

## KILLED BEARD'S DRAINAGE REPEAL

SENATE INDEFINITELY POSTPONED, BY VOTE OF 16 FOR TO 12 AGAINST—WOULD BE TOO MUCH LAND FOR CULTIVATION IF EVERGLADES WERE DRAINED, SAYS SENATOR HUMPHRIES—CONSTITUTIONAL ARGUMENT IN CHUNKS.

Senator Beard fired constitutional shot and shell in defense of his bill to repeal the drainage law of 1905 until exhausted yesterday.

All to no purpose, the Senate voted for Mr. Crane's motion to indefinitely postpone the bill and all the oratory poured forth to save the bill has gone into the misty past of lost effort.

The vote on indefinite postponement was:

Yeas—Senators Alford, Canova, Clarke, Cone, Cottrell, Crane, Girardeau, Hudson, Jackson, Leggett, McCreary, Massey, Neel, Withers, West of the 1st, 21—16.

Nays—Mr. President, Senators Adams, Baker, Beard, Broome, Crews, Crill, Henderson, Humphries, Sams, Willis, West of the 4th—12.

Senators Trammell and Johnson were paired, the former voting yea and the latter nay, and Senator Buckman not voting.

"If the author of the bill had contemplated violation of the Constitution he could not have accomplished his purpose more fully than he has done in Section 3 of the drainage law," declared Senator Beard.

"The provision of Section 3 of this law is directly converse and reverse of the Constitution," he said, and then pointed out how, in his opinion, it was unconstitutional.

"The purpose of the bill is to repeal the law, the taxation part of which has been declared unconstitutional by the courts," said Senator Beard, "and we should get such law off the statute books."

"Section 3 of the law is a palpable violation of the organic law of the State, in its failure to provide compensation in proper manner to owners of lands condemned for the carrying out of this work, and Section 1 of the law is a violation of the Constitution, which provides for the election of all officers not otherwise provided for, while the drainage law does not do this," added Senator Beard.

"I believe that the great work undertaken for drainage in the Everglades should be prosecuted," said Senator Crane.

"I have introduced a bill that will cure defects in the present law, and for that reason I am opposed to its repeal, and ask indefinite postponement of this bill.

"I believe that the seven men who went on the committee of inspection went there with open minds, and that all were honest, fair and impartial.

"The work of the drainage was revelation to them. They were surprised at its magnitude, and came to the conclusion that the work should continue. It can be carried on without any expense to the taxpayer by sale of the State lands and a tax on the lands in the drainage district," said Mr. Crane.

"I do not doubt the honesty and fairness and impartiality of the committee, but the question is not one of drainage, but of having an unconstitutional law on the statute book," said Senator Beard.

"We should not trust to amending a law so that it will not conflict with our organic law," he continued, as he again referred to his argument of unconstitutionality.

Senator West of the 4th said: "I feel that it is my duty to object to the postponement of this bill, because the people of the State at the last election expressed their feeling against this great scheme of drainage."

Senator Hudson then got into the discussion by saying "That the people did not express themselves against drainage, only as to the part that has been declared unconstitutional.

"The gentleman from the Second waived the question of drainage not being a good thing.

"He only calls attention to defects in the law. These defects can be cured. Don't wipe the law off the statute books, but perfect it."

Senator Hudson did not agree with Senator Beard relative to some of the constitutional defects in the law charged by the Senator from the Second, and each forgot the ten-minute rule of debate in presenting constitutional argument.

Senator Buckman opposed the motion of indefinite postponement so that both bills should be considered when the bill of Senator Crane to amend the drainage law comes up on special order.

This suggestion brought objection from Senator Crane, who said: "I think the Senate might as well place itself on record in this matter this afternoon."

"I agree with the Senator from the Eleventh," said Mr. Beard.

Senator Humphries was opposed to indefinite postponement, and said: "If we are going to make a new garment, do not use any of the old cloth.

"We had better prepare a new bill, wipe this one out and start over again. Begin with a new foundation, because some part of the old law might be overlooked and cause unconstitutionality.

"On the part of drainage, it has been stated that the people voted against making it a part of the State Constitution, but many voted against the whole plan.

"The people of many counties opposed all of it. Part of one of my counties is in the drainage district, and I have talked with my people and they don't want it.

