name of Florida glorious in the history of the nation.

**RESOLUTIONS ADOPTED AT THE SIXTEENTH ANNUAL REUNION FLORIDA DIVISION, U. C. V.**

Whereas, Florida, of all the Confederate States with troops on the field, is alone unrepresented by a monument on the field at Chickamauga; and

Whereas, it was one of the grandest and most decisive battles of the Confederate war in which the soldiers of Florida took a part and won honor for the State and themselves; therefore, be it

Resolved, That the Florida Division of the United Confederate Veterans do most respectfully request the Legislature to make, at the coming session, an appropriation sufficient to erect a monument that will honor the men who placed the name of Florida at the top of the Scroll of Fame.

Respectfully submitted,

**N. B. BROWARD,**  
Governor.

Mr. Adams moved that the message be received and spread upon the Journal.

Which was agreed to.

Mr. Willis moved that Senate Bill No. 1 be re-referred to the Committee on Game.

Which was agreed to.

And Senate Bill No. 1 was ordered recommitted.

**REPORTS OF COMMITTEES.**

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

Senate Chamber.

*Hon. W. Hunt Harris,*

*President of the Senate.*

Sir:

Your Committee on Engrossed Bills to whom was referred—

## Senate Bill No. 21:

A bill to be entitled an act to amend Section 2020 of the General Statutes of the State of Florida relating to cost of proceedings in eminent domain.

Have examined the same and find it correctly engrossed.

Very respectfully,

S. W. CLARKE,

Chairman of Committee.

And Senate Bill No. 21, contained in the above report, was placed on the Calendar of bills on third reading.

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

Senate Chamber.

*Hon. W. Hunt Harris,*

*President of the Senate.*

*Sir:*

Your Committee on Engrossed Bills, to whom was referred—

## Senate Bill No. 25:

A bill to be entitled an act amending Section 3182 of the General Statutes of the State of Florida relating to the time in which prosecution against State, county and municipal officers may be instituted.

Have examined the same and find it correctly engrossed.

S. W. CLARKE,

Chairman of Committee.

And Senate Bill No. 25, contained in the above report, was placed on the Calendar of bills on third reading.

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

Tallahassee, Fla., April 11, 1907.

*Hon. W. Hunt Harris,*

*President of the Senate.*

*Sir:*

Your Committee on Judiciary to whom was referred—

## Senate Bill No. 70:

A bill to be entitled an act to amend Sections 525 and 526 of the General Statutes of Florida relating to taxation and finance, beg to advise that they have carefully

considered said bill and recommend that it do pass with the following amendments:

In Section 2 of said act, on second page of said bill, in the fifth line on said page, after the words "And for that purpose" insert the word "only."

Also, beginning in the sixth line of said bill, on page 2, strike out the words "but cannot raise or lower the entire assessment of the county, their powers being only to equalize."

Respectfully,

H. H. BUCKMAN,  
Chairman.

And Senate Bill No. 70, contained in the above report, was placed on the Calendar of bills on second reading.

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

Tallahassee, Fla., April 10, 1907.

*Hon. W. Hunt Harris,*

*President of the Senate.*

*Sir:*

Your Committee on Judiciary, to whom was referred—  
Senate Bill No. 72:

A bill to be entitled an act to amend Section 3558 of the General Statutes of the State of Florida relating to owning U. S. license prima facie evidence, beg to advise that they have carefully considered and recommend that it do pass.

Respectfully,

H. H. BUCKMAN,  
Chairman.

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

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

Tallahassee, Fla., April 10, 1907.

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

*Sir:*

Your Committee on Judiciary, to whom was referred—  
Senate Bill No. 22:

A bill to be entitled an act to amend Section 3146 of the  
General Statutes of the State of Florida.

Beg to advise that they have carefully considered said  
bill and recommend that it do pass with the following  
amendments:

Add to the title the words "defining the persons entitled  
to bring actions for negligence, and providing for the sur-  
vival of such actions."

Amend Section 1 by adding immediately after the  
words "read as follows" the words "3146. By Whom  
Brought and Survival."

