

Tuesday, April 12th, 1927

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment.

The President in the chair.

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

Mr. President, Senators Caro, Cobb, Dell, Edge, Etheredge, Gary, Gillis, Glynn, Hale, Harrison, Hinely, Hodges, Jennings, Knight, McCall, Malone, Mitchell, Overstreet, Parrish, Phillips, Putnam, Rowe, Scales, Singletary, Smith, Stewart, Swearingen, Taylor (11th Dist.), Taylor (31st Dist.), Turnbull, Turner, Wagg, Walker, Watson, Waybright, Whitaker—34.

A quorum present.

Prayer by the Chaplain.

Reading of the Journal was dispensed with.

The daily Journal of April 11 was corrected, and as corrected was approved.

INTRODUCTION OF RESOLUTIONS

Mr. Turnbull offered the following Resolution—

Senate Concurrent Resolution No. 6:

WHEREAS, the bound copies of the Legislative Journals have so many pages that the present volumes are awkward to handle, and because of its great bulk the present form is very unsatisfactory, and because of its weight it is impossible to have a binding which will hold sufficiently with much use; and

WHEREAS, there is a paper on the market called Thintext, which weighs one-half the amount of pounds per ream, and which said paper bulks approximately 1420 pages to one inch; and

WHEREAS, the printing of the bound Journals on this paper would make the bound copies approximately 3½ inches across the backbone of the volume; and

WHEREAS, the State Printer agrees to print the Journals on this better and thinner grade of paper at the same price now charged for the heavier grade of paper.

THEREFORE, BE IT RESOLVED by the Senate, the House of Representatives concurring, that the State Printer be authorized and required to print the bound copies of the Journal of the House of Representatives and of the Journal of the Senate on Thintext paper instead of the machine finish book paper heretofore used.

Which was read the first time.

Mr. Turnbull moved that the rules be waived and Senate Concurrent Resolution No. 6 be read a second time.

Which was agreed to by a two-thirds vote.

Senate Concurrent Resolution No. 6 was read a second time.

Mr. Turnbull moved the adoption of the Resolution.

Which was agreed to.

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

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS.

By Senator Smith—

Senate Joint Resolution No. 65:

A Joint Resolution proposing an amendment to Article IX of the Constitution of Florida relating to Taxation and Finance, to be known as Section 11 of said article.

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

By Senator Gary—

Senate Bill No. 66:

A bill to be entitled An Act to authorize sheriffs and any other police officers of this State, or of any municipality of this State, acting upon knowledge, or upon information and belief, to search for and to seize with or without search warrant any intoxicating liquors discovered being transported or possessed in violation of the law, and with or without search warrant to seize the conveyance employed in the transportation thereof, and with or without search warrant to arrest any person in charge thereof, and to direct the procedure in the case, and to direct officers particularly to carry this Act into effective operation and assessing penalty for failure to do so.

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

By Senator Gary—
Senate Bill No. 67:

A bill to be entitled An Act to amend Section 5919, of the Revised General Statutes of the State of Florida, fixing the amount of expenditures authorized at primary elections.

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

By Senators Hale and Mitchell—
Senate Bill No. 68:

A bill to be entitled An Act to protect and regulate the Salt Water Fishing Industry in Pasco, Hernando and Citrus Counties, Florida.

Which was read the first time by its title only.

Mr. Mitchell moved that the rules be waived and that Senate Bill No. 68 be read the second time in full.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 68, with title above stated, was read the second time in full.

Mr. Turnbull offered the following amendment to Senate Bill No. 68.

In Section 1, line 2, after word "Citrus" add "Jefferson."

Mr. Turnbull moved the adoption of the amendment.

The consideration of the amendment by unanimous consent was temporarily passed over.

Mr. Edge offered the following amendment to Senate Bill No. 68.

Strike out the words "Citrus, Hernando and Pasco Counties" and insert in lieu thereof the following: "Florida."

Mr. Edge moved the adoption of the amendment.

By unanimous consent the further consideration of the amendment was temporarily passed over, and the Bill together with the two amendments was referred to the Committee on Game and Fisheries.

By Senator Parrish—
Senate Bill No. 69:

A bill to be entitled An Act for the relief of the Bank of Titusville and Trust Company, of Titusville, Florida, and to authorize and direct the County Commissioners of Brevard County to reimburse said Bank for money loaned by it for the benefit of said County, and Special Road and Bridge District Number Five of said County on estimates furnished by the County Engineer, and to provide for the levy, assessment and collection of sufficient tax for the relief of said bank.

Which was read the first time by its title only.

Mr. Parrish moved that the rules be waived and that Senate Bill No. 69 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 69, with title above stated, was read the second time by its title only.

Mr. Parrish moved that the rules be waived and that Senate Bill No. 69 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 69, with title above stated, was read the third time in full.

Upon the passage of the bill the vote was:

Yeas—Mr. President, Senators Cobb, Dell, Edge, Etheredge, Gary, Gillis, Glynn, Hale, Harrison, Hinely, Jennings, Knight, Malone, Mitchell, Overstreet, Parrish, Phillips, Putnam, Rowe, Scales, Singletary, Smith, Stewart, Swearingen, Taylor (11th Dist.), Taylor (31st Dist.), Turnbull, Turner, Wagg, Walker, Watson, Waybright, Whitaker—35.

Nays—None.

So the bill passed, title as stated.

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

By Senator Parrish—
Senate Bill No. 70:

A bill to be entitled An Act relating to game, non-game birds, fresh-water fish and fur-bearing animals; to create the Department of Game and Fresh Water Fish and the office of State Game Commissioner; to define his duties and

powers and that of his deputies; to fix his compensation and that of his deputies; to provide for the creation of a Wild Life Conservation Commission, the appointment of its members and to prescribe its duties and powers; to provide for the protection and conservation of game, non-game birds, fresh-water fish and fur-bearing animals by prescribing the times when and means by and extent to which they may be taken, possessed and dealt in; to license hunters, guides, trappers and fishermen; to require persons who engage in the business of operating hunting and fishing boats for hire or who deal in fresh-water fish or hides of fur-bearing animals, to procure a license for same; to prohibit the use, placing or discharge in the fresh waters of the State of substances or forces injurious to fish; to provide for the prosecution of persons violating the provisions of this Act and a penalty and rule of evidence in such prosecutions; to provide for the forfeiture and disposition of certain devices unlawfully used or maintained; to provide for the collection of funds to carry out the provisions of this Act and for the disposition of revenues accruing thereunder; and repealing certain existing laws and statutes.

