SECTION ONE

SUPPLEMENT

PAGES 1 to

LAWS OF THE STATE OF FLORIDA

ADOPTED BY THE LEGISLATURE OF FLORIDA AT ITS REGULAR SESSION A. D. 1905.

CHAPTER 5372—(No. 1.)

AN ACT to Enact the General Statutes of the State of Florida and to Provide for the Printing, Sale and Distribution Thereof and Making an Appropriation for the Compensation of the Commissioners appointed to Revise the Statutes.

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

Section 1. That the accompanying general revision of the public Statutes of Florida of a general and permanent nature, revised and reported by the Commissioners under an act entitled "An Act to provide for the revision and consolidation of the public statutes of this State," approved June 3, 1903, be, except as otherwise provided herein, and the same is hereby enacted as Statute Law under the title of "The General Statutes of the State of Florida." Every statute of a general and permanent nature enacted by the State of Florida or by the territory of Florida and every part of such statute not included in said general statutes or recognized and continued in force by reference therein is hereby repealed, but no special or local statute is repealed hereby, and for the purpose of this saving from repeal any statute of any of the following classes shall be taken to be included in such exception, namely: Any statute for or concerning only a certain county or certain designated county; any statute for concerning or operative in only a portion of the State; any statute for or concerning only a certain municipal corporation; any statute for or concerning only a designated individual corporation or designated individual corporations; any statute incorporating a designated individual corporation or making a grant thereto; but the foregoing enumeration of classes of statutes not repealed shall not be construed to imply a repeal of other statutes which are local or special in their nature. Statutes passed at this session of the Legislature shall not be repealed or affected by said general statutes but shall have full effect as if passed after the enactment of said general statutes except those acts passed at this session which are amendatory of laws omitted from the said general statutes.

Sec. 2. Said general statutes shall go into effect and be operative on the thirtieth day after the date of the Governor's proclamation announcing the publication thereof, which proclamation he shall make immediately upon the report of the said Commissioners that the publication of said work is complete.

Sec. 3. The repeal of any statute by said general statutes shall not affect any right accrued before any such repeal nor any civil remedy where suit is pending.

Sec. 4. Nothing in this act shall prevent the said Commissioners in the further preparation of said work for publication, from altering the number of sections or other sub-divisions thereof or supplying any omissions in numbering the sections or other subdivisions thereof or in reference to the numbering of such sections or other sub-divisions thereof or from correcting manifest clerical errors; and wherever in the report of the said Commissioners the words "Revised Statutes" or "Revision" occur with reference to said work the same shall be struck out and the words "General Statutes" shall be inserted in place thereof; and the said work as thus amended and as amended in this act shall be the law of this State as provided in Section One of this act. In preparing the copy of the General Laws hereby enacted the Commissioners shall omit Section 1501 of the draft of the laws which accompanies this bill. And they shall amend Section 1504 of the said draft so as to make it read as follows: 1504.—Effect of his action.—Any and all Judgments, decrees and orders, heretofore or hereafter rendered in causes where the disqualifications appear of record in the cause, shall be void, but where the disqualification does not so appear, they shall not be subject to collateral attack.

Sec. 5. If any section in the civil part of said general statutes creating crime or prescribing a punishment conflicts with any section in the part thereof relating to crimes the latter section shall prevail.

Sec. 6. The Commissioner shall as soon as possible after the adjournment of this session of the Legislature amend the general statutes as submitted by them so as to incorporate with the body of the text the amendments made to any of the statutes of this State at the present session wherever said amendments do in express terms refer to the section of the Revised Statutes of 1892 or to sections and chapters of the laws of Florida enacted since the Revised Statutes of 1892. They shall omit any sections or statutes expressly repealed at this session of the Legislature. They shall prefix to the said general statutes an indexed copy of the Constitution of the United States and its amendments, and an indexed copy of the Constitution of the State of Florida and its amendments and a copy of the first eight sections of this act. They shall add an appendix containing the acts of the present sessions of the Legislature which are general and permanent in their nature except as shall be incorporated into the body of the work as hereinbefore provided.

