

oyster beds or bars to make complaint to the Oyster Commissioner, and for provisions of the same to be excluded from the grant. In the name of justice, between the State of Florida and her citizens, I ask that this amendment do not pass; but if you think that my interest is such that it would be an injustice to the State of Florida for this bill to become a law as it now is, change to the amendment so as to make it apply to my county, which will affect only myself and wrong not other citizens of the State.

(Refer to report of R. H. Wood, Oyster Commissioner of Texas, September, 1908.)

It is for you, men of the Senate, to say whether or not this great industry shall entirely cease for the want of production, and that the citizens of the State shall be deprived of the revenue justly theirs, or whether you will enact this or similar measures into law protecting and developing the same.

Mr. Henderson moved that the Senate do now adjourn. Which was agreed to.

Whereupon the Senate stood adjourned to 10 o'clock a. m. Saturday, May 22, 1909.

SATURDAY, MAY 22, 1909.

The Senate met pursuant to adjournment.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President, Senators Adkins, Baker (20th District), Beard, Broome, Buckman, Crill, Cook, Cottrell, Davis, Dayton, Flournoy, Girardeau, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McMullen, Miller, Sams, Sloan, West, Williams, Withers, Zim.—30.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal was dispensed with.

The Journal of May 21 was corrected.

The Journal of May 21 was approved as corrected.

REPORTS OF COMMITTEES.

Mr. West, Chairman of the Committee on Public Health, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 22, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Public Health, to whom was referred—

Senate Bill No. 457:

A bill to be entitled an act to prohibit the owners of dogs from permitting them to run at large without having given a bond of indemnity for any damage such dogs may do; and to permit municipalities to make further regulations covering the same.

Have had the same under consideration and recommend that it do not pass.

Very respectfully,

THEOP. WEST,
Chairman of Committee.

And Senate Bill No. 457, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Hosford, Chairman of the Committee on Agriculture and Forestry, submitted the following report:

Senate Chamber,
Tallahassee, Fla, May 21, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Agriculture and Forestry, to whom was referred—

Senate Bill No. 381:

A bill to be entitled an act to authorize the Board of Commissioners of State Institutions to sell the timber or to lease the right of cutting and removing timber found in waters belonging to the State of Florida.

Have had the same under consideration and submit the same without recommendation.

Very respectfully,

R. F. HOSFORD,
Chairman of Committee.

And Senate Bill No. 381, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Leggett, Chairman of the Committee on Enrolled Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 22, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Enrolled Bills, to whom was referred—

Senate Memorial No. 2:

Asking for an appropriation for the improvement of the upper Ocklawaha River.

Have examined the same and find them correctly enrolled.

Very respectfully,

C. L. LEGGETT,
Chairman of Committee.

And the acts contained therein were referred to the Joint Committee on Enrolled Bills.

Mr. Leggett, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 22, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills to whom was referred—

Senate Memorial No. 2:

Asking for an appropriation for the improvement of the upper Ocklawaha River.

Have examined the same and find them correctly enrolled.

Very respectfully,

C. L. LEGGETT,
Chairman of Joint Committee.

And the Acts contained in the above report were referred to the Joint Committee on Enrolled bills, to convey to the House of Representatives for the signature of the Speaker of the House of Representatives and the Chief Clerk thereof.

Mr. Leggett, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 22, 1909.

Hon. F. M. Hudson,

President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred—

Senate Memorial No. 2:

Asking for an appropriation for the improvement of the upper Ocklawaha River.

Beg to report that the same has been duly signed by the Speaker and Chief Clerk of the House of Representatives, and is herewith presented to the Senate for the signatures of the President and Secretary thereof.

Very respectfully,

C. L. LEGGETT,
Chairman of Joint Committee.

ENROLLED.

The President announced that he was about to sign—
Senate Memorial No. 2:

Asking for an appropriation for the improvement of the upper Ocklawaha River.