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

Mr. Watson moved that 500 copies of Senate Bill No. 70 be printed for the members of Legislature and public.

Mr. Singletary moved to amend the motion of Mr. Watson that 500 copies be printed after the committee submits its report upon the bill.

Mr. Gillis moved as a substitute for the motion and amendment that the bill, together with the pending amendments, be spread in full upon the Journal.

The question was put on the substitute motion by Mr. Gillis and the substitute was adopted.

The following is a verified copy of Senate Bill No. 70:

Senate Bill No. 70:

A Bill to be Entitled An Act Relating to Game, Non-Game Birds, Fresh Water Fish and Fur-Bearing Animals; to Create the Department of Game and Fresh-Water Fish and the Office of State Game Commissioner; to Define His Duties and Powers and That of His Deputies; to Fix His Compensation and That of His Deputies; to Pro-

vide for the Operation of a Wild Life Conservation Commission, the Appointment of Its Members and to Prescribe Its Duties and Powers; to Provide for the Protection and Conservation of Game, Non-Game Birds, Fresh-Water Fish and Fur-Bearing Animals by Prescribing the Times When and Means by and Extent to Which They May be Taken, Possessed and Dealt In; to License Hunters, Guides, Trappers and Fishermen; to Require Persons Who Engage in the Business of Operating Hunting and Fishing Boats for Hire or Who Deal in Fresh-Water Fish or Hides of Fur-Bearing Animals, to Procure a License for Same; to Prohibit the Use, Placing or Discharge in the Fresh Waters of the State of Substances or Forces Injurious to Fish; to Provide for the Prosecution of Persons Violating the Provisions of This Act and a Penalty and Rule of Evidence in Such Prosecutions; to Provide for the Forfeiture and Disposition of Certain Devices Unlawfully Used or Maintained; to Provide for the Collection of Funds to Carry Out the Provisions of This Act and for the Disposition of Revenues Accruing Thereunder; and Repealing Certain Existing Laws and Statutes.

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

Section 1. That for the purpose of this Act the following shall be construed respectively to mean:

Person.—The plural or singular, as the case demands, including individuals, associations, partnerships, and corporations, unless the context otherwise requires.

Resident.—All citizens of the United States who have lived in Florida for at least six months immediately preceding the making of application for license as required by this Act, shall be deemed residents of Florida.

Take.—Whenever it is made lawful to “take” game, non-game birds, fresh-water fish or fur-bearing animals or parts thereof or birds’ nests or eggs, it shall mean the pursuit, hunting, capturing or killing of game, non-game birds, fresh-water fish or fur-bearing animals or collection of birds’ nests or eggs in the manner, at the time and by means specifically permitted. Whenever it is made unlawful to “take” game, non-game birds, fresh-water fish or fur-bearing animals or parts thereof, or birds’ nests or eggs, the word “take” shall include pursuing, shooting, hunting, killing, capturing, trapping, snaring,

netting, and gigging, game, none-game birds, fresh-water fish or fur-bearing animals, collecting birds' nests or eggs, and all lesser acts such as worrying game, non-game birds, fresh-water fish or fur-bearing animals, or placing or using any net or other device for the purpose of taking same, whether or not they result in taking such game, non-game birds, fresh-water fish or fur-bearing animals.

Open Season.—The time during which game, non-game birds, fresh-water fish or fur-bearing animals may be lawfully taken. Each period of time prescribed as an open season shall be construed to include the first and last days thereof.

Closed Season.—The time during which game, non-game birds, fresh-water fish and fur-bearing animals may not be taken.

Transport—Shipping, transporting, carrying, importing, exporting, receiving or delivering for shipment, transportation or carriage or export, unless the context otherwise requires.

Common Carrier—Railroad companies, express companies, stage or bus companies, persons or companies operating stages, busses or airplanes, and any person transporting persons, non-game birds, game, fresh water fish or fur-bearing animals, or other property, for hire.

Game—Game animals and game birds.

Game Animals—Deer, rabbit, squirrel, opossum.

Game Birds—The Anatidae, commonly known as swans, geese, brant and river and sea ducks; Rallidae, commonly known as rails or marsh hens, coots and gallinules; Limicolae, common known as shore birds, plovers, surf birds, snipe, woodcock, sandpipers, tattlers and curlews; Gallinae, commonly known as wild turkeys, grouse, pheasants and quail; and the species of Columbae, known as mourning doves, (commonly called turtle doves).

Fur-bearing Animals—Skunk, muskrat, raccoon, red and grey fox, beaver, mink, otter, civet cat, bear and panther.

Non-Game Birds—All wild birds other than game birds.

Fresh Water Fish—All of the class Pisces that are indigenous to fresh-water and also all fish that are in the fresh-waters of the State, whether or not they are indigenous thereto.

Fresh Water—All lakes, rivers, canals and creeks and other fresh water ways in Florida up to the mouths of such rivers, canals, creeks and fresh water ways where they empty into the salt water, or where signs are placed by State Game Commissioner marking mouth of river, except Lake Okeechobee and the St. Johns River as far south as Volusia Bar and Carrabelle and New Rivers in Franklin County.

Guide—Any person engaged in the business of guiding hunters or hunting parties for compensation by money or other thing of value.

Sec. 2. The Department of Game and Fresh Water Fish and the office of State Game Commissioner are hereby created. The Governor shall appoint one competent person, who shall fill the position of State Game Commissioner, and who shall hold office from July 1st, 1927, and until his successor shall be appointed and qualified. His successor shall be appointed during the last ten days of April, 1931, and every four years thereafter, and shall assume the duties of his office on the first day of July following. The State Game Commissioner shall enforce all laws of the State of Florida relating to game, non-game birds, fresh water fish and fur-bearing animals. The State Game Commissioner shall receive a salary of Five Thousand Dollars (\$5,000) per annum, and actual travelling and contingent expenses payable monthly out of the State Game Fund, such expense and contingent accounts to be itemized and rendered at the end of each month, and certified as being correct by the State Game Commissioner. The State Game Commissioner shall be required to give bond in the sum of Ten Thousand Dollars (\$10,000.00) for the faithful performance of his duties, and each of his paid deputies shall be required to give bond in a sum of not less than One Thousand Dollars (\$1,000.00) conditioned in like manner.

