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FAILED TO SUBSTITUTE

Watson Worked To Get Beard's Investigating Resolution in Place of Carter's, But the Major- ity Did Not Want That Kind of Investigation.

Action taken by the Legislature yesterday on the resolution providing for the investigation of the Trustees of the Internal Improvement Fund, distinctly showed that the majority was imbued with the sense of fair dealing.

It provided by its action that it was not to ride rough-shod over the Governor and other State officers composing the Board. That the disposition was to meet the Governor's request, as embraced in his special message to the Legislature, asking for an investigation.

Not only for the purpose of examining into the conduct of the Trustees, but also to investigate in their behalf as well.

When the Senate Concurrent Resolution, by Mr. Beard, was received in the House, Mr. Dorman, of Suwannee, moved that it be substituted for the House Concurrent Resolution. This was opposed by Mr. Carter, of Alachua, who said:

"I was led to offer the House Concurrent Resolution No. 1, I am not willing to see the Senate Resolution substituted without at least the membership of this house understanding as I understand it the difference between the two resolutions.

"The object of the resolution, if I understand it, is to bring about an investigation of the Internal Improvement Board. I believe that under both resolutions the inquiry would go back to the time of the creation of the Board down to the present time.

"I was led to offer the House Concurrent Resolution by hearing read the special message that our Chief Executive had sent in here and by having had the privilege of reading the Senate Concurrent Resolution, and it being very clear to my mind that there were at least two distinctions that should control us in our vote as to which one of those resolutions should be adopted, I want to briefly, calmly and dispassionately point out to the membership of this house the distinctive difference of these two points that presents itself to my mind; and the resolution that was adopted by the House yesterday should be the preferable one.

"The Senate Resolution provides for the appointment of the same number that the House Resolution does; a committee to consist of three from the Senate and four from the House, and defining their duties, etc. The same number and the same object is stated by the House Resolution.

"The only difference, however, Mr. Speaker, is this: that the House Resolution contemplates an immediate investigation of this question. It may be contended, and doubtless will by those who advocate the adoption of the Senate Resolution instead of the House one, that the Senate Resolution contemplates an immediate and final investigation, but I submit for the intelligent consideration of the membership of this house that the language employed in the Senate Concurrent Resolution is susceptible of another construction and under the terms thereof, at the last days of the session of this body, with this great question still undetermined, the public mind throughout our State still left at sea as to whether there is any truth in the charges that have been made against this Board, that holds a trust fund, undetermined and unsettled in their minds, at the latter days of this session that committee could come in and say 'We haven't finished our investigations and we want to sit during the recess and report hereafter.'

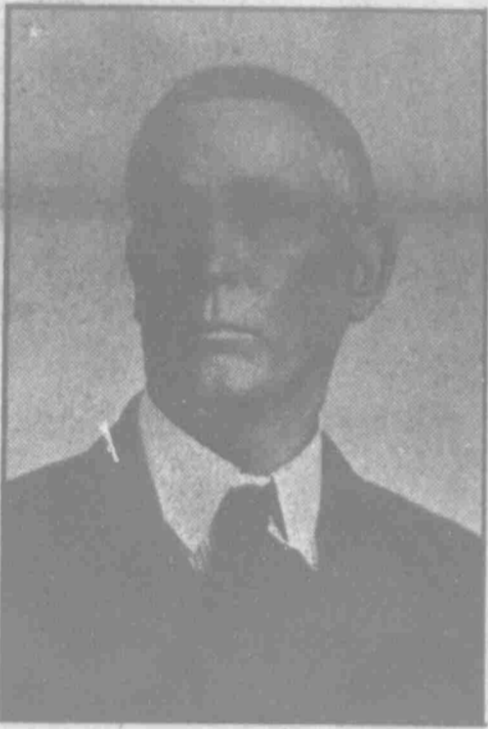
"I want it clearly understood, that he who runs may read and know that this investigation of this important Trust Board should be and MUST be

held and disposed of finally by this body at this session of the Legislature. (Applause.) I for one am not willing to dally with this matter any longer. If people occupying the high position that these gentlemen do are guilty of one-half the charges that have been preferred against them from one end of the State to the other, I say that this Legislature should never adjourn without having instituted impeachment proceedings against them. If they are not guilty of them, let us know the truth, for God's sake, and protect those whom we select to carry on our affairs.