"There is too much land, now," declared Senator Hum-

## SUPREME COURT WILL REGULATE

Course of Study in Law and Examine Applicants for Admission to Practice

One of the hard fought bills of the State yesterday was the House bill by Mr. Carter prescribing procedure for admission to the bar.

This bill will require those who wish to become lawyers to study the course prescribed by the Supreme Court of the State, and to be examined by that body for admittance to practice.

The first move was taken by Senator West of the Fourth, who moved indefinite postponement.

Senators Willis and Massey spoke for the bill, the latter saying that it was not quite as he wished, but the bill would raise the standard of the legal profession.

Senator Cone opposed the bill, because he did not consider it fair to the struggling young man as it would force him to college or law school, while Senator Broome found fault with the measure because it did not provide for examination by Circuit Judges. He thought, too, that it would inflict hardship to force a candidate or the bar to have to come to the capital for examination.

Senator Buckman said: "I can understand why any member of the bar should object having the highest standard for the legal profession. The bill does not require college training, but rather discriminates against it."

Mr. Buckman spoke at some length on the advantages to be derived from such a law, and thought that its benefits were without question.

Senator Johnson, speaking for the bill, said: "The legal profession is made fun of and criticized, and it is because of the fault of the lawyers in not raising the standard. This bill is better for the profession and better for the young men who would enter it."

He told of careless examination he had witnessed, and how some men he had known had so little knowledge of law that they had abandoned practice.

Senator Crill remarked that, "the layers in the Senate having discussed the bill quite fully, want to give the view of a layman. It is a bill in the right direction. It gives prescribed course of study, and the young man who wishes to take up the profession of law is to how to proceed."

Senator Johnson had alluded to laxness of examinations by Circuit Judges, who, by reason of press of work, would appoint a committee to a task.

Senator Broome considered that the Circuit Judges were not fairly treated in the bill, and in reply Senator Massey paid high compliment to the late Judge Broome, a brother of the Senator, and who had been a Circuit Judge that looked carefully into the matter of admission to the bar.

"I think," said Senator Massey, "that the members of the profession here know more about the matter than my colleague from the Sixth, and better understand the conditions prevailing."

"The Judge will appoint a committee to examine the applicant, and what can you do? Madamus the Judge? That is not possible, because he would not issue a writ for himself."

Senator Girardeau said: "I am against all such laws. This looks to me like a trust law. Making a small crack to get in, that the other fellow may not be able to find the way."

The rules were suspended and the bill was read the third time, when Senator — made a strong talk against its passage, but an unavailing one, as the bill was passed by a vote of 22 yeas to 7 nays.

## PAYMENT FOR COUNTY ARMIES DISCUSSED.

Senate Bill No. 398, providing for reimbursement of certain counties on account of armaments, was a matter of some discussion in the Senate yesterday, and it finally ended by leaving the bill on the table subject to call.

The difficulty over the bill was that several counties having claims had not presented them to the commission appointed to investigate, and the effort to provide for them by amending the bill met with opposition.

Senator Crews was spokesman for the bill, but was unable to make much headway, and Senator Crane read the act covering this subject and suggested that the counties now coming forward with claims should not have them put in the bill, but go through the regular process of having those claims investigated by the commission.

This view was indorsed by Senator Girardeau, but Senator Crews insisted that the commission provide for the additional claims.

Senator McCreary started to explain the situation, and said to Senator Crews: "The commission has finished its labors."

Mr. Crews—"Finished?"

Mr. McCreary—"Yes, and we have no way now except to bring them in here."

Mr. Crews—"Let them start up again."

Then the bill was tabled to be called up later.

phries, "and if these lands are reclaimed and cultivated lots of people will be put out of business.

"There would be nothing in it for the farmer because of the overproduction."

Mr. Humphries explained this by saying that the market was limited and if such large areas were cultivated the prices for vegetables would be cut, with loss to the trucker. Even now, he asserted, there are times when there is no profitable market.

He did say, however, that if a bill for drainage was brought in that he liked he would vote for it.

Senators Beard and Hudson then resumed their discussion of the constitutionality of parts of the present law, and after threshing the subject over pretty thoroughly again, the vote was taken and the bill killed.

## CARTER HANDS ROAST TO WILLIS IN HOUSE

SAYS LEVY COUNTY MEMBER EMPLOYED UNFAIR TACTICS TO CHANGE COUNTY BOUNDARIES—BILL IS POSTPONED.

