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BLUNDER OF SPEAKER CAUSES HOUSE TO SUSTAIN THE VETO

"TRYING TO GET THE BILL BEFORE THE HOUSE," WHEN IT WAS THERE ALREADY, SPEAKER BUTTS INTO CONSTITUTION UNAWARES AND DOES THE THING HE DID NOT WANT TO DO—MACWILLIAMS TRIES TO REPEAL ONLY ROAD LAW—"SQUARE DEAL" LIKE ROOSEVELT—WANTED TO "SAVE THE PEOPLE'S MONEY."

The act requiring the Trustees of the Internal Improvement Fund to pay into the State Treasury all money now in their possession, etc., IS DEAD.

R. I. P.

Vetoed by the Governor, it was taken to the House for reconsideration, where, yesterday, an IMPROPER MOTION put by Speaker Matthews, caused a vote that killed it dead as a mackerel.

This action was not intentional on the part of the Speaker, but it accomplished the purpose just the same, and the necessary two-thirds vote for its passage over the veto not being given, the Governor's veto was sustained.

So, it's dead, dead, dead.

Hence, these tears.

The Constitution provides that in case of a veto the Governor shall return the measure to the house in which it originated, together with his objections thereto; the house shall cause such objections to be entered upon the Journal, and proceed to RECONSIDER IT; if, after such reconsideration, it shall pass both houses by a two-thirds vote of the members present, which vote shall be entered on the Journal of each house, it shall become a law.

The above mentioned bill was received with the objections, which were spread on the Journal, and the bill was then and there ON ITS PASSAGE over the veto, no provision being made by the Constitution for the House to vote WHETHER IT SHOULD RECONSIDER the bill, and then reconsider it if the vote were in the affirmative.

Nothing can now bring the bill AGAIN before the House.

The Constitution is arbitrary, and under its provision the bill in question was on its passage when taken up.

The Speaker, however, with insistence, put the motion to reconsider, instead of the motion: "SHALL THE BILL BECOME A LAW, THE VETO OF THE GOVERNOR TO THE CONTRARY, NOTWITHSTANDING?"

Mr. Carter of Alachua gave notice that if final action was to be taken on the bill at this time he would speak, but if it were to come up again after the vote on reconsideration was taken he would wait.

The Speaker announced that the Legislature had no choice in the matter of reconsideration—they would HAVE to reconsider and then make what disposition of the bill they saw fit, but it would require a two-thirds vote to pass the bill over the veto.

The Speaker was determined to force his will on the House, and to this end, Messrs. Reese and Wilson of Hernando were shut off from debate by the ruling that action on the motion to reconsider must first occur. Mr. Willis of Levy raised a point of order and got the same check.

The Speaker insisted that the motion to reconsider must be acted on in order to bring the bill before the House, when, UNDER THE AUTHORITY OF THE CONSTITUTION IT WAS ALREADY THERE AND ON ITS PASSAGE.

The roll was called, the vote being 36 yeas and 22 nays, so that while in the mind of the Speaker after this vote the bill was then before the House, it really had received final action and the veto was sustained.

The Speaker's blunder, though, does not change the result. The vote of the House on the bill is the same as if the latter and proper motion had been put, and constitutes final action. THE VOTE WAS TAKEN, and the veto was sustained, the opposition lacking two and two-thirds vote of the necessary two-thirds of the members present.

Thus did Mr. MacWilliams, AGAINST HIS WILL, save the only good roads bill on the statute book, though with the assistance of the Speaker he tried his best to kill it.

From the sand crab shells of Amelia Island to the conch shells of Key West, from Fort Marion to Fort Barrancas, from the court yard of the Ponce de Leon to the casino of the Tampa Bay, has the fame of MacWilliams as a good roader been tooted and heralded and honk-honked until the public has almost got into the habit of calling a good road a macwilliams.

He has never built a good road. He has only told how it could be done, but the mere telling has brought him more fame than usually falls to the lot of mortal.