"This is one difference in these resolutions that occurred to me, and that induces me to insist that House Concurrent Resolution be adopted in preference to the Senate one.

"There is another difference, and I admit that it had great weight with me. The Senate Resolution provides for a considerable paraphernalia. It is to be a kind of grand affair. They are to have stenographers and, of course, if they have them, it is my judgment that they will have young lady stenographers. They must have these stenographers, and they can't get along without the aid of the legal profession. They propose to go outside of this body and employ counsel. Why, Mr. Speaker, I believe that seven-eighths, if not more, of the membership of this Legislature that came here this time came here with the purpose of censuring the different boards that we have created for their too free use of outside counsel, and now we want to come right here and do the same thing and employ lawyers when there is no necessity for it. When I heard the list of the Judiciary Committee read out here that you appointed, Mr. Speaker, this morning, I heard the names of quite a number of young lawyers of promise and ability in the State, in the full vigor of manhood—enough of them to form a full committee.

"I know that there are some of the brainiest and best lawyers in the State that occupy positions over in the other



SYD. L. CARTER.

end of this capitol. Why, then, under the resolution that I have offered here, can't you select, if it is necessary to have lawyers, if we can't get along without them, if they are like the old man of the sea, and we can never shake them off—why can't you select out of this body of men on the Judiciary Committee the number necessary under the resolution?

"Why can't the President of the Senate select some of those very able and erudite lawyers in the Senate to constitute that committee, and save the State from going out on the highways and byways and hunting up special favorites to line their pockets from the State's funds? I don't mean any reflection on the legal profession in saying these things, either; I am one of that gang myself. I have been making a living fooling people in this State for thirty years as a member of that profession, but I do say that I can see no necessity in the world for appointing a committee from this membership and then going out and employing a lawyer to do the work.

"And I want to say another thing, with the full appreciation of what I say, that all the lawyers you may hire in Jacksonville, or anywhere where

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BEARD DEFEATED

In Effort to Have His Res- olution Prevail Over the House Resolution to In- vestigate I. I. Trustees— Squabbling About Help For Secretary.

Business at the Senate yesterday, at a forenoon session, went along at a brisk rate and Senate bills poured in upon Secretary Finley's desk with a premeditation of swamping him. To avoid a scattering of the documents on the Secretary's desk, President Harris called the attention of the Senators to the fact that they would only be presented to the Secretary one at a time to enable him to number them. As a result the papers presented them most orderly, and when being numbered they had darted off for another harvest of bills, the most prolific contributor being Senator Beard, whose bills numbered nine, nearly one-third of the twenty-nine introduced.

Shall the Secretary have further clerical assistance or not was a question brought up; considered at length, badgered about and finally left unsettled by the motion of adjournment.

The session to be held today answered the argued question of the right of the Senate to adjourn from Thursday to Monday, and do so legally.

A prominent feature was the looming up and sky-rocketing for a time, only to fall the ground, of Senator Beard's effort to have the Concurrent Resolution No. 1 prevail over the House concurrent resolution on the same subject—the to be investigated and probed records of the Internal Improvement Fund, Trustees and Mr. Beard's insistence that his resolution was IT by the presentation of an amendment to the House resolution by striking out all after the enacting clause and in lieu thereof the substitution of HIS clause. His amend-

During the early part of the session corrections of the Journal, and then its approval, occupied the attention of the body, which soon after granted to J. W. Perkins of Volusia, the privilege of the floor.

Copresent Resolution No. 4 was introduced by Mr. Adams, relative to State appropriations and tax levies, which resolution went over.

Senate Resolutions Nos. 15, 16, 17, 18 and 19 were adopted, they being relative to the employment of clerks for various committees. Senator Crane, who presented No. 19, spoke of the importance of the appointments of these clerks by the chairmen of the committees and that they at once certify the appointments to the Committee on Legislative Expenses.