Scathing though it was, the course of sarcasm served the House yesterday morning by the chef from Alachua, brought smiles from the assembled company—except one—Willis from Levy, whose luminous countenance grew livid under the fire.

But in the face of discomfiture, the gentleman from Levy failed even then to lose his temper, and his little bill for making a curve into a straight line died with a flower in its buttonhole.

Mr. Willis, a few days ago, introduced a bill to straighten the boundaries of the County of Levy. He did not explain that in running the lines after the manner suggested in his bill that they would take in a part of Marion and a part of Alachua counties. He took the Representatives of these counties unawares, but through the interposition of Mr. Kirkland the bill was saved at that time from passage. It had been presented as a "purely local bill," and the members, as a rule, pass such bills without much scrutiny.

And so it was with Mr. Willis's "purely local bill," until Mr. Kirkland pointed out that it was not in the strictest sense a local bill, and as neither of the Representatives from Alachua was present, further action should be deferred. Mr. Willis then stated that he was not responsible for the absence of the members, and insisted upon passage, but it was ordered otherwise.

Yesterday the bill came up in regular order on third reading, and gave the gentleman from Alachua (Mr. Carter) the opportunity to express his opinion concerning the methods employed by the Levy County member.

Mr. Mathews of Marion moved the indefinite postponement of the bill, whereupon Mr. Willis said that he thought the gentleman must be joking; the thing which the bill purposed doing should have been done years ago, he said, for it would take Dunnellon, a whisky town, out of Alachua County and place it in Levy, a dry county, where it could be cleaned out and made wholesome. Mr. Willis said there was another laudable object to his bill, which was to establish the boundaries of the counties so distinctly that no confusion would arise in court proceedings, as the case was now. The small strips of land from the counties of Marion and Alachua, he said, did not amount to much in value, and those counties could well afford to give them up, since they would become a part of such a good county as Levy. Mr. Willis used a map while speaking, showing the lines as it was proposed to run them.

Mr. Carter said that he couldn't, for a while, account for the bill offered by Mr. Willis, but now he understood it was a temperance measure, by annexing the town of Dunnellon to the County of Levy, which was good and perfect.

"This bill was secretly held back and slipped in here under the pretense of being a purely local bill, and I submit to you that upon the face of it a cause that has to depend upon such tactics is not a worthy one," said Mr. Carter. "I have lived on the other side of the line and I used to cast my eye on this very land which the gentleman from Levy has coveted, and I tried to persuade the people that it would be a good thing for them to live in Levy County, but I couldn't get a man, woman, child or dog to agree with me. So I let it rest. I did not try to steal them. No, the truth of the matter is that they have built a new courthouse in Levy County and they want more people to help them pay for it. And there's the town bearing the name of the distinguished member from Levy (Williston), which he aspires to make a county seat, and the scheme is to get this territory around it so that he can come up here and have a new county made by some future Legislature, with his town as the capital. But I want to put him on notice now that he can't do it at my expense. And I object to the gentleman using a map in his speech. Governor Broward is the only man in the State who has a right to use a map while making a speech. This bill is unfair to the people whom he proposes to take up bodily and place in another county without their knowledge or consent. These same people are in the field at this moment and have no idea of this scheme; this bill contemplates a wrong to them. They have borne the burdens of public building and other improvements in one county, and it is unfair to appropriate them and saddle them with a similar burden in another county. I am sure that this House will put its stamp of disapprobation upon the methods that have been employed to pass this bill."

Mr. Willis said in reply, that he had given the gentleman from Alachua notice that he proposed to introduce the bill; had taken a map and showed him several days prior to the introduction of the bill just how he wanted the lines run. The taxes in Levy County, he said, were not as burdensome as they were in the other counties, and there would be no injustice to the people in this respect.

The bill was indefinitely postponed on a viva voce vote.

## HOUSE PASSES BROOME PENSION BILL.

The House yesterday passed the Senate bill creating a State Board of Pensions by a unanimous vote of sixty-three. The measure provides that the Governor, the Treasurer and the Comptroller shall constitute the pension board; that a four mill tax shall be levied and collected for the pension fund, and that the board shall employ a clerk at a salary not exceeding \$500 a year. Upon the passage of the bill Mr. McClellan of Suwannee thanked the House for its vote on the measure, in behalf of the old soldiers and the widows who would be beneficiaries under the provisions of the act.