With what dismay his worshipers will regard his effort to repeal Chapter 5245 of the General Statutes, "An act providing for the building of County Hard Roads and providing appropriations therefor," can scarcely be imagined.

They can rejoice, however, that he was saved IN SPITE OF HIMSELF, and the act is NOT repealed.

When the vetoed bill was taken up, Mr. MacWilliams at once got to the center of the stage and stayed there, and when he would relax and think of sitting down, the Speaker would fix his eye on him and say, "the gentleman from St. Johns has the floor," and he would rise and start afresh.

So busy was the member from St. Johns in explaining that he "was not attacking" the I. I. Board that the House was not informed of late events in Rome, or how Brutus would have voted in the case of the Tiber Improvement Fund, or if the Roman senate had a majority in favor of giving the public lands to the Rome Midland Railway Company, under pretense that the people's land and money was being saved for them.

No, this was an occasion when the memory of Mr. MacWilliams refused to act previous to 1905, except for a time or two when it slipped its moorings and drifted back to 1855.

Speaking to the motion to reconsider, Mr. MacWilliams said that he wished it understood that he had no fight to make on the Internal Improvement Board or any member of it; that he was interested in the matter as a question of political economy and of civil government, but he wished to controvert the assertion or the implication that the Legislature had nothing to do with this Board, and that is what the Governor says to this Legislature when he advises it that the Internal Improvement Board, having been created by the Legislature of 1855, is not subject to control by the Legislature of 1907. Mr. MacWilliams declared it but right and proper for money of this State to be placed with the State Treasurer, who was a bonded officer and the custodian selected by the people for the purpose of keeping their money; that the bill provided that the money should remain subject to the order of the Internal Improvement Board, and the Governor could go on and buy as many dredges as he wanted to and expend the money as the Board saw fit without any hindrance from the provisions of this bill; but the money of the people should be placed in the custody of the Treasurer selected by the people and who was directly responsible to the people.

That is what Mr. MacWilliams said, and the impression he tried to foment into the minds of the members, but that is not what the act says.

The clinching part of the act, which would prevent the Trustees from free exercise of authority, and which Mr. MrcWilliams denies is the construction, is "That whenever the *claims now pending, or those which may hereafter be filed* against the said Internal Improvement Fund shall have been *finally adjusted* and their payment ordered, the Comptroller shall draw his warrant upon the Treasurer in payment of the same, etc."

Claims, in the meaning of the act, are not debts contracted, either for clerical or other service, or for materials or other things, but *claims or account of land grants* alone.

Mr. MacWilliams said that the veto states that the I. I. Board is not under legislative control, as it was created by the Legislature of 1855, and has been acting under that authority for fifty years, thereby setting up the preposterous proposition tha the creature is greater than the creator.

"Like the great Chief Executive of this country," said Mr. MacWilliams, "I want to give every man a square deal, and I want the I. I. Board to have a square deal, but I want the people of Florida to have a square deal also.

"I don't mean to imply that they haven't had it. I believe that every officer of this State is actuated by the highest motives and I shall believe that until I find out differently, but as far as this bill is concerned, it is the only thing to do—to put the money of the people in the proper office created by the people for that purpose." (And there let it stay, but this he did not say.) "And," he continued, "I cannot imagine, nor can I believe that any gentleman here will contend, that the proposition that this Legislature cannot change its mind, cannot undo what it has once done—that the creature is greater than the creator—is anything but absurd and absolutely preposterous."

Mr. Wilson of Hernando interrupted to ask, "Do you lay down the legal proposition that this Legislature can abolish this trust?"

To which Mr. MacWilliams enthusiastically cried:

"Abolish the Trustees? I certainly do, sir. Who is it assembled here? The people, for the Legislature is the people. Suppose we should find that it takes $100,000,000 to drain the Everglades and we should change our minds about spending that money. Do you mean to say that the Legislature couldn't change its mind when we found that it was taking too much money to carry out the purposes of this trust? I say, sir, that we can repeal unjust legislation if we find it is unjust and unwise."