Sec. 7. The work prepared as directed in Section Six shall be printed under the supervision of the said Commissioners. The Constitution of the United States and the Constitution of the State of Florida with the indexes thereto shall be printed in such type, style and manner as the Commissioners may direct. The body of the general statutes shall be printed in the type, style and manner of the draft submitted by said Commissioners and accompanying this act. The marginal references and the annotations shall be printed in such type, style and manner as the Commissioners may direct.

Sec. 8. There shall be printed of the work prepared as directed in this act Six thousand copies, of which Three thousand copies shall be bound and Three thousand copies unbound. The bound volumes shall be substantially bound in full law shape. The unbound copies shall be sold for Three dollars and fifty cents per copy and the bound copies for five dollars per copy by the Secretary of State.

Sec. 9. The said Commissioners shall award the contract for the printing and binding of the said work to the lowest responsible bidder and shall require from him a good and sufficient bond in such sums as they may think proper for the faithful performance of the contract. Such contract shall contain an express provision that no more copies of the said general statutes shall be printed than is therein provided for and that all copies printed thall be delivered to the Secretary of State.

Sec. 10. Copies of the said general statutes shall be distributed in the same number and to the same persons as phamphlet laws of the Legislature are by law directed to be distributed and one bound copy shall be given to each member of this Legislature and to each of the said Commissioners.

Sec. 11. The Comptroller is hereby authorized and directed to draw his three warrants upon the State Treasurer for the sum of Fifteen hundred dollars each payable to the three Commissioners Benjamin S. Liddon, Thomas F. West and James C. B. Koonce respectively for their compensation in making said revision and consolidation as heretofore fixed by the act providing for such revision and consolidation, and the sum of Forty-five hundred dollars is hereby appropriated to pay said warrants out of any money in the Treasury not otherwise appropriated.

Sec. 12. The sum of Ten thousand dollars or so much thereof as may be necessary is hereby appropriated, from any money in the Treasury not otherwise appropriated, to pay for the publication of the general laws as aforesaid, for five hundred dollars to each of the said Commissioners for the extra duties imposed upon them by this act for clerical hire and for other expenses in carrying out the provisions of this act.

Sec. 13. This act shall take effect immediately upon its approval by the Governor or if he does not approve the same immediately upon its becoming a law without his approval.

Approved May 29, 1905.

CHAPTER 5373.—(NO. 2.)

AN ACT making Appropriation for the Expenses of the State Government for Six Months of the Year 1905 and for the Year 1906 and for Six Months of the Year 1907.

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

Section 1. That the following sums be and are hereby appropriated for the payment of the expenses of the State Government for six months from July 1st, 1905 to December 31st, 1905:

For salaries Executive Department. nine thousand one hundred and fifty dollars ($9,150.00.)

GOVERNOR.

For private secretary.... ..$	600 00
For Clerk	360 00
For stenographer.	300 00
For contingent expenses of state....	2.000 00

SECRETARY OF STATE.

For chief clerk in Secretary of State's office.	750 00
For clerk (Corporation clerk)..	600 00
For stenographer.	300 00
For fuel, lights and water for Capitol....	1.000 00
For postage, express and telegrams for Secretary of State..	300 00
For repairs, refitting and other incidental expenses of Capitol.	750 00
For watchman at Capitol .	390 00
For two janitors at Capitol .	360 00
For engineer and gardener at Capitol.	360 00

COMPTROLLER.

For chief clerk.	750 00
For auditing clerk.	750 00
For book-keeper.	750 00
For stenographer and typewriter.	600 00
For pension clerk	600 00
For special clerk	250 00
For book-keeper in tax redemption department. . .	600 00
For auditing clerk in tax redemption department. . .	600 00
For correspondence clerk in tax redemption department....	600 00
For recording clerk in tax redemption department ..	600 00
For entry clerk in tax redemption department. . .	600 00
For distribution clerk in tax redemption department. .	600 00

STATE TREASURER.