Sec. 3. The State Game Commissioner shall visit each County in the State at least once a year and oftener if it shall appear to him necessary, and shall have authority to employ deputies and other assistants. The State Game Commissioner and his duly authorized deputies shall have the power to enforce all laws relating to game, non-game birds, fresh-water fish and fur-bearing animals and to go upon any property outside of buildings, posted or other-

netting, and gigging, game, non-game birds, fresh-water fish or fur-bearing animals, collecting birds' nests or eggs, and all lesser acts such as worrying game, non-game birds, fresh-water fish or fur-bearing animals, or placing or using any net or other device for the purpose of taking same, whether or not they result in taking such game, non-game birds, fresh-water fish or fur-bearing animals.

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Sec. 3. The State Game Commissioner shall visit each County in the State at least once a year and oftener if it shall appear to him necessary, and shall have authority to employ deputies and other assistants. The State Game Commissioner and his duly authorized deputies shall have the power to enforce all laws relating to game, non-game birds, fresh-water fish and fur-bearing animals and to go upon any property outside of buildings, posted or other-

wise, in performance of their duties; to execute all warrants and search warrants for the violation of the laws relating to game, non-game birds, fresh-water fish and fur-bearing animals; to service subpoenas issued for the examination, investigation, and trial of all offenses against the laws relating to game, non-game birds, fresh-water fish and fur-bearing animals; to carry firearms or other weapons, concealed or otherwise, in the performance of their duties; to arrest without warrant any person found in the act of violating any of the provisions of this Act or of any other Act relating to game, non-game birds, fresh-water fish or fur-bearing animals, or in pursuit immediately following such violations; to search without warrant and examine any person or any boat, conveyance, vehicle, game bag, game coat, or any other receptacle for game, non-game birds, fresh-water fish or fur-bearing animals, or any camp, tent or cabin in the presence of any person stopping at or belonging to such camp, tent, cabin or roster, when he has reason to believe, and has stated to the suspected person or persons in charge his reasons for believing that any of the laws relating to game, non-game birds, fresh-water fish or fur-bearing animals have been violated; to secure and execute search warrants and in pursuance thereof, to enter any building, enclosure or car, and to break open any apartment, chest, locker, box, trunk, crate, basket, bag, package, or container, and to examine the contents thereof; to seize and take possession of all game, non-game birds, fresh-water fish or fur-bearing animals which have been taken or had in possession or under control, or which have been shipped or about to be shipped at any time in any manner or for any purpose contrary to the laws of this State; to seize all guns, shooting, hunting, fishing or trapping paraphernalia, traps, boats, decoys or other appliances used in the violation of any of the laws relating to game (non-game birds, fresh-water fish or fur-bearing animals, when making an arrest, or found in the execution of a search warrant. Such Deputy Game Commissioners shall be paid a salary not to exceed Fifteen Hundred Dollars (\$1500.00) per year and allowed their necessary traveling expenses not to exceed One Hundred Dollars (\$100.00) in any one month, which salary and expense, after an itemized statement thereof is submitted, audited and approved by the State Game Commissioner shall be paid from the State Game Fund.

Sec. 4. The Governor shall appoint a Wild Life Conservation Commission, which shall consist of five residents of the State of Florida, one from each congressional district and one from the State at large, who shall have intimate knowledge of wild life, and who shall be appointed for a term of four years and serve without compensation. The duties of this Commission shall be to assist and advise with the State Game Commissioner in the establishment of fish hatcheries, game farms and game and fresh-water fish breeding grounds and state game refuges, and in the acquisition of state game lands. The actual travelling expenses of the members of the Wild Life Conservation Commission shall be paid from the State Game Fund, not to exceed Twelve Hundred Dollars (\$1200.00) per annum, for each member thereof.

Sec. 5. With the advice and consent of the Governor and of the Wild Life Conservation Commission, the State Game Commissioner shall have authority to establish game farms and game breeding grounds and fresh-water fish hatcheries and breeding grounds for fresh-water fish, non-game birds and fur-bearing animals; to close any stream or part of a stream, any lake or part of a lake, any county or part of a county, for the purpose of establishing breeding grounds for game, fresh-water fish, non-game birds and fur-bearing animals; to reopen such breeding grounds to hunting, trapping or fishing at such time as may be deemed necessary. With the advice of the Senator of the District of which the county is a part, and of the Representative or Representatives of a County, and with the consent of the Governor and the Wild Life Conservation Commission, the State Game Commissioner, shall have authority to close any County, or a part of a county, to the hunting or trapping of any one or more or all kinds of game or fur-bearing animals for such a period of time as is agreed upon. All closed waters or lands shall be properly posted by the State Game Commissioner and no person shall deface, move or change in any manner any posters or signs placed by the State Game Commissioner or his deputies. Notice to the effect that such lands or waters are to be closed shall be published once a week for two consecutive weeks prior to such closing, in a newspaper in the county in which the lands or waters are situate, and in the event there is no newspaper published in the County notice shall be posted

in three public places in the County for a period of two weeks prior to such closing and in either event notices shall be placed at three places on or near such waters or lands that are to be closed. Provided that in cases of emergency such as floods, storms and fires, the State Game Commissioner may, with the consent of the Governor, close, to the hunting of any one or all species of game, areas affected by such storms, fires or floods, for such time as may be deemed necessary. Notices to the effect that such areas are closed shall be posted in at least three places on or near such closed areas, and thereupon such areas shall be deemed closed to all hunting.

Sec. 6. The State Game Commissioner shall have authority to take fresh-water fish, game, fur-bearing animals and non-game birds at any time of the year by netting or trapping or other methods for purpose of propagation and restocking and for scientific purposes and shall have authority to remove enemies of game, fresh-water fish, non-game birds and fur-bearing animals by trapping, netting, shooting, gigging, poisoning or other methods. The State of Florida also hereby accords to the United States Bureau of Fisheries the right to take specimens of fish from the fresh-waters of the State at any time of the year for the purpose of securing eggs for hatching or for any experiments in fish culture that it may deem necessary and to the Bureau of Biological Survey of the United State Department of Agriculture or any of its accredited representatives the right to take specimens of birds, game and fur-bearing animals for scientific purpose, subject to restrictions that the State Game Commissioner may see fit to impose. The said United States Bureau of Fisheries and the said State Game Commissioner shall have authority to use seines and other devices for catching or removing fish from the fresh-waters of the State of Florida for propagating purposes and to remove and transfer fish from one body of water to another when in their judgment such removal is necessary, in order to save the life of such fish, or to restock other waters.