The Acts were thereupon duly signed by the President and Secretary of the Senate, and ordered returned to the

Chairman of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

Mr. Leggett, Chairman of the Committee on Enrolled Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 22, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills to whom was referred—

Senate Memorial No. 2:

Asking for an appropriation for the improvement of the upper Oklawaha River.

Be it reported the same has been presented to the Governor for his approval.

Very respectfully,
C. L. LEGGETT,
Chairman of Joint Committee.

Mr. Leggett, Chairman of the Committee on Enrolled Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 22, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Committee on Enrolled Bills to whom was referred—

Senate Bill No. 42:

An act providing for the confirmation by the judge granting the order to sell real estate belonging to infants.
Also—

Senate Bill No. 46:

An act requiring teachers' summer training schools and making appropriations therefor.
Also—

Senate Bill No. 436:

An act changing the name of the Florida Female College.

Also—

Senate Bill No. 437:

An act changing the name of the Colored Normal School.

Also—

Senate Bill No. 438:

An act changing the name of the Institute for the Blind, Deaf and Dumb.

Also—

Senate Bill No. 439:

An act changing the name of the University of the State of Florida.

Also—

Senate Bill No. 455:

An act to amend an act entitled "An act to protect the fresh water fishes in the fresh water lakes, ponds and other fresh water streams in the County of Alachua," approved May 17, A. D. 1909.

Have examined the same and find them correctly enrolled.

Very respectfully,

C. L. LEGGETT,
Chairman of Committee.

And the acts contained therein were referred to the Joint Committee on Enrolled Bills.

Mr. Leggett, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 22, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills to whom was referred—

Senate Bill No. 42:

An act providing for the confirmation by the judge granting the order to sell real estate belonging to infants.

Also—

Senate Bill No. 46:

An act requiring teachers' summer training schools and making appropriations therefor.

Also—

Senate Bill No. 436:

An act changing the name of the Florida Female College.

Also—

Senate Bill No. 437:

An act changing the name of the Colored Normal School.

Also—

Senate Bill No. 438:

An act changing the name of the Institute for the Blind, Deaf and Dumb.

Also—

Senate Bill No. 439:

An act changing the name of the University of the State of Florida.

Also—

Senate Bill No. 455:

An act to amend an act entitled "An act to protect the fresh water fishes in the fresh water lakes, ponds and other fresh water streams in the County of Alachua," approved May 17, A. D. 1909.

Have examined the same and find them correctly enrolled.

Very respectfully,
C. L. LEGGETT,
Chairman of Joint Committee.

And the acts contained in the above report were referred to the Joint Committee on Enrolled Bills, to convey to the House of Representatives for the signature of the Speaker of the House of Representatives and the Chief Clerk thereof.

Mr. Leggett, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,
Tallahassee, Fla., May 22, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills to whom was referred—

Senate Bill No. 42:

An act providing for the confirmation by the judge granting the order to sell real estate belonging to infants.

Also—

Senate Bill No. 46:

An act requiring teachers' summer training schools and making appropriations therefor.

Also—

Senate Bill No. 436:

An act changing the name of the Florida Female College.

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Senate Bill No. 437:

An act changing the name of the Colored Normal School.

Also—

Senate Bill No. 438:

An act changing the name of the Institute for the Blind, Deaf and Dumb.

Also—

Senate Bill No. 439:

An act changing the name of the University of the State of Florida.

Also—

Senate Bill No. 455:

An act to amend an act entitled "An act to protect the fresh water fishes in the fresh water lakes, ponds and

other fresh water streams in the County of Alachua," approved May 17, A. D. 1909.

Beg to report that the same has been duly signed by the Speaker and Chief Clerk of the House of Representatives, and is herewith presented to the Senate for the signatures of the President and Secretary thereof.

Very respectfully,

C. L. LEGGETT,
Chairman of Joint Committee.

ENROLLED.