For chief clerk and bookkeeper.	750 00
For cashier and assistant book-keeper.	600 00
For clerk and assistant book-keeper.	600 00
For adding machine for State Treasurer's office. .	375 00
For electrical burglar alarm protection system for Treasury vault.	900 00

ATTORNEY-GENERAL.

For clerk..	450 00
For secretary.	750 00
For incidental expenses of office....	100 00
For books and book case....	600 00

SUPERINTENDENT OF PUBLIC INSTRUCTION.

For chief clerk....	600 00
For assistant chief clerk. . .	600 00
For stenographer and typewriter.	300 00
For postage, printing and contingent expenses . . .	800 00
For traveling expenses. . .	500 00

COMMISSIONER OF AGRICULTURE

For Agricultural Department Deficiency on account of printing, stamps, tags, and bulletins, estimated to June 30th, 1905.	800 00
For clerk in prison and fertilizer department payable from hire of State convicts	750 00
For clerk in fertilizer department..	600 00
For clerk in agricultural department.	750 00
For clerk in school land department.	600 00
For postage and stationery for agricultural department.	375 00
For printing, stamps, tags, monthly bulletins, etc., for agricultural department ..	900 00
For express and telegrams..	75 00
For incidental expenses of Commissioner of Agriculture..	125 00
For printing maps.....	850 00

STATE CHEMIST.

For salary State Chemist. .	1.000 00
For salary assistant State Chemist..	900 00
For chemicals, apparatus and incidental expenses of State Laboratory.	500 00
For traveling expenses in specting fertilizers.	500 00

SUPERVISOR OF STATE CONVICTS.

For salary, to be paid from hire of State convicts. . ..	750 00
For traveling expenses, payable from hire of State convicts....	500 00
Salary for chaplains for State convicts, payable from hire of State convicts..	750 00
For the use of Board of Commissioners of State Institutions in conducting matters pertaining to prison affairs.. .. .. (Payable from hire of State convicts.)	1,250 00
For expenses Legislature of 1905..	85,000 00
Stationery for Legislative and Executive Departments.	750 00
Expenses Legislature of 1903 Deficiency on account of Legislative printing	3,375 20
For salaries judicial department..	27,200 00
For jurors and witnesses before the grand jury.	53,000 00
Rewards and expenses of arrests of fugitives from justice.....	1,000 00
For expenses of circuit court judges sitting on supreme bench..	75 00
For costs adjudged against the State in civil cases...	50 00
For expenses of circuit judges sitting in other circuits.....	250 00

SUPREME COURT.

For contingent expenses. .	1,500 00
For clerk, per diem under Sec. No. 1321 R. S...	468 00
For clerk as Librarian, under Sec. No. 1321 R. S.. ..	150 00
For sheriff Supreme Court, per diem Section No. 1255 R. S..	125 00
For messenger..	180 00
For janitor..	450 00
For Secretary to Supreme Court Justices..	600 00
For stenographer to Justices Supreme Court..	300 00
For purchase of books for Supreme Court Library. ..	250 00
For printing Supreme Court reports..	1,000 00
For expenses of collection of Revenue..	30,000 00
For lists of land entries for assessors, assessment of railroads and other contingent expenses Comptroller's office..	500 00
For printing delinquent tax lists, under Section 50 of Chapter 4322 of the Laws of Florida..	4,000 00
For expenses of State troops, including rent of armories	6,000 00
For expenses annual encampment of State troops.	15,000 00
For salary Adjutant-General	1,000 00
For general printing and advertising..	7,500 00
For general printing and advertising deficiency on account of printing constitutional amendments and election notices.	12,544 00
For salaries and expenses Railroad Commissioners	7,500 00
For maintenance of lunatics.	50,000 00
For interest on bonds in Educational Funds..	9,023 50
For salary State Auditor and Clerk..	1,000 00
For adding machine in State Auditor's office..	375 00
For payment for Florida six per cent bond No. 786, presented for payment after all other bonds had been retired..	100 00

Sec. 2. That the following sums be and are hereby appropriated for the payment of the expenses of the State Government for the year 1906:

For salaries Executive Department, eighteen thousand three hundred dollars ($18,300 00.)