Mr. Wilson of Hernando again interposed with the question:

"But would not the trust continue even if we abolished the Trustees?"

"Not if the people didn't want it to continue," replied Mr. MacWilliams.

After the vote on the so-called reconsideration was announced, the bill was set as a special order for Wednesday, April 24, at 11 a. m., but as the Constitution does not provide but *one vote* on a vetoed bill, that program cannot be carried out.

SENATOR BEARD'S POWERFUL SPEECH

IN BEHALF OF HIS RESOLUTION FOR AMENDMENT TO CONSTITUTION GIVING RIGHT TO VOTE TO WHITE PERSONS ONLY—SENATE ADOPTS RESOLUTION.

Senator Beard's speech in advocacy of his resolution for an amendment to the Constitution providing that only white persons can have the right of suffrage in this State was listened to with much interest by a large audience yesterday afternoon, and at its conclusion he was loudly applauded.

Senator Beard.

History may be changed by the discourse of Senator Beard if the people of Florida ratify the amendment, and he be accorded lengthy notice in the book of fame as the statesman who lifted the burden of black politics forever from the people of the South, if not from the nation.

No more finished speech, in point of argumentative detail, has ever been heard in the Senate Chamber. Senator Beard arose to this task of explanation why his resolution possessed the vitality needed to place Florida forever in control of white electors, with his facts marshaled in orderly battalions, that one by one marched forth to public hearing in orderly precision.

He spoke first of the results of the ratification of the amendment by the people—the taking of the question to the Supreme Court of the United States, where, for the Amendments to the Constitution would be passed on, and the decision should stand unless repealed by the people.

Dramatically, and with feeling of earnest forcefulness attuning his every word, the Senator related incidents leading to the adoption of the amendments that gave the negro citizenship and franchise.

The history of the many broken promises of Congress, not alone to the people of the South, but to the people of the North, and to the members of the majority party of Congress, was told, showing how these amendments were forced upon the country in defiance of the Constitution of the United States.

Obnoxious in their being, the manner of their adoption was one of shame throughout. The Southern States were helpless; the Northern States that objected were coerced until they submitted.

The necessary three-fourths of the States had never ratified the amendments as provided by the Constitution. The States embraced in the Southern Confederacy had no rightful voice in the matter of ratification, though declared by every branch of the Federal Government to have never been out of the Union, and that the ordinances of secession were null and void.

The governments of the Southern States, said Senator Beard, had been set aside for government appointed by the Federal Government, when it was found that ratification of the amendments could be secured in no other way.

New Jersey receded from ratification, but was counted in by Congress. New York rescinded its action, but was counted as having ratified, the claims having been set up that her Legislature could not revoke its action. It was because of these illegalities that the amendments were declared adopted.

Further, Senator Beard declared the passage of the resolutions by Congress, proposing these amendments, had no legal foundation, as the required two-thirds vote of both houses was not given, and the records showed that objections made were illegally overruled.

Presentation of these facts were made so concisely, with such indication of accuracy and judgment, that Senator Beard's audience was forced to imbibe the hopefulness of the cause he has espoused, and it, too, seemed thrilled with the feeling that is produced by the exposition of a great subject by a student who has calmly toiled through various paths to bring his offering of knowledge to a people who need the help it will give.

Senator Beard urged the adoption of his resolution, and the roll was called, the yeas being Mr. President, Senators Adams, Alford, Beard, Broome, Carova, Clark, Cone Crews, Davis, Girardeau, Hudson, Jackson, Leggett, McCreary, Massey, Trammell, Willis, Withers, West of 1st, West of 4th, Zim—23.

Nays—Senators Buckman, Cottrell, Crane, Henderson, Humphries—5.

Why the vote to adopt the resolution should not have been unanimous is one of those peculiar phases of legislation that helps to make politics as uncertain as a lottery. Doubtless, those who voted no had a reason satisfactory to themselves, but in a matter of this kind the public likes to have the legislator tell why he so voted.