Amend Section 1 further by striking out all including  
and after the word "provided" to and including the words  
"had survived the deceased" and insert in lieu thereof  
the following:

"In case of the death of any person solely entitled, or of  
all the persons jointly entitled to sue, before action  
brought or before the recovery of a final judgment in an  
action brought by him or them, the right of action or the  
action, as the case may be, shall survive to the person or  
persons next entitled to sue under this section; and in  
case of the death of one or more persons jointly entitled  
to sue before action brought or before the recovery of a  
final judgment in an action brought by them, the right of  
action or the action, as the case may be, shall survive to  
the survivor or survivors of such persons so jointly en-  
titled to sue."

Respectfully,

H. H. BUCKMAN,  
Chairman.

And Senate Bill No. 22, contained in the above report,  
was placed on the Calendar of bills on second reading.

#### BILLS ON SECOND READING.

Senate Joint Resolution No. 2:

Memorializing the Congress of the United States,

through our Senators and Representatives at Washington, to have a survey made to determine the practicability of building a canal across the peninsula of Florida.

Was taken up and read a second time in full.

Under the rule the bill was advanced to the Calendar of bills on third reading without being referred to the Engrossing Committee.

Senate Joint Resolution No. 3:

Proposing an amendment to Section 2 of Article III. of the Constitution of the State of Florida.

Was taken up and read a second time in full.

Mr. Beard moved Senate Joint Resolution No. 3 be indefinitely postponed.

Which was agreed to.

And the bill was indefinitely postponed.

Senate Bill No. 28:

A bill to be entitled an act to repeal Section 1421 of the General Statutes of the State of Florida, relative to filing pleadings, papers and proceedings in duplicate.

Was taken up and read a second time in full.

Mr. Hudson offered the following amendment to Senate Bill No. 28—

Strike out all after the enacting clause and insert in lieu thereof the following: That Section 1421 of the General Statutes of the State of Florida be and the same is hereby amended to read as follows:

"1421. Pleadings To Be in Duplicate—In every civil case at law or in equity, in any court except courts of Justices of the Peace, whenever any declaration, plea, bill, cross-bill, petition, motion, answer, special replication, demurrer, motion to strike, exception, or motion for a new trial, or any amendment to any of the foregoing, shall be filed; the party filing the same shall at the same time file a duplicate thereof; but, this section shall not be held to require duplicates of bills of particulars or exhibits attached to any of the foregoing pleadings. Such duplicates may at any time be delivered to any attorney of record in the cause, upon his receipt showing that he is to return same within five days. Upon failures of any party or attorney to comply with the provisions of this section, the clerk or judge of a court not having a clerk shall, upon demand of any party to the cause, make

the duplicate provided for herein, for which he shall be allowed the fees provided by law for copying papers. And the party in default, or his attorney, or both, shall be liable for such fees. No additional charge or fee shall be made by any officer for filing the duplicate herein provided for."

Mr. Henderson moved that Senate Bill No. 28 be referred to Judiciary Committee.

Mr. Henderson withdrew the motion.

Mr. Sams moved that Senate Bill No. 28 be recommitted to the Judiciary Committee.

Which was not agreed to.

Mr. Henderson moved the adoption of the amendment.

Which was not agreed to.

So, Senate Bill No. 28 was—

Under the rule the bill advanced to the calendar of bills on third reading without being referred to the Engrossing Committee.

Mr. Massey moved that the Senate adjourn until 10 o'clock a. m. tomorrow.

Which was agreed to.

Thereupon the Senate stood adjourned until tomorrow, Friday, April 12, 1907, at 10 o'clock a. m.

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## FRIDAY, APRIL 12, 1907

The Senate met pursuant to adjournment.

The President in the chair.

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

Mr. President, Senators Adams, Alford, Baker, Beard, Broome, Buckman, 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), Zim—30.

A quorum present.

Prayer by the Chaplain.

The Journal of April 10th and 11th was corrected and approved.

Mr. Clark asked that Mr. Canova be excused until Tuesday next.

The request was granted.