EXECUTIVE OFFICE.

For clerk for Governor. ...	720 00
For private Secretary. ...	1.200 00
For stenographer.	600 00
For contingent expenses of the State.	4.000 00

SECRETARY OF STATE.

For chief clerk..	1.500 00
For corporation clerk.	1.200 00
For stenographer	600 00
Fuel, lights and water for Capitol..	2.000 00
For postage, expenses and telegrams....	600 00
For repairs, refitting and other incidental expenses of Capitol	1.500 00
For watchman at Capitol . .	780 00
For two janitors at Capitol..	720 00
For engineer and gardener at Capitol..	720 00

COMPTROLLER.

For chief clerk..	1.500 00
For auditing clerk.	1.500 00
For book-keeper.	1.500 00
For stenographer and typewriter....	1.200 00
For pension clerk.	1.200 00
For special clerk.	500 00
For book-keeper in tax redemption department . . .	1.200 00
For auditing clerk in tax redemption department . . .	1.200 00
For correspondence clerk in tax redemption department.....	1,200 00
For recording clerk in tax redemption department..	1,200 00
For entry clerk in tax redemption department. . .	1,200 00
For distribution clerk in tax redemption department ..	1,200 00

STATE TREASURER.

For chief clerk and bookkeeper..	1.500 00
For cashier and assistant book-keeper	1,200 00
For clerk and assistant book-keeper	1,200 00

ATTORNEY-GENERAL.

For secretary to Attorney-General	1.500 00
For clerk..	900 00
For incidental expenses of office	250 00

SUPERINTENDENT OF PUBLIC INSTRUCTION.

For chief clerk....	1,200 00
For assistant chief clerk....	1,200 00
For stenographer and typewriter....	600 00
For postage, printing and contingent expenses	1,600 00
For traveling expenses	1,000 00

COMMISSIONER OF AGRICULTURE

For clerk in prison and fertilizer department payable from hire of State convicts....	1,500 00
For clerk in fertilizer department....	1,200 00
For clerk in agricultural department..	1,500 00
For clerk in school land department..	1,200 00
For postage and stationery in agricultural department	750 00
For printing, stamps, tags, monthly bulletins, etc., for Agricultural Department .	1,750 00
For express and telegrams	150 00
For incidental expenses.. ..	250 00

STATE CHEMIST.

Salary State Chemist. . .	2,000 00
Salary assistant State Chemist	1,800 00
For chemicals, apparatus and incidental expenses of State Laboratory..	1,000 00
For traveling expenses inspecting fertilizers..	1,000 00

SUPERVISOR OF STATE CONVICTS.

For salary, to be paid out of hire of state convicts.. ..	1,500 00
Traveling expenses, payable from hire of State convicts....	1,000 00
For salary Chaplains for State convicts	1,500 00
For use of Board of Commissioners of State Institutions in conducting matters pertaining to prison affairs, payable from hire of State convicts....	2,000 00
For stationery for Legislative and Executive Departments...	1,500 00

JUDICIAL DEPARTMENT.

For salaries judicial department..	54,400 00
For jurors and witnesses before grand jury..	70,000 00
For rewards for and expenses of arrest of fugitives from justice..	2,000 00
For expenses of circuit judges sitting on supreme bench..	150 00
For costs adjudged against the State in civil cases ..	100 00
For expenses of circuit judges sitting in other courts	500 00

SUPREME COURT.