The President announced that he was about to sign—
Senate Bill No. 42:

An act providing for the confirmation by the judge granting the order to sell real estate belonging to infants.

Also—

Senate Bill No. 46:

An act requiring teachers' summer training schools and making appropriations therefor.

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Senate Bill No. 436:

An act changing the name of the Florida Female College.

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An act changing the name of the Colored Normal School.

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Senate Bill No. 438:

An act changing the name of the Institute for the Blind, Deaf and Dumb.

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Senate Bill No. 439:

An act changing the name of the University of the State of Florida.

Also—

Senate Bill No. 455:

An act to amend an act entitled "An act to protect the fresh water fishes in the fresh water lakes, ponds and other fresh water streams in the County of Alachua," approved May 17, A. D. 1909.

The acts were thereupon duly signed by the President and Secretary of the Senate, and ordered returned to the Chairman of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

Mr. Leggett, Chairman of the Committee on Enrolled Bills, submitted the following report :

Senate Chamber,
Tallahassee, Fla., May 22, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

Your Joint Committee on Enrolled Bills to whom was referred—

Senate Bill No. 42:

An act providing for the confirmation by the judge granting the order to sell real estate belonging to infants.

Also—

Senate Bill No. 46:

An act requiring teachers' summer training schools and making appropriations therefor.

Also—

Senate Bill No. 436:

An act changing the name of the Florida Female College.

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Senate Bill No. 437:

An act changing the name of the Colored Normal School.

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Senate Bill No. 438:

An act changing the name of the Institute for the Blind, Deaf and Dumb.

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Senate Bill No. 439:

An act changing the name of the University of the State of Florida.

Also—

Senate Bill No. 455:

An act to amend an act entitled "An act to protect the fresh water fishes in the fresh water lakes, ponds and

other fresh water streams in the County of Alachua," approved May 17, A. D. 1909.

Beg to report that the same has been presented to the Governor for his approval.

Very respectfully,

C. L. LEGGETT,
Chairman of Joint Committee.

INTRODUCTION OF BILLS.

By Mr. Flournoy—

Senate Bill No. 477:

A bill to be entitled an act providing for taxation of and fixing the rate of taxation on inheritances, devises, bequests, legacies and gifts, and providing for the manner of payment as well as the manner of enforcing payment thereof.

Which was read the first time by its title and referred to Committee on Judiciary B.

By Mr. Flournoy—

Senate Bill No 478:

A bill to be entitled an act authorizing trustees of special tax school districts in Walton County, State of Florida, to issue bonds or other evidences of indebtedness to secure any outstanding indebtedness of said district, and to secure any indebtedness of said district, and to secure any indebtedness incurred in purchase of any real estate or personal property for educational purposes, and the erection of buildings and maintaining same for such purpose, and to provide an election to authorize such issuing of bonds.

Which was read the first time by its title and referred to the Committee on Education.

By Mr. Flournoy—

Senate Bill No. 479:

A bill to be entitled an act defining the criminal jurisdiction of county judges.

Which was read the first time by its title and referred to the Committee on Judiciary B.

By Mr. Flournoy—

Senate Bill No. 480:

A bill to be entitled an act providing for the co-education of persons of the same race in all the schools, colleges and universities of this State.

Which was read the first time by its title and referred to the Committee on Education.

By Mr. Cook—

Senate Bill No. 481:

A bill to be entitled an act providing that no policy of insurance issued by any fire insurance company doing business in this State shall be voided by foreclosure proceedings commenced, or notice given of sale, of any property covered by such policy by virtue of any mortgage or trust deed.

Which was read the first time by its title and referred to the Committee on Judiciary B.

By Mr. Dayton—

Senate Bill No. 482:

A bill to be entitled an act to incorporate the town of Inverness, Citrus County, Florida, and to declare and establish said town a municipal corporation; prescribe its boundaries; provide for its charter and laws for the government of same.