Sec. 7. The State Game Commissioner, may with the approval of the Governor and the Wild Life Conservation Commission, acquire, in the name of the State, lands and waters suitable for the protection and propagation of

game, fish, non-game birds or fur-bearing animals, or for hunting purposes, game farms, or to be used as herein-after provided, by purchase, lease, gift or otherwise, to be known as State Game Lands. The State Game Commissioner may erect such buildings and fences as may be deemed necessary to properly maintain and protect such lands, or for propagation of game, non-game birds, fresh-water fish or fur-bearing animals. The title of land acquired by purchase, lease, gift or otherwise, shall be approved by the Attorney General. The deed to such lands shall be deposited as are deeds to other State Lands. No such lands shall be purchased at a price to exceed Ten Dollars (\$10.00) per acre.

Sec. 8. The State Game Commissioner may establish and maintain State Game Refuges for the protection and propagation of game on all or any portion of State Game Lands, Private lands or National Forests, wherein game, fur-bearing animals or non-game birds may not be hunted, pursued, disturbed or molested at any time. He may also, with and by the consent of the proper authorities, locate State Game Refuges on any State Land or National Forests or Private lands. For the purpose of establishing public shooting grounds the State Game Commissioner shall have the authority to lease the shooting privileges of such lands surrounding game refuges at a price not to exceed five cents per acre per year, payable each year, or such public shooting grounds may be established on State Game Lands. Each State Game Refuge shall be surrounded by at least one wire at the boundary thereof and there shall be posted, in conspicuous places, not more than five hundred feet apart, notices giving warning that hunting is unlawful on the refuge; provided, that where the boundary of such refuge is marked by water or open marsh that the placing of signs at intervals of not more than five hundred (500) feet shall be deemed sufficient. Any person found in or on any State Game Refuge, or breeding ground for game, fresh-water fish, non-game birds or fur-bearing animals, with gun, fishing tackle, traps, nets or other devices for taking game, non-game birds, fresh-water fish or fur-bearing animals shall be guilty of violation of this Act. It shall also be unlawful for any person to cause or permit dogs to enter upon any game refuge or breeding grounds.

Sec. 9. The State Game Commissioner is hereby authorized to employ such clerical help as may be necessary for the efficient administration of his office, subject however, to the approval of the Governor, and shall, with the lake approval, have the authority to acquire in the name of the State of Florida such necessary office and field equipment and supplies, and shall have authority, with the approval of the Governor, to print and publish bulletins and other publications and use other means of disseminating information concerning game, non-game birds, fresh-water fish and fur-bearing animals.

Sec. 10.—All accounts, claims and bills of any nature against the Department of Game and Fresh Water Fish shall be examined by the State Game Commissioner, and if found correct, shall be approved and delivered to the Comptroller, who shall issue a warrant drawn on the State Treasury, against the Game Fund, to pay such account, bill or claim.

Sec. 11. The Governor shall require an audit of the State Game Commissioner's office and accounts to be made at least once during the fiscal year and the State Game Commissioner shall make a yearly written report to the Governor as to the administration of his Department.

Sec. 12. It is hereby made the duty of the prosecuting officers of the several courts of criminal jurisdiction of this State, to investigate and prosecute all violations of the law relating to game, fresh-water fish, non-game birds and fur-bearing animals which may be brought to their attention by the State Game Commissioner or his deputies, or which may otherwise come to their knowledge; but the said State Game Commissioner is hereby authorized, subject to the approval of the Governor, to employ additional counsel when necessary to prosecute or defend causes, civil or criminal.

Sec. 13. All moneys collected from fines, penalties or forfeitures under this Act shall go into the fine and forfeiture fund of the county where such convictions are had. The State Game Commissioner and his deputies shall be allowed for making arrests the same fees as sheriffs, and the same mileage for conveying prisoners, the same to be taxed as costs in the cause, in case of conviction, and paid in the like manner as the compensation of sheriffs, but no fees or mileage shall be allowed in case of acquittal. All mileage and other fees received by the State Game

Commissioner or any of his deputies under this section shall be deposited in the State Treasury to the credit of the Game Fund.

Sec. 14. The funds resulting from the administration of this Act, shall constitute the State Game Fund, and shall be used in carrying out the provisions thereof.

Sec. 15. The license fees and other fees provided to be paid under this Act shall be remitted by the several County Judges on the first Tuesday of each month to the State Game Commissioner, with a schedule setting forth the name and address of each licensee, the serial number and kind of license issued to him, and the amount paid for such license, but such County Judge shall retain his fee as hereinafter provided for. The license fees and other moneys collected by the State Game Commissioner shall be deposited by him monthly in the State Treasury to the credit of the State Game Fund. The State Game Commissioner shall, at the end of each month, remit to the School Fund of each County fifty cents for each resident county fishing license, one dollar for each resident county game license, two dollars for each other than county of residence game license, two dollars for each resident county fur-bearing animal license and three dollars for each other than county of residence fur-bearing animal license, issued in such county during the previous month.

Sec. 16. All licenses provided for under the terms of this Act shall be dated when issued, and when issued in the closed season shall authorize the person named therein to take game, fresh-water fish or fur-bearing animals only during the open season next following, and when issued in the open season shall authorize the person named therein to take game, fresh water fish, or fur-bearing animals only during the remainder of such open season; the said licenses shall be in the personal possession of the person to whom issued, while taking or attempting to take game, fresh water fish or fur-bearing animals, and his or her failure to exhibit such license to the State Game Commissioner, or any of his duly authorized deputies, when found taking or attempting to take game, fresh water fish or fur-bearing animals shall be considered a violation of this Act.

Sec. 17. Any person who shall swear or affirm to any false statement in an application for license provided by this Act shall be guilty of violation of this

Act, and upon conviction thereof shall be subject to the penalty provided by this Act, and any false statement contained in any application for such license shall render the license null and void.

Sec. 18. No person shall alter or change in any manner, or loan or transfer to another, any license issued pursuant to the provisions of this Act, nor shall any person other than the person to whom it is issued use the same.

Sec. 19. The State Game Commissioner shall furnish to each County Judge, a form for issuing of duplicate license. Application for such duplicate license shall be made under oath, stating that licensee has lost or destroyed original license. Such application shall be made to County Judge from which original license was purchased and a fee of fifty cents shall be collected by County Judge issuing such duplicate license. This fee shall cover both the taking of application and the issuing of license. No duplicate shall be issued for special deer license and only one such special deer license shall be issued to any person during any one calendar year.

Sec. 20. No person shall take or attempt to take game, fresh water fish or fur-bearing animals within the limits of the State of Florida without being licensed to do so as provided by this Act, except children under thirteen years of age.