For contingent expenses..	2,000 00
For clerk, per diem under Section No. 1321 R. S.... ..	936 00
Clerk, as Librarian, under Section No. 1321...	300 00
For sheriff, per diem, under Section No. 1255, R. S.	250 00
For messenger.	360 00
For janitor..	900 00
For secretary to Justices. .	1,200 00
For stenographer to Justices..	600 00
For purchase of books for Supreme Court Library . .	500 00
For printing Supreme Court Reports..	2,000 00
Expenses of collection of revenue	60,000 00
Lists of land entries for assessors, assessment of railroads, and other contingent expenses Comptroller's office	1,000 00
For printing delinquent tax lists, under Section 50 of Chapter 4322, of the Laws of Florida	4,000 00
For expenses State Troops, including rent of armories	12,000 00
For expenses annual encampment of State Troops the sum of fifteen thousand dollars..	15,000 00
For salary Adjutant-General....	2,000 00
For general printing and advertising..	20,000 00
For salaries and expenses Railroad Commissioners. .	15,000 00
For maintenance of lunatics	100,000 00
For interest on bonds in educational funds..	18,047 00
For salary State Auditor and clerks..	3,200 00

Sec. 3. That the following sums be and are hereby appropriated for the payment of the expenses of the State Government for six months from January 1st to June 30th, 1907:

For salaries Executive Department, nine thousand one hundred and fifty dollars ($9,150.00.)

EXECUTIVE OFFICE.

For private secretary to Governor	600 00
For clerk to Governor	360 00
For stenographer to Governor....	300 00
For contingent expenses of State..	2,000 00

SECRETARY OF STATE.

For chief clerk..	750 00
For corporation clerk..	600 00
For stenographer..	300 00
For fuel, lights and water for Capitol..	1,000 00
For postage, express and telegrams	300 00
For repairs, refitting and other incidental expenses of Capitol..	750 00
For watchman at Capitol. .	390 00
For two janitors at the Capitol....	360 00
For engineer and gardener at the Capitol.....	360 00

COMPTROLLER.

For chief clerk..	750 00
For auditing clerk.	750 00
For book-keeper..	750 00
For stenographer and typewriter.....	600 00
For pension clerk	600 00
For special clerk	250 00
For book-keeper in tax re-redemption department..	600 00
For auditing clerk in tax redemption department . . .	600 00
For correspondence clerk in tax redemption department..	600 00
For recording clerk in tax redemption department..	600 00
For entry clerk in tax redemption department. ...	600 00
For distribution clerk in tax redemption department...	600 00
For clerk in fertilizer department..	600 00

STATE TREASURER.

For chief clerk and bookkeeper..	750 00
For cashier and assistant book-keeper	600 00
For clerk and assistant bookkeeper..	600 00

ATTORNEY-GENERAL.

For clerk..	450 00
For secretary to Attorney-General.	750 00
For incidental expenses of Attorney-General's office .	100 00

SUPERINTENDENT OF PUBLIC INSTRUCTION.

For chief clerk...	600 00
For assistant chief clerk ..	600 00
For stenographer and typewriter..	300 00
For postage, printing and contingent expenses. . ..	800 00
For traveling expenses. ...	500 00

COMMISSIONER OF AGRICULTURE.

For clerk in prison and fertilizer department, payable from hire of State's convicts.	750 00
For clerk in agricultural department..	750 00
For clerk in school land department..	600 00
For postage and stationery for agricultural department..	375 00
For printing, stamps, tags, monthly bulletins, etc.. ..	875 00
For express and telegrams for agricultural department..	75 00
For incidental expenses.. ..	125 00

STATE CHEMIST.

For salary State Chemist. .	1,000 00
For salary Assistant State Chemist..	900 00
For chemicals, apparatus, and incidental expenses of Laboratory..	500 00
For traveling expenses inspecting fertilizer..	500 00

SUPERVISOR OF STATE CONVICTS.

For salary, to be paid out of hire of convicts.	750 00
For traveling expenses, payable from hire of State convicts..	500 00
For salary of Chaplains for State convicts, payable from hire of State convicts	750 00
For use of Board of Commissioners of State Institutions in conducting matters pertaining to prison affairs.. .. .. (Payable from hire of State Convicts.)	1,250 00
For stationery for Legislative and Executive departments..	750 00
For salaries judicial department	27,200 00
For jurors and witnesses before the grand jury....	35,000 00
For rewards for and expenses of arrests of fugitives from Justices.....	1,000 00
For expenses of circuit judges sitting on supreme bench....	75 00
For costs adjudged against the State in civil cases. .	50 00
For expenses of circuit judges sitting in other circuits....	250 00

SUPREME COURT.