Which was read the first time by its title and referred to the Committee on Judiciary B.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

State of Florida,
Executive Chamber,
Tallahassee, Fla., May 21, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

I have the honor to inform you that I have approved and signed the following acts, which originated in your honorable body:

An act to amend Sections 20 and 71, of an act entitled "An act to abolish the present municipal government of the town of Jennings, in the county of Hamilton, State of Florida, and to establish, organize and constitute a mu-

nicipality to be known and designated as the town of Jennings, and to define its territorial boundaries, and to provide for its jurisdiction, powers and privileges.”

An act repealing Chapter 5776, of the Laws of Florida, enacted in 1907, “An act for the protection of the deer, wild turkeys, quail and partridge, doves and wild ducks provide for a hunting season, provide for the appointment of a game warden or wardens, prescribe his duties and powers, in the county of Hernando, and to prescribe penalty for the violation of the provisions of the same.”

Very respectfully,

ALBERT W. GILCHRIST,

Governor,

Which was ordered spread on the Journal.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 19, 1909.

Hon. F. M. Hudson,

President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives, in accordance with the request of the Senate, herewith returns—

Senate Bill No. 315:

A bill to be entitled an act to provide for clerical aid for the Judge of the Sixth Judicial Circuit, and fixing the pay for same.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 315, contained in the above message, was laid over to the Order of the Day.

The following message from the House of Representatives was read:

1932

House of Representatives,
Tallahassee, Fla., May 19, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 645:

A bill to be entitled an act to amend Section 46, of Chapter 5596, of the Laws of the State of Florida, relating to the assessment of the property of railroads, telegraph lines and sleeping or parlor car companies, and the officers of the State, and their duties, who shall make such assessment.

Very respectfully,

J. G. KELLUM,
Chief Clerk of the House of Representatives.

And respectfully requests the concurrence of the Senate thereto.

And House Bill No. 645, contained in the above message, was read the first time by its title and referred to the Committee on Finance and Taxation.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 20, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate amendments to—

House Bill No. 596:

A bill to be entitled an act to amend Sections 17 and 18, of the General Statutes of the State of Florida, relative to the boundary lines of Gadsden and Liberty Counties.

Which amendments are as follows:

Strike out all after the word "follows," in line 4, Section 1, to and including the word "nineteen," in line 7, of said Section 1, and insert in lieu thereof the following:

"Begin on the west bank of the Ocklockonee River where it intersects the north line of Section twenty (20), in township one (1), south range four (4) west, and run west to northeast corner of Section 19 in said township."

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 21, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 216:

A bill to be entitled an act to amend Section 1492, of the General Statutes of the State of Florida, relating to the challenge of jurors.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 216, contained in the above message, was read the first time by its title and referred to the Committee on Judiciary A.

The following message from the House of Representatives was read:

House of Representatives,
Tallahassee, Fla., May 21, 1909.

Hon. F. M. Hudson,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 510:

A bill to be entitled an act to protect benevolent, hu-

mane, fraternal or charitable corporations in the use of their names and emblems, and providing penalties for the violations thereof.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 510, contained in the above message, was read the first time by its title and referred to the Committee on Judiciary B.

ORDERS OF THE DAY.

The reconsideration of Senate Bill No. 88 was, on motion, informally passed over.

The reconsideration of the vote by which the Senate refused to pass Senate Bill No. 315 was taken up.

The motion to reconsider was put.

The motion to reconsider prevailed by a two-thirds vote.

The question recurred upon the passage of Senate Bill No. 315.

Upon the passage of—

Senate Bill No. 315:

A bill to be entitled an act to provide for clerical aid for the Judge of the Sixth Judicial Circuit, and fixing the pay for same.

The roll was called, and the vote was:

Yeas—Mr. President, Senators Baker (20th District), Beard, Broome, Buckman, Crill, Dayton, Harris, Henderson, Hosford, Humphries, McCreary, McMullen, Sams, Sloan—15.

