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twenty years out of the 40% deducted towards the cost of the pipe, the pipe will nevertheless become the property of the town at that time.”

I believe that the quoted provision is valid if the contract entered into with the City of Belle Glade is executed by the State Board of Control and the State Board of Education.

Section 35 of the Buckman Act (Section 785, C.G.L. 1927) provides that the State Board of Control shall:

“... make purchases of land and tenements, and to contract for the sale and disposal of the same, but the title to all such donations and property, however acquired, shall be vested in the State Board of Education, and shall only be transferred and conveyed by it,...”

In view of the fact that the pipe line in question would likely be held to be a part of the land I recommend that the contract be signed by the State Board of Education under the above quoted provision.

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July 14, 1942.—042-352.

EVERGLADES EXPERIMENT STATION—ANNUAL APPROPRIATION

QUESTION: The Commissioners of the Everglades Drainage District wish to pay the annual appropriation of $5,000 from the Drainage District funds to the Everglades Experiment Station as provided by Chapter 8442, Laws of Florida, 1921. Should this appropriation be made from the “administration tax” raised by ad valorem levy, which is scarcely adequate, or may it be paid from the “debt service fund” which results from the acreage taxes and which now has a substantial surplus?

To Hon. J. E. Beardsley, General Manager, Everglades Drainage District:

Section 6, Chapter 8442, Laws of Florida, 1921, provides that $5,000 annually shall be paid by the Commissioners of the Everglades Drainage District to the Everglades Experiment Station, “all of said appropriations being from any funds in the hands of the said board.” In 1931 the Legislature, by Chapter 14717, completely revamped the Everglades Drainage District Act and provided that most of the acreage taxes would constitute the “debt service tax” which was to be used to “pay the principal and interest of all obligations of Everglades Drainage District here-tofore incurred and now outstanding” (Section 7). A small acreage tax was levied “for the purpose of paying the cost of administering the affairs of the district generally” (Section 8). The Everglades Drainage District Act was again substantially revised by Chapter 20658, Laws of Florida, 1941. Under Section 2 of this Act the “debt service tax” consumes all of the acreage taxes and the purpose for which it is to be used is the same as in the 1931 Act. Section 7 of the 1941 Act converts the administration tax into an ad valorem levy to be used for the same purpose as that expressed in Section 8 of the 1931 Act.

Since the 1921 Act provides that this appropriation to the Everglades Experiment Station shall be paid from any funds in the hands of the Board of Commissioners of the Everglades Drainage District, since this appropriation constitutes a statutory obligation against the Everglades Drainage District and is, therefore, within the purpose for which the “debt service tax” may be used, and since most of the debts of the Everglades Drainage District have been incurred subsequent to the 1921 act making the appropriation, it is my opinion that this appropriation may be paid from the fund yielded by the acreage taxes levied for the
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debt service fund. I think, also that the appropriation may be paid, if the Board of Commissioners so desires, from the proceeds of the administration tax.

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October 22, 1941.—041-548-1.

EX-CONFEDERATE—SOLDIERS' AND SAILORS' HOME—INVESTMENT OF ENDOWMENT FUND

QUESTION: What are the requirements for the investment of funds belonging to Ex-Confederate Soldiers' and Sailors' Endowment Fund?

To Hon. J. Edwin Larson, State Treasurer:

Section 2126, Compiled General Laws, directing you to invest these funds is silent as to the nature or requirements the investment shall meet.

It is my opinion that you may invest these funds in securities, or deposit them in qualified banks, as a reasonably prudent business man might do under the same or similar circumstances. It is my advice, in view of my inability to find any decision of our courts on this question, that you confine your investment of these funds to that class of securities which are acceptable as security to secure the safety of deposits of State funds; to-wit:

- Bonds of the United States, of the several States, county and municipal bonds, county or county school time warrants issued by any one of the counties or cities of the State of Florida, bonds or obligations issued by a Housing Authority pursuant to the Housing Authorities Law of this State, or issued by any public Housing Authority or agency in the United States, when such bonds or other obligations are secured by a pledge of annual contributions to be paid by the United States Government or any agency thereof.

(Section 174, Compiled General Laws, 1927; Section 7100 (3-nn) 1940 Supp.)

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September 15, 1941.—041-548.

EX-CONFEDERATE SOLDIERS' AND SAILORS' HOME—STATUS OF SCHOLARSHIP FUND

QUESTION: Exact status of scholarship fund derived from sale of Old Soldiers' and Sailors' Home formerly used by Confederate Veterans in regard to:

(1) Method of setting up committee to award scholarships;

(2) When funds shall be available;

(3) When competitive examinations shall be given;

(4) What authority the United Daughters of the Confederacy will have in any of these matters.

To Hon. Colin English, State Superintendent of Public Instruction:

(1) There is no provision in the law as to the setting up of a committee but the matter of the awarding of the scholarships upon com-