Sec. 21. The license fee to be charged non-residents of the State of Florida shall be two dollars (\$2.00) to take fresh water fish or fish in the fresh waters of any one county in the State of Florida. The license fee to be charged non-residents of the State of Florida shall be five dollars (\$5.00) to take fresh water fish or to fish in the fresh waters of the State of Florida at large. The license fee to be charged residents of the State of Florida shall be one dollar (\$1.00) to take fresh water fish, or to fish in the fresh waters of the county in which they have their legal residence.

The license fee to be charged residents of the State of Florida shall be two dollars (\$2.00) to take fresh water fish or to fish in the fresh waters of the State of Florida at large. The license fee to be charged residents of the State of Florida to take game in the county in which they have their legal residence shall be three dollars (\$3.00). The license fee to be charged

residents of the State of Florida to take game in any one county of the State other than that of their legal residence shall be five dollars (\$5.00). The license fee to be charged residents of the State of Florida shall be ten dollars (\$10.00) to take game in the State of Florida at large. The license fee to be charged non-residents of the State of Florida shall be twenty-five dollars (\$25.00) to take game in the State of Florida at large. The license fee to be charged residents of the State of Florida to take fur-bearing animals in the county in which they have their legal residence shall be five dollars (\$5.00). The license fee to be charged residents of the State of Florida to take fur-bearing animals in any one county of the State other than that of their legal residence shall be ten dollars (\$10.00). The license fee to be charged residents of the State of Florida to take fur-bearing animals in the State of Florida at large shall be twenty-five dollars (\$25.00). The license fee to be charged non-residents of the State of Florida to take fur-bearing animals shall be twenty-five dollars (\$25.00) for each county in the State in which the licensee takes such animals.

Such county licenses shall be issued by the County Judges of the county for which application is made. State licenses may be issued by any County Judge in the State of Florida.

No Confederate Veteran shall be required to have license to take game, fresh-water fish or fur-bearing animals in the State of Florida. This applies only to resident Confederate Veterans who are entitled to the payment of a pension under the laws of Florida.

No person not a citizen of the United States shall own or possess a shotgun, rifle, or other firearm or take wild animals or birds in this State, except under a special license issued by the State Game Commissioner, the fee for which shall be fifty dollars (\$50.00).

Sec. 22. Application for the issuance of such licenses shall be made upon blanks furnished by the State Game Commissioner and shall state the name, age, residence and occupation of the applicant, together with his physical description. A fee of one dollar (\$1.00) shall be collected by County Judges for the issuance of Resident State Hunting Licenses and Non-Resident Hunting Licenses; a fee of fifty cents shall be collected by the County Judges for issuance

of all other licenses, except Resident County Fishing License, the fee for which shall be twenty-five cents. This fee shall cover both the taking of application and the issuing of license. The fee for issuing of license shall be retained by the County Judge.

Sec. 23. The blank forms and other printed matter necessary to carry out the provisions of this Act shall be furnished by the State Game Commissioner, who is required to make up forms of licenses or other blanks necessary, the same to be uniform throughout the State, and to furnish the same to the County Judges of the several counties. The said license shall contain on the back thereof a synopsis of the game, trapping or fresh water fishing laws of the State of Florida. All licenses shall be consecutively numbered and each grade and kind of a different color.

Sec. 24. All fish in the rivers, creeks, canals, lakes and other fresh waters within the jurisdiction of the State of Florida are hereby declared to be and shall continue to be the property of the State of Florida, excluding all privately owned enclosed fish ponds, and subject to the restrictions and regulations imposed by this Act or otherwise. All non-migratory birds and all game animals and fur-bearing animals within the jurisdiction of the State of Florida are hereby declared to be and shall continue and remain the property of the State, and the State hereby assumes, consistent with the laws of the United States, the conservation and protection of all migratory birds.

Sec. 25. It shall be unlawful to take or attempt to take any fresh water fish from the fresh waters of the State of Florida by means of any device except hook and line, rod and reel, bob, spinner or troll, unless specifically permitted by this Act. The possession of nets, baskets, traps, gigs, or similar devices in or upon the fresh waters of the State of Florida (except as permitted by this Act) shall be unlawful. Wooden baskets and nets such as State Game Commissioner may prescribe, may be fished in the Apalachicola and Chattahoochee Rivers for the purpose of catching catfish and carp. All other fish, except carp and catfish, caught in such traps or nets shall be released alive in the waters from which taken. Sturgeon nets of ten (10) inch stretched mesh, or more, and not over two hundred (200) yards long, may be used in the fresh waters of the State of Florida for the purpose of catching sturgeon

on Mondays, Wednesdays and Fridays of each week, during the months of March, April and May; and, shad nets such as the State Game Commissioner may prescribe, may be used in St. Mary's River for the purpose of catching shad during such open season as the State Game Commissioner may prescribe. The State Game Commissioner may issue permits for the catching of shad, mullet and suckers during the open season on shad, mullet and suckers in the fresh waters of the State of Florida with nets prescribed by the State Game Commissioner for home or picnic uses. Shad, mullet and suckers caught under these permits shall not be sold or bartered. All other fish caught under these permits shall be returned to the water alive, except Gar fish or Black Fish, commonly known as Mud Fish. All nets used under provisions of this section shall have attached thereto a metal tag issued by the State Game Commissioner. Cast nets not to exceed seven (7) feet in length or fourteen feet (14) in spread, minnow dip-nets not over four (4) feet in diameter, and minnow seines not over twenty (20) feet long and four (4) feet deep may be used for purpose of catching bait (minnows or shrimp). Such cast nets, dip-nets, and minnow seines shall have attached to them a metal license tag issued by the State Game Commissioner. The cost of such license shall be one dollar (\$1.00) for each cast net, dip-net or minnow seine so used. Such license shall be numbered and shall expire on the last day of February of each year and expiration date shall be marked on license. None of the following minnows shall be used for bait; any species of Bream or Crappie, Bass, Trout, Jack, Pike or Perch. Fish of the above named species when caught shall be immediately returned alive to the water from which taken. Such nets used for catching bait for personal use excepted from license.