Nays—Senators Adkins, Cook, Cottrell, Davis, Girardeau, Johnson, Leggett, Massey, Miller, West, Williams, Withers, Zim—13.

So the bill was passed, title as stated.

And the same was ordered to be certified to the House of Representatives under the rule.

The motion of Mr. Buckman to reconsider the vote by which the amendment offered by Mr. Dayton to Section 11 of the Substitute for Senate Bill No. 178, to-wit:

Strike out the words, "these leases can only be made

to citizens of State of Florida, firms composed of citizens of the State of Florida, and Florida corporations domiciled in this State," in lines 10 to 13, Section 11.

Was lost.

The question of reconsidering the vote by which said amendment was lost was put.

And the Senate agreed to reconsider the vote by which the amendment was lost.

The question recurred upon the adoption of the amendment, to-wit:

Strike out the words, "these leases can only be made to citizens of State of Florida, firms composed of citizens of the State of Florida, and Florida corporations domiciled in this State," in lines 10 to 13, Section 11.

Mr. Buckman offered the following substitute for the amendment to Substitute for Senate Bill No. 178:

Strike out all of line 11, after the word "citizen," all of line 12 and all of line 13, except the word "no" in Section 11 of printed bill, and insert in lieu thereof the following: "of the United States domiciled in the State of Florida, and corporations organized under the laws of this State."

Mr. Buckman moved the adoption of the amendment.

Which was agreed to, and the substitute to the amendment was adopted.

The substituted amendment was agreed to.

The consideration of the—

Committee Substitute for Senate Bill No. 178:

A bill to be entitled an act to encourage, protect, regulate and develop the oyster industry of the State of Florida, and to increase the revenues of the State therefrom by recognizing and declaring the ownership of the State in and to the bottoms or beds of the bodies or streams of water along the coast of the Gulf of Mexico and along the coast of the Atlantic Ocean, and the waters of the Gulf of Mexico and the Atlantic Ocean within the jurisdiction of the State of Florida not heretofore granted or conveyed, for the purpose of giving exclusive rights to plant oysters; by prohibiting other alienation of same in fee; by recognizing and declaring the ownership of the State in and to all reefs of oysters growing naturally thereon; by granting in fee simple the rights of the riparian proprietors to the oyster reefs above low water mark, for the protection of those heretofore engaged in the growing of oysters; by creating the office

of Oyster Commissioner of the State of Florida, and defining his powers and duties; by providing for the leasing of oyster lands belonging to the State; by providing for the licensing, registration and designation of vessels employed in the oyster industry; by levying a special assessment or privilege tax on oysters produced in said waters, and a police license on persons, firms, corporations and vessels engaged in the oyster industry; by providing for the manner of collecting, handling, depositing and disbursing the revenues derived from said industry, and the distribution of the surplus revenues; by providing for the protection of the natural oyster beds of this State, and for the creation of artificial reefs or beds; by providing such other regulations and provisions as are necessary to properly carry out the objects and purposes of this act; by providing penalties for the violation of this act; and by providing for the repeal of all laws on the same subject matter and in conflict with the provisions of this act.

Was resumed.

Mr. Johnson offers the following amendment to Committee Substitute for Senate Bill No. 178:

Strike out lines 1, 2, 3, 4, 5, 6 and 7 down to the word "that" in line 8, of Section 2, of printed bill, and insert in lieu thereof the following:

"Sec. 2. That all grants of oyster bottoms made prior to June 1, 1908, in pursuance of Sections 646, 647, 648, 649, 650 and 651, of the General Statutes of the State of Florida, where such person, firm or corporation receiving such grant, his heirs or assigns, has been and now is in peaceable possession of such granted bottoms, and has bona-fide complied with the requirements of the sections aforesaid of the General Statutes, be and the same is hereby confirmed: Provided, That it shall be the duty of all persons, firms or corporations holding such grants, either as original grantee, purchaser or by inheritance, within one year after the passage of this act, to have such grants surveyed, and a correct plat and description of same made, which said plat and description shall be filed with the Oyster Commissioner for record and information.