By request Senator Humphries introduced Senate Joint Resolution No. 3 and Mr. Beard introduced Senate Resolution No. 20, relative to a correction of the Journal of April 2.

It was agreed to send joint resolutions to the desk under introduction of Bills.

Among the twenty-nine bills introduced were measures relative to:

Protection of game, non-game and fish; enforcement of same and fixing of separate State and county game and warden fund.

Statistics.

Prevention of adulteration of food for man and beast; penalty; provision for employment of expert chemist.

That certain public schools receive State Aid.

Act to incorporate Farmers' Aid Association at Buckhorn, Jackson county.

To keep streets of Tallahassee clean.

To provide for bonding for \$75,000, waterworks improvement at Tallahassee.

Establishment of municipality of Key West; provide for its government, describe its jurisdiction and power.

Fixing a penalty for any telegraph company for failure to transmit and deliver messages.

Separation of whites and negroes on cars.

Separation of whites and negroes on urban and suburban cars.

Repeal of section relative to pension of Confederate soldiers and sailors.

Reprint of certain volumes of Supreme Court reports.

To prevent cutting and removing of timber from lands heretofore or hereafter sold for taxes.

Common carriers to have separate ticket windows for whites and negroes.

With but few exceptions these bills read on title were referred to the respective committees.

Rules were waived and Senator Henderson's two bills, Nos. 51 and 52, were passed. Bill No. 51 provides for an issue of \$75,000 bonds for the acquiring at Tallahassee for a water-

works plant, its extension and enlargement. Bill No. 52 provides for all able bodied men to keep the streets of Tallahassee in good repair.

During the reading of Mr. Beard's numerous bills, President Harris vacated the chair, with President pro tem West presiding. Mr. Harris presented Bill No. 68, an act to amend one of the articles in Chapter 5106 With the rules waived, his Bill No. 69 was read on its title and placed on its passage, the vote of 25 being unanimous. This bill was relative to the municipality of Key West, a lengthy bill, requiring nearly a half hour in its final reading, listened to by but few Senators, and those only giving attention to it in part, though the bill passed by a unanimous vote.

As to an adjournment of the Senate over a period of three days, discussion was precipitated by Senator Henderson, who stated that when the Senate adjourned yesterday an adjournment be taken until 3 o'clock Monday afternoon.

President Harris brought up the point as to the constitutionality of such action. He called attention to the Constitution, which says that an adjournment must not be over three days. Mr. Beard said it was doubtful in his mind. Mr. Massey said the question had agitated him and he had looked for U. S. decisions. Mr. Beard said he addressed himself to the conscientious discretions of the Senators; that they drew pay for Sunday and Sunday should count in the three-day calculation. Mr. Broome said he was no lawyer, but he had some common sense and he knew that if the Senate adjourned from Thursday until Monday that body would be most severely criticized by the people and that he desired to go on record as against such an adjournment. Mr. Humphries said that it did not bother him in the least what people have to say about it, for if the majority of the members have business to take them away, he was perfectly willing if the majority



SENATOR JOHN BEARD.

of Senators so voted, and he called attention to the fact that last session the custom had been to adjourn over from Friday to Monday. He hoped, however, that no such condition would prevail as last session, for the direct result of being in session only one Saturday had resulted in crowded calendars, night and rush work. He concluded with the statement that "it is our duty to stay."

Mr. Buckman defined "a day" as interpreted. He said he was here to sacrifice his private business for the work of the Senate.

Mr. Henderson then stated that he had brought up the subject of adjournment, as he believed it would suit the convenience of the body, but as it was a question of the Constitution, he begged leave to withdraw his motion.

At this point a message from the House was received that it had passed House Concurrent Resolution No. 1. The resolution was read.

With the rules waived the resolution was taken up and considered by the Senate.

This brought Mr. Beard in prominence on the floor. He called attention to the fact that the Senate had passed a similar resolution—the very one introduced by him, and that it was more comprehensive than the House resolution, and that it had been certified by the House. He said that he did not see any use to waive the rules.

"The chair rules," said the President, "that a motion to waive the rules is not debatable."