Sec. 26. In all cases of arrest and conviction for use of illegal nets or traps or fishing devices or the illegal use of nets traps or fishing devices, as provided in this Act, such net, trap or fishing device is hereby declared to be a nuisance and shall be seized and carried before the court having jurisdiction of such offense, and said court shall order such trap, net or fishing device destroyed immediately after trial and conviction of person in whose possession they were found. When any illegal net, trap or fishing device or illegally used net, trap or fishing device is found

in the fresh waters of the State of Florida, and the owner of same shall not be known to the officer finding the same, such officer shall immediately procure from County Judge an order to destroy said net, trap or fishing device and report the same to the State Game Commissioner.

Sec. 27. No person shall at any time fish or place in any bass or bream bed any set hook, drop pole, set pole or baited hook for the purpose of catching any bass or bream while bedding, and no set hook shall be placed in any river or creek for the purpose of hooking sturgeon; provided, however, nothing in this Act shall prohibit the catching of catfish of legal size by use of trout line or hook and line during open season.

Sec. 28. It shall be unlawful for any person to take or be in possession of any of the following fresh water fish of less length than that set forth as follows: Catfish, rough, ten (10) inches from end of nose to fork of tail; speckled perch, seven (7) inches from end of nose to fork of tail; bream, all kinds, five (5) inches from end of nose to fork of tail; black bass, twelve (12) inches from end of nose to fork of tail. If any such fish measuring less than the above sizes are caught, such fish shall be immediately returned alive to the water from which it was taken.

Sec. 29. It shall be unlawful for any person to obstruct or partly obstruct any river, creek, canal or other fresh water way by screen or rack, wire or otherwise, to prevent the passage of fish in any of the fresh waters of this State.

Sec. 30. Any person now or hereafter erecting or maintaining a dam in the fresh waters of the State of Florida, shall immediately, on a written order from the State Game Commissioner, erect therein such chutes, fishways, gates or other devices, as the State Game Commissioner may deem necessary to enable fish to ascend and descend the waters at all seasons of the year. Every such chute, slopeway or other device aforesaid, shall be maintained open and in good order and repair, by the person owning or maintaining such dam, until such dam is removed, raised or rebuilt. Any chute, fishway, or other device aforesaid, may be closed for repairs at the time of low water, but such closing shall only be for a period of thirty days at any one time. Any person neglecting or refusing to comply with the provisions of this section, within three months from date of notice by State Game

Commissioner, shall forfeit and pay the sum of one hundred dollars for every month such person so refuses or neglects. Such sum shall be recovered by civil suit or process in the name of the State of Florida, and shall be deposited to credit of State Game Fund. If after the lapse of three calendar months from date of notice as provided in this Section, the person owning or maintaining such dam, refuses or neglects to erect or place or maintain, unchanged, open, and in good order and repair, the device as directed by the State Game Commissioner, said State Game Commissioner is authorized to enter upon such dam and erect such slope, fishway, chute or gate, or make such repairs, as may have been directed as aforesaid. The cost thereof shall be charged against the person owning or maintaining such dam, by the State Game Commissioner, and may be recovered by civil suit and process in the name of the State of Florida and amounts so recovered shall be placed to credit of Game Fund. Where, by reason of a dam having been constructed prior to any requirements by law of the placing of chutes, slopes or fishways therein, or for any reason, the owner or persons maintaining such dam cannot be compelled by law to pay the cost of erecting such chute, slope or fishway, as directed by the State Game Commissioner, such cost shall be paid by the Department of Game and Fresh Water Fish out of the State Game Fund.

No person owning, leasing or maintaining such a dam, holding back waters inhabited by fish, shall draw off such waters without first applying for and receiving written permission from the State Game Commissioner; nor shall any person obstruct the flow of water through any such dam, without allowing sufficient waters, at all times, to flow in the natural stream on which such dam is located, to enable fish to live.

No person shall fish within one hundred feet of lower end of any fishway or dam.

Sec. 31. It shall be unlawful for any person to throw or place dynamite, lyddite, gunpowder, cartridge, cannon cracker or any other explosive, or to throw or place acids or lime, or filtration, discharge or debris from any mine, india berries, saw-dust, green walnuts, walnut leaves, creosote, oil or any other deleterious substance or force into the fresh waters of the State of Florida, whereby the fish therein are or may be injured.

Sec. 32. The State Game Commissioner and his duly authorized deputies shall have authority without warrant, when they have probable cause to believe that the provisions of this Act have been violated, to board any vessel, boat or vehicle or to enter any fish house or warehouse or other buildings, exclusive of residences, in which game, hides, fur-bearing animals, fish or fish nets are kept and to search for and seize any such game, hides, fur-bearing animals, fish or fish nets had or held therein in violation of law.

Sec. 33. No person shall engage in the business of wholesale or retail fresh-water fish dealer until such person has taken out a license to carry on such business, as provided for in this Act. A wholesale dealer shall be considered one who sells or ships fish by the barrel or half-barrel, or in bulk, and shall be required to pay a license fee of fifty dollars (\$50.00) per annum. A retail dealer shall be considered anyone who sells fish direct to the consumer or wholesale dealer and shall pay a license fee of five dollars (\$5.00) per annum. A non-resident or alien wholesale dealer shall be required to pay a license fee of five hundred dollars (\$500.00) per annum; a non-resident or alien retail dealer shall be required to pay a license fee of fifty dollars (\$50.00) per annum. Application shall be made to the State Game Commissioner for the licenses set forth in this and the next succeeding section hereof, on blank forms to be supplied by him, and such licenses shall be dated and issued only for the open season, and all moneys derived from this source shall be deposited in the State Treasury to the credit of the Game Fund.

Sec. 34. Any and all boats engaged in the fresh-water fishing industry in this State, before beginning operations, shall be licensed as herein provided, and the owners or persons operating such boats or vessels shall make application to the State Game Commissioner for a license, on application blanks furnished by him. The charge for such license shall be made according to the following schedule: Boats under twenty feet long and under five feet beam, one dollar (\$1.00), and boats over twenty feet long and over five feet beam, ten cents (10c) for each additional foot or fraction of foot of length or beam. All aliens or non-residents of Florida shall be required to pay the sum of ten dollars (\$10.00) on each boat operated by them in the fresh water fishing industry of this State.

Sec. 35. The State Game Commissioner shall furnish to the owner of each boat or vessel licensed, a metal year tag, indicating the year for which said vessel or boat is licensed to fish in the fresh waters of the State of Florida, which tags shall be prominently displayed at all times on such boat or vessel.

Sec. 36. It shall be unlawful for any person to take fresh water fish in the fresh waters of the State of Florida from the fifteenth day of March to the thirty-first day of May, both inclusive, of each year. It shall also be unlawful for any person to have in possession any fresh water fish during the closed season designated above, provided that licensed fresh water fish dealers may be allowed five days to dispose of fish that are caught prior to the fifteenth day of March of any year. The open season for fresh water fish shall be from June 1st to the fourteenth day of March of succeeding year.