For contingent expenses. ...	1,000 00
For clerk, per diem under Section No. 1321 R. S.. .	468 00
For clerk as Librarian, under Sec. No. 1321 R. S. ..	150 00
For sheriff, per diem under Section No. 1255 R. S... ..	125 00
For messenger..	180 00
For janitor....	450 00
For Secretary to Justices. .	600 00
For stenographer to Justices....	300 00
For purchase of books for Supreme Court Library. .	250 00
For printing reports.... ..	1,000 00
For expenses collection of revenue	30,000 00
For lists of land entries for assessors, assessment of railroads and other contingent expenses of Comptroller's office..	500 00
For printing delinquent tax lists, under Section 50 of Chapter 4322 of the Laws of Florida..	4,000 00
For expenses State Troops, including rent of armories	6,000 00
For salary Adjutant General....	1,000 00
For general printing and advertising..	7,500 00
For salary and expenses of Railroad Commissioners. .	7,500 00
For maintenance of lunatics	50,000 00
For interests on bonds in educational funds..	9,023 50
For salary State Auditor and clerk..	1,600 00

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

Sec. 5. That this act shall take effect immediately upon its passage and approval by the Governor.

Approved.

CHAPTER 5374—(NO. 3.)

AN ACT to Provide for the Levy of Taxes for the Years 1905 and 1906.

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

Section 1. That for the purpose of securing an equal and uniform rate of taxation and to pay the appropriations for the current expenses of the State for the years 1905 and 1906, and for interest on the bonded debt for said years, and paying other appropriations by the Legislature, there shall be levied upon the real and personal property of the different counties for the year 1905 a tax of one and one-half mills upon the dollar, and for the year 1906 a tax rate of one and one-half mills upon the dollar; and there shall also be levied for each of the years 1905 and 1906 a constitutional school tax of one mill upon the dollar: Provided, That if the Governor shall discover from the aggregate assessment of the property of the State, and from other sources of revenue, the reduction of three mills State tax of either or both of said years will be justified, he is hereby authorized to reduce the same as low as he may deem advisable, and is hereby empowered to instruct the Tax Collector to collect only such reduced tax as he may fix as aforesaid.

Sec. 2. The Board of County Commissioners of every county at a meeting for correcting and reviewing the county assessment, shall immediately thereafter ascertain and determine the amount of money to be raised by tax for county purposes, including the current expenses, interest on bonded debt, bridges and county buildings, and to meet the expenses, they are hereby authorized to levy a tax of not more than five mills upon the dollar on the real and personal property of the county; and every such determination and levy so made shall be entered at large upon the records of the Board of County Commissioners, and no county shall levy a greater amount for any purpose than five mills for county purposes except as hereinafter provided, and any indebtedness contracted by the County Commissioners of any county in excess of the said amount shall be null and void and no suits shall be prosecuted in any court in this State for the collection of the same: Provided, That the County Commissioners of each county shall levy a tax not to exceed seven mills nor less than three mills on the dollar, on the real and personal property of the county for county school purposes: Provided further, That the County Commissioners of any county may levy an additional tax not to exceed four mills on the dollar, each year to pay all outstanding indebtedness and interest thereon; Provided, That nothing in this act shall be so construed as to prohibit any county wishing to erect a court house or jail, or constructing paved, macadamized or other hard surfaced highways, from levying the amount of special taxes now allowed by law for that purpose: Provided further, That the foregoing provision relating to taxes for working roads shall not apply to counties working roads under special laws: Provided further, That in counties not constructing paved, macadamized or other hard surfaced roads, as now provided by law, and in counties not working roads under special laws, the County Commissioners of each of such other counties may levy an additional tax not to exceed three mills on the dollar on the real and personal property of the county: the revenue derived therefrom to be used and appropriated by such County Commissioners exclusively for the purpose of constructing paved, macadamized or other hard surfaced roads.