As the resolution was of such vast importance, Mr. Adams moved that the Secretary read the resolution. There was a little delay in the clerk finding the Journal and some remark was made that the clerks had all they could do and handle, which, however, was no reflection upon them. The Senate Concurrent Resolution was read and Mr. Beard remarked that what he had to say on the subject, the difference between the two resolutions, was that the one from (Continued on Page Four.)

WILL CUT OUT NEGRO

If Senator Beard's Proposed Amendment Is Accepted —Would Make a Test Case of Legality of Four- teenth and Fifteenth Amendments to U. S. Constitution.

Elimination of the negro from politics in Florida through disfranchisement is the object of a point resolution offered by Senator Beard Wednesday.

This joint resolution provides for an amendment to Section 1, of Article VI, of the Constitution, reading as follows:

"Section 1. Every white male person of the age of twenty-one years and upwards that shall, at the time of registration, be a citizen of the United States, and that shall have resided and had his habitation, domicile, home and place of permanent abode in Florida for one year and in the county for six months, shall in such county be deemed a qualified elector at all elections under this Constitution. Naturalized citizens of the United States at the time of and before registration shall produce to the registration officers his certificate of naturalization or a duly certified copy thereof."

The proposed amendment differs only from the amendment to the Constitution in the Acts of 1893, in having the word "white" precede the word "male" in the first line of Section 1, but the addition of that word will permit the suffrage privilege to white voters alone, if the joint resolution is passed and ratified by the people.

Then, doubtless, the amendment will be the subject of attention from the United States Supreme Court, on account of the language in the fourteenth and fifteenth amendments to the Constitution of the United States.

Some negro will make a test case and carry the matter to the highest Federal court, where at last the issue of the legality of the fourteenth and fifteenth amendments will have to be squarely met.

Doubt has always existed of the legal ratification of the fourteenth and fifteenth amendments to the Constitution of the United States, and while many cases involving alleged rights under these amendments have been taken to the Supreme Court, yet in some manner the direct point of determining their legality has been evaded.

The enactment of Senator Beard's resolution will furnish the opportunity, and will forever establish the legal status of the two last amendments, or else lift the burden of their being from the nation forever.

REDUCES THE FARE

To Two and One-Half Cents a Mile Is the Scope of Bill Introduced by Representative Long.

Brief and simple in its wording, direct and positive in its authority, but covering a vast field, is the passenger fare bill, placing the rate at 2 1/2 cents in this State, that was introduced in the House yesterday by Representative Long, of Clay.

The principal sections of the bill, which, if enacted, would become effective July 1, 1907, are:

"Section 1. That the owners and operators of steam railroads in this State engaged in carrying passengers shall not charge exceeding two and one-half cents per mile per passenger for carrying any passenger from one point to another in this State."

"Sec. 2. Any corporation, partnership, association or person owning or operating such railroad; or officer, servant, or agent of any such, who shall knowingly charge or accept at a higher rate than prescribed by this act, shall be guilty of a misdemeanor, and shall on conviction be fined not less than twenty-five dollars nor more than one hundred dollars for each offense."

Wise—Now, he's got what I call "horse sense." Ascum—How, for instance? Wise—He never bets on one.—Philadelphia Press.

For a Constitutional Convention

The following Joint Resolution concerning the holding of a constitutional convention was introduced in the House yesterday by Representative Dorman, of Suwannee:

"Whereas, The present Constitution of this State is not in accord with the wishes of the people; therefore, be it Resolved, By the House of Representatives, the Senate concurring, that it is the determination of this Legislature that it is necessary to cause a revision of the Constitution of Florida; that this determination be entered upon the respective journals of the

two houses of this Legislature, with the yeas and nays, and that the same convention be referred to the Legislature next hereafter to be chosen, and shall be published weekly in one newspaper in every county in which a newspaper is published, for three months preceding the next general election of representatives, and in those counties where no newspaper is published, notice shall be given by posting at the several polling precincts in such counties for six weeks next preceding said election, as provided in Section 2 of Article XVII of the Constitution of the State of Florida."