"Within one year after the passage of this act it shall be the duty of the Oyster Commissioner to get correct descriptions of all grants made heretofore under the sec-

tions aforesaid of the General Statutes of the State of Florida, and to make a careful survey and investigation of all such grants and to ascertain whether the laws under which such grants have been made have been complied with; and it shall be the duty of said Oyster Commissioner to cancel all such grants where same have not had oysters planted on them in good faith, under the requirements of Section 647 of the General Statutes of Florida; and it shall further be the duty of the Oyster Commissioner, if he shall find any grants heretofore made exceeding one thousand acres in area, to carefully survey such grants, and to cancel therefrom all territory in excess of one thousands acres, only including in such canceled territory that portion where oysters have not been planted according to the requirements of said Section 647 of the General Statutes."

Provided further:

Mr. Johnson moved to adopt the amendment.

Mr. Buckman offered the following amendment to the Amendment to Substitute for Senate Bill No. 178:

Strike out all after the words "Florida coast," appearing on page 2 of amendment.

Mr. Buckman move*d* the adoption of the amendment.

Which was agreed to, and the amendment to the amendment was adopted.

The question recurred upon the original amendment as amended.

Which was agreed to and adopted.

Mr. Johnson offered the following amendment to Committee substitute for Senate Bill No. 178:

Strike out the words in line 4, of Section 23, of printed bill, as follows: "Chapter 3296," and insert in lieu thereof the following: "Sections 646, 647, 648, 649, 650 and 651."

Mr. Johnson moved the adoption of the amendment.

Which was agreed to, and adopted.

Mr. Johnson offered the following amendment to Committee substitute for Senate Bill No. 178:

Strike out the words in line 9, Section 20, of printed bill, as follows, "Chapter 3293," and insert in lieu thereof the following: "Sections 646, 647, 648, 649, 650 and 651."

Mr. Johnson moved the adoption of the amendment.

Which was agreed to.

Mr. Johnson offered the following amendment to Committee substitute for Senate Bill No. 178:

Strike out the words in line 14, Section 18, of printed bill, as follows: "Chapter 3293," and insert in lieu thereof the following: "Sections 646, 647, 648, 649, 650 and 651."

Mr. Johnson moved the adoption of the amendment.

Which was agreed to.

Mr. Johnson offered the following amendment to Committee substitute for Senate Bill No. 178:

Strike out the words in lines 52 and 53, Section 18, of printed bill, as follows, "Chapter 2393," and insert in lieu thereof the following: "Sections 646, 647, 648, 649, 650 and 651."

Mr. Johnson moved the adoption of the amendment.

Which was agreed to, and adopted.

Mr. Cone offered the following amendment to Committee substitute for Senate Bill No. 178:

Add at end of Section 27 the following: "Provided, nothing in this act shall affect Mosquito Inlet."

Mr. Cone moved the adoption of the amendment.

Which was not agreed to.

Mr. Williams offered the following amendment to Committee substitute for Senate Bill No. 178:

Strike out the words "Chapter 3296 of the General Statutes of Florida," lines 4 and 5, Section 23, of printed bill, and insert in lieu thereof the following, "of the Laws of Florida."

Mr. Williams moved the adoption of the amendment.

Which was agreed to, and adopted.

Mr. Williams offered the following amendment to Committee Substitute for Senate Bill No. 178:

Strike out the figures "3393" in line 2 of Section 2 of printed bill, and insert in lieu thereof the following: "3293."

Mr. Williams moved the adoption of the amendment.

Which was withdrawn.

Mr. Williams offered the following amendment to Committee Substitute for Senate Bill No. 178:

Strike out the words "Chapter 3293 of the General Statutes of the State of Florida" wherever it appears in the bill, and insert in lieu thereof the following, "the laws of the State of Florida."