Sec. 3. That the levying of a tax for the raising of a sinking fund for the ultimate redemption or the bonded debt of the State is hereby suspended for the years 1905 and 1906.

Sec. 4. All laws and parts of laws in conflict with this act are hereby repealed.

Approved June 6, 1905.

CHAPTER 5375—(NO. 4.)

AN ACT to Provide for the Levy of a Pension Tax for Each of the Years A. D. 1905 and A. D. 1906, and to Provide for the Payments of Pensions "And to Provide for the Distribution of any Surplus Arising in said Funds for the Said Years 1905 and 1906."

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

Section 1. That there shall be levied and assessed on all the taxable property of the State of Florida, a pension tax of four (4) mills upon the dollar for each of the years A. D. nineteen hundred and five (1905) and A. D. nineteen hundred and six (1906), and all pension claims allowed by the pension board in accordance with law shall be payable only from the taxes so levied; Provided, That if the Governor shall discover from the aggregate assessment of the property of the State that a reduction of the levy of a four mill tax for either or both of said years be justified, he is hereby authorized to reduce the same, as low as he may deem advisable, and he is hereby empowered to direct the levy and collection of such reduced tax as aforesaid: "Provided, that if there shall be a surplus left in said fund arising from the collection of such taxes after the year 1905, after the payment of all pensions due for the year 1905, said surplus shall be apportioned by the Comptroller to the several counties of the State of Florida, in proportion to the assessed value of property of said counties, the sum so apportioned to be applied by said counties to the Fine and Forfeiture Fund of said counties.

"And provided further, That if there shall be a surplus left in said fund arising from the collection of such taxes for the year 1906, after the payment of all pensions due for the year 1906, the said surplus shall be apportioned by the Comptroller to the several counties of the State of Florida in proportion to the assessed value of property of such counties, the said sum so apportioned to be applied to the Fine and Forfeiture Fund of the said counties.

"Provided further, That the total sum which may be so apportioned from the said pension fund to the several counties for the years 1905 and 1906, shall not exceed the sum of $140,000.

"When any such apportionment shall be made by the Comptroller, the said Comptroller shall issue his warrant therefor in favor of the treasurers of the several counties and it shall be the duty of the State Treasurer to pay the said warrant from the said pension fund as aforesaid, derived aforesaid."

Sec. 2. That all laws or parts of laws in conflict with the provisions of this act be, and the same are hereby repealed.

Sec. 3. That this act shall take effect immediately upon its passage and approval by the Governor.

Approved.... ....

CHAPTER 5376—(NO 5.)

AN ACT to Make an Appropriation for the Estimated Deficiency in the Pension Tax Fund for the years of 1904 and 1905.

Whereas, There is a deficiency in the pension tax fund estimated at one hundred and forty thousand dollars, therefore,

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

Section 1. That there is hereby appropriated one hunded and forty thousand dollars, or so much as may be necessary for the purpose of paying pensions for the years 1904 and 1905, to be paid out of funds arising from the hire of State convicts.

Sec. 2. That the Comptroller is hereby directed to draw his warrant against the said fund for said amount, and the State Treasurer is hereby directed to credit the same to the said fund, to be disbursed according to law.

Sec. 3. All laws and parts of laws in conflict with the provisions of this act, are hereby repealed.

Sec. 4. That his act shall go into effect immediately after its approval by the Governor.

Approved May 4, 1905.

CHAPTER 5377—(NO 6.)

AN ACT relating to the Drainage and Reclamation of the Swamp and Overflowed Lands in Florida; to Create a Board of Drainage Commissioners, Prescribing Its Powers and Duties, Authorizing the Establishment of Drainage Districts, Establishing a Drainage System, the Building of Canals, Levees, Dikes and Reservoirs for the Purpose of Drainage, Irrigation and Commerce,