Sec. 37. It shall be unlawful for any person to sell, offer for sale, barter, purchase, offer to purchase, exchange for merchandise, transport for sale or transport out of the State any black bass, large or small mouth (*Micropterus dolmieu* or *Micropterus salmoides*); Provided that holders of valid fishing license may carry out of the State as personal baggage one day's bag limit of black bass; and provided, that the State Game Commissioner may issue permits for transportation of black bass out of the State for propagation purposes only. No common carrier shall transport or receive for transportation out of the State any black bass. It is the intention of this section to prohibit within the limits of the State of Florida, the sale of black bass, large and small mouth, whether such bass were caught from the fresh waters of Florida or elsewhere.

Sec. 38. It shall be unlawful for any person to take in any one day more than the following number of each designated species of fresh water fish of legal size: Large mouth Black Bass, 12; Small mouth Black Bass, 12; Speckled Perch, 30; Jack, 15; Bream, 30; Shell Cracker, 30; Warmouth Perch, 30; Redbreast, 30; Pike, 30; Stumpknocker, 30; or any other species of bream, 30; a mixed string of any or all species of the above, 40. It shall be unlawful for any person to have in his possession at any one time more than two days' catch of any of the above fresh water fish except licensed dealers.

Sec. 39. It shall be unlawful for any person to remove from the fresh waters of the State of Florida any mussels, shell-fish or clams or other substances upon which fresh water fish feed. Provided, that this shall not be construed to prevent persons from using the above named for purposes of bait. No gold fish or carp, or any species of the carp family, shall be used for bait in any of the fresh waters of the State of Florida, and no fresh water fish of any species shall be imported in the state, or placed in the fresh waters of the State of Florida without a permit from the State Game Commissioner.

Sec. 40. Game birds and game animals shall be taken only in the daytime between half an hour before sunrise and sunset with a shotgun not larger than ten gauge fired from the shoulder, or a rifle, unless otherwise specifically permitted by this Act. No person shall take any game animal or game bird from any automobile, motor car, train, or by the aid or with the use of jack-light, head-light, spotlight, or other artificial light, net, trap, snare, salt-lick or poison; nor shall any such jack-light, head-light, spotlight, net, trap, snare, salt-lick, or poison be used or set to take any game animals or game birds; nor shall game birds or game animals be taken from an airplane, power boat, sailboat, any boat under sail, or any device towed by a power boat or sail boat; nor shall any person take any game animal or game bird on any field or waters upon which corn, wheat or other grain has been deposited for the purpose of drawing such birds thereto, except as permitted by this Act. A person may take game birds and game animals during the open season therefor, with the aid of a dog, unless specifically prohibited by this Act. An association, organized for the protection of game, may run field trials for dogs at any time upon obtaining written permission from the State Game Commissioner. It shall be unlawful to shoot quail while they are on the ground. Ducks and geese may be taken from stationary blinds or floating blinds. Ducks may be baited under regulations such as the State Game Commissioner may prescribe and doves may be baited and shot over a baited field under regulations prescribed by the State Game Commissioner and supervised by a Deputy Game Commissioner; not over ten (10) people or guns to shoot over any baited field in any one day, and the bag limit and possession of not more than fifteen (15) doves per person.

Sec. 41. No person shall at any time of the year take in any manner, number or quantity, any wild bird, game bird or game animal or the nest or eggs of any wild bird, or possess, buy, sell, offer or expose for sale, or transport at any time or in any manner such birds or animals or parts thereof, or any birds' nests or eggs, except as permitted by this Act. A person may at any time possess the mounted specimens of heads, antlers, hides and feet of game animals, and the skins of game birds lawfully taken and may upon permit from the State Game Commissioner ship or transport such specimens within or out of the State.

Sec. 42. No common carrier or employee of such common carrier shall, while engaged in such business, transport as owner any wild bird, game bird or game animal or part thereof or nest or egg of any wild bird, nor shall such common carrier or employee receive or possess the same for shipment for another, unless owner of such wild birds, game birds or game animals or parts thereof or birds nests or eggs has permit for such shipment from the State Game Commissioner.

Sec. 43. A person who is a resident of the State of Florida and is in possession of a valid hunting license may transport as personal baggage in any one calendar week during the open season, not to exceed two days' bag limit of game birds or animals lawfully taken as follows: A person who is a resident of the State of Florida and in possession of a state hunting license may transport anywhere in the state as personal baggage during the open season not to exceed two days' bag limit of game birds or animals lawfully taken; the holder of a resident county license shall not transport game out of the county in which he resides; unless he is in possession of license for county to which game is to be transported; the holder of additional county license may transport game birds or animals lawfully taken from the county in which he holds license to hunt to his resident county.

Sec. 44. A person who is a non-resident of the State of Florida and holder of a non-resident hunting license may transport, during the open season, within or from a point within to a point without, not to exceed two days' bag limit of game lawfully taken by him or parts thereof, but he shall not transport out of the State during one

open season more than two male deer or five wild turkeys, or during any one calendar week more than two days' bag limit of other game.

Sec. 45. The open season for taking deer, buck only, shall be from the first day of August until the 31st day of August on Mondays and Fridays of each week and from November 20th to December 31st on Mondays, Wednesdays and Fridays of each week, of each year. A special deer license in addition to the regular hunting license prescribed in Section 21 must be secured for the purpose of taking deer, the cost of such license shall be one dollar (\$1.00). Each special deer license shall have attached thereto coupons made in duplicate, which coupons shall be filled out and signed by the licensee. Original coupons shall be perforated in such way as to allow licensee to divide it into four subdivisions. Divisional parts of coupons shall be marked as follows: "right forward quarter," which shall be used to tag right forward quarter of deer; "left forward quarter," which shall be used to tag left forward quarter of deer; "left hind quarter," which shall be used to tag left hind quarter of deer; "right hind quarter," which shall be used to tag right hind quarter of deer. When deer is taken original coupon shall be divided and immediately attached to deer in manner herein provided, and when so attached shall remain until deer is consumed. Duplicate coupons shall be forwarded by registered mail to the State Game Commissioner within ten (10) days after such taking. The possession of any deer or parts thereof, unless such deer or parts thereof are tagged as provided in this section, shall be unlawful. Such special deer license shall be void as soon as coupons are detached. County Judge shall be allowed a fee of twenty-five cents (25c) for issuing license provided for in this section.