Which was withdrawn.

Mr. Williams offered the following amendment:

Add to the bill as follows: "Section 28. The provisions of this act shall apply to all shell fish in the waters

of the State of Florida. The natural clam beds shall forever remain the property of the State, and no part of said natural clam beds shall ever be leased or assigned to any person or persons whomsoever. All persons gathering clams from natural clam beds shall gather the same only under such rules and regulations as may be prescribed by the Oyster Commissioner and approved by the Governor, and any and all of such persons so gathering clams from the natural clam beds of the State shall pay a license tax of 2 cents per barrel in the same manner as is required herein for the payment of the tax for the gathering of oysters.

Mr. Williams moved to adopt the amendment.

Which was agreed to and adopted.

Mr. Dayton offered the following amendment to Committee Substitute for Senate Bill No. 178:

Strike out the words "or shall gather oysters between sunset and sunrise from the natural reefs or from private bedding grounds," in Section 23, beginning with "or" in line 20 down to the word "shall" in line 22 of printed bill.

Mr. Dayton moved the adoption of the amendment.

Mr. Williams raised the point of order that an amendment of similar character was offered to the bill and defeated.

The President sustained the point of order and declared the amendment out of order.

Mr. Williams offered the following amendment to Committee Substitute for Senate Bill No. 178:

After the word "oyster" in line 2 of bill insert the following, "clams and other shell fish."

Mr. Williams moved the adoption of the amendment.

Which was agreed to, and the amendment was adopted.

The question recurred upon the Committee Substitute to Senate Bill No. 178 as amended.

Which was agreed to, and the Committee Substitute to Senate Bill No. 178, as amended, was adopted, and was referred to the Committee on Engrossed Bills.

Mr. Williams moved to waive the rules and that Senate Bill No. 95 be made a special order for Monday at 11 o'clock a. m.

Upon which the yeas and nays were demanded.

The roll was called, and the vote was:

Yeas—None.

Nays—Mr. President, Senators Adkins, Baker (20th

District), Beard, Buckman, Crill, Davis, Dayton, Flournoy, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McCreary, McMullen, Miller, Sams, Sloan, West, Williams, Withers, Zim—25.

So the motion did not prevail.

Mr. Beard moved to waive the rules and that House Bill No. 225 be now taken up.

Upon which the yeas and nays were demanded.

The roll was called and the vote was:

Yeas—Senators Beard, Broome, Flournoy, McCreary, Sloan—5.

Nays—Mr. President, Senators Adkins, Baker (20th District), Buckman, Davis, Dayton, Harris, Henderson, Hosford, Humphries, Johnson, Leggett, Massey, McMullen, Miller, Sams, West, Williams, Withers, Zim—19.

So the motion did not prevail.

Mr. Harris moved that the Senate do now go into executive session.

Which was agreed to, and the doors were closed at 12:28 o'clock p. m.

The doors were opened at 1:40 o'clock p. m.

The Senate resumed its session.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Senators Adkins, Baker (20th Dist.), Baker (29th Dist.), Beard, Broome, Buckman, Crill, Cook, Cottrell, Davis, Dayton, Flournoy, Henderson, Hosford, Humphries, Massey, McCreary, McMullen, Miller, Sloan, Williams, Zim—22.

Mr. Flournoy moved to take up Miscellaneous Business.

Which was agreed to.

Mr. Sams moved that the Senate do now adjourn to 10 o'clock a. m. Monday next.

Mr. Harris moved to adjourn to 9:30 o'clock a. m. Monday next.

Mr. Flournoy moved to adjourn to 8 o'clock a. m. Monday next.

The question was put upon Mr. Sams motion to adjourn to 10 o'clock Monday next.

Which was agreed to.

Whereupon the Senate stood adjourned to 10 o'clock a. m. Monday, May 24, 1909.