

October 18, 1956

Governor LeRoy Collins  
The Capitol  
Tallahassee, Florida

Dear Governor:

The subject matter of this letter is the case of USA v. Paradise Prairie Land Company pending in the U. S. District Court. An important matter involving that suit will be discussed by Mr. E. F. P. Brigham before the Trustees of the Internal Improvement Fund next Tuesday. I am not financially interested in this matter to any degree; however, I feel compelled to call it to your attention. Having been a defendant in the same condemnation suit which will be the subject of the matter which will be taken up before the Board, I have a personal knowledge of the ruthless acts of the local agent who builds the cases for the Federal Government.

When I say that the gentleman is ruthless, I mean that he has absolutely no regard for the rights of property owners and will go to any extent in obtaining title at a steal price, and even in attempting to obtain lands on a less quantity of acreage than the same should be actually figured. He has been known to try to discredit some of our most honorable and worthy citizens with unquestionable reputation, merely because they testified against the Government as expert appraisers that the land was of a substantially higher value than the Government had offered.

For example, he offered me \$3.00 per acre for lands which were the subject of the condemnation and had his witness testify to that amount. The jury brought in a verdict

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7

Governor LeRoy Collins

10-18-56

Page Two  
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of \$12.00 per acre. Because there was not too great an amount involved, we did not take an appeal; however, Mr. Brigham did take an appeal in behalf of his client and obtained a reversal on the ground that the Government map accepted by the trial court as authentic was about 6,000 acres short of the lands actually owned by Paradise Prairie Land Company.

Now here is the point of my writing you. After this decision, the gentleman in question and/or other agents of the Federal Government prevailed upon the Trustees to make an official map to conform with their map, showing the shortage of acreage by creating a hiatus which was not shown upon any prior State survey. What is of great importance is that the map was obtained without notice to the other party to the litigation and therefore without opportunity to show that it was erroneous.

Briefly the facts are these: About 1912, pursuant to agreement to convey lands upon the construction of the FEC Railway, the Trustees conveyed title to the railroad company's land agent, Model Land Company, covering all of the lands South of Township 28 to the Bay of Florida. This land was unsurveyed and the deed from the Trustees to Model Land Company provided for a number of acres and that no survey would be made -- further providing that if the lands so conveyed contained a less acreage than estimated, there would be no liability to make up the deficiency and if there was an overage, the title thereto would be in the Model Land Company. The Model Land Company proceeded with its own survey and laid out sections of land which were not uniformly 640 acres but in most instances were about 800 acres. Title to this land according to sections passed from the Model Land Company to individuals.

As said before, in the condemnation suit the lower court accepted the Government map rather than the actual acreage of the land conveyed by Model Land Company, and this created the shortage in the instant case of about 6,000 acres.

000004

Governor LeRoy Collins  
10-18-56  
Page Three  
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The question before you will be whether or not to rescind the map which was prepared in 1955 after the decision of the Circuit Court of Appeals in order that the defendant property owners may not be confronted with the prima facie presumption of the correctness of the map. It would seem unfair for the State to throw its weight behind the Government and place an undue burden on one of its taxpayers when there is at least a serious doubt as to the correctness of said map.

I believe the facts and conclusions which I have given you are correct and that, of course, is for the determination of you and other members of the Board.

Sincerely yours,

M. Lewis Hall

MLR/alw

cc: Hon. Nathan Mayo  
Hon. Ed Larsen  
Hon. Richard Ervin  
Hon. Ray E. Green

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