Sec. 46. The open season for taking quail (bob-white) shall be from November 20th to February 15th, of succeeding year, on Mondays, Wednesdays and Fridays of each week during such open season; provided that the State Game Commissioner may issue permits to hunt quail on privately owned enclosed lands on Tuesdays, Wednesdays and Saturdays.

Sec. 47. The open season for taking rabbit, wild turkey, squirrels, opossum, dove, geese, brant, duck (except wood-duck or summer duck), coots, gallinules and Wilson snipe,

shall be from November 20th to January 31st of succeeding year on Mondays, Wednesdays and Fridays of each week only during such open season. There shall be no open season provided for taking of any game birds other than those provided for in this Act. Game lawfully taken during the open season may be possessed during such open season and for five days after close of such season, but no person shall at any time be in possession of more than two days' bag limit at any one time.

Sec. 48. The open season for taking rails or marsh hens shall be from September 1st to November 30th of each year and shall only be hunted on the salt water marshes in the State of Florida.

Sec. 49. It shall be unlawful to take or be in possession of game during closed season, except that game lawfully taken during open season may be possessed not more than five days after close of such open season unless otherwise permitted by this Act. The State Game Commissioner may issue permits for the taking and possession of game, birds and animals at any time of the year for propagation purposes under such regulations as he may prescribe.

Sec. 50. No person shall take in any one day more than one deer (buck only), two wild turkeys, fifteen quail, fifteen doves, fifteen ducks, five geese, five brant, fifteen snipe, twenty coots, fifteen gallinules, fifteen rails or marsh hens, or twenty-five gallinules and rails in the aggregate, twenty rabbits, fifteen cat squirrels.

Sec. 51. No person shall take more than two deer (buck only), five wild turkeys, or two hundred of any other species of game birds or animals during one open hunting season.

Sec. 52. It shall be unlawful for any person to take or be in possession of any doe or female deer within the State of Florida until November twentieth, nineteen hundred thirty-two, except for propagation purposes, as provided in this Act. Any person who accidentally or by mistake kills a female or doe deer, shall immediately properly dress the carcass and take away the meat and hide, and keep them in a good state of preservation and shall deliver the same to the State Game Commissioner or his duly authorized deputy, who shall sell same and deposit the proceeds of such sale to the credit of the State Game Fund. Persons killing doe or female deer accidentally or by mistake shall

immediately make affidavit to the effect that such animal was killed by mistake or accidentally and when he has so made affidavit and delivered meat and hide to the State Game Commissioner or his duly authorized deputy, he shall not be prosecuted for violation of this Act. Any person who kills deer shall dress the carcass or cause it to be dressed, in such a manner that the evidence of the sex of the animal shall be plainly shown, and shall take away with the carcass the hide and the scalp and either the complete head or sufficient upper portion of the skull to show the sex, and shall not cut the meat into four quarters until it has reached its final destination, and shall attach tags thereto as per section 45.

Sec. 53. No person shall take or be in possession of any Ruffed Grouse, Mongolian, Chinese, Ringnecked or English Pheasants or other imported game birds, except same may be possessed for propagation purposes under permit from State Game Commissioner.

Sec. 54. The following named birds and animals or the nests or eggs thereof, are unprotected in the State of Florida, and are not subject to restrictions provided by this Act: English Sparrow, Sharp-shinned Hawk, commonly known as the Little Blue Darter, Cooper's Hawk, commonly known as the Big Blue Darter, Goshawk, Great Horned Owl, Crow, Jackdaw, Buzzard, Butcher Bird, Wildcat, Weasel and Skunk.

Sec. 55. Nothing in this Act shall prevent persons from killing non-migratory non-game birds or fur-bearing animals on their own property that are destroying their crops, fruit, game, fowl or stock, when such person has applied to and received from the State Game Commissioner a permit to kill such birds, or animals particularly named that are destroying their crops, fruit, game, fowl or stock, but they may not be killed by poison except upon special permit issued by the State Game Commissioner. No permit shall be required when destructive birds or animals are found in the act of injuring or destroying live stock, domestic fowl or game on one's own premises, but in any such case the burden of proof shall lie upon such owner to establish that such birds or animals were in the act of injuring or destroying such game, fowl or stock.

Sec. 56. The State Game Commissioner may issue certificates giving the right to take or be in possession of non-game birds, game birds or game animals and the nests

and eggs of such birds for scientific purposes as herein provided. Certificates conferring the right to take specimens for scientific purposes may be issued by the State Game Commissioner on such terms, conditions and restrictions as he may prescribe to any properly accredited person or a representative of the United States Department of Agriculture, the Smithsonian Institute or other recognized scientific institution, or of the State Museum at the State University, or of any other State Institution, town or city, permitting the holder thereof to collect or have in possession non-game birds, game birds or game animals, or the nests and eggs of such birds for strictly scientific purposes only; provided, however, that no such certificate shall be operative as to migratory birds unless and until the holder thereof has a permit from the Secretary of Agriculture of the United States, permitting the collection of such birds or their nests or eggs.

In order to obtain such certificate the applicant therefor must present to the State Game Commissioner evidence of his fitness to be entrusted with such certificate or a duly authenticated appointment of the applicant as a representative of one of the above-named departments, bureaus or scientific institutions.

Any certificate issued under the provisions of this section shall be forfeited and shall be revoked by the State Game Commissioner upon satisfactory proof to him that the holder of such certificate has violated any of the provisions of this Act or of the certificate and the holder shall be subject to prosecutions for violation of this Act.

Sec. 57. It shall be unlawful for any person to take or attempt to take any fur-bearing animals in any manner or at any time except as provided by this Act.

Sec. 58. The open season for taking fur-bearing animals (except fox), shall be from the first day of December to the thirty-first day of January of succeeding year.

Sec. 59. Fur-bearing animals may be taken during open season by means of steel traps or other traps, by gun or other devices, and with dogs on Mondays, Wednesdays and Fridays during the open season. No person shall poison or cause poison to be placed for killing any fur-bearing animals. The skins of fur-bearing animals lawfully taken may be bought, sold, transported and possessed at any time during the open season and for a period of thirty (30) days after close of such open season; Provided, that these re-

strictions as to purchase, possession, transportation and sale shall not apply to manufactured furs and fur dealers.

Sec. 60. All steel traps or other traps set for the purpose of taking fur-bearing animals must have stamped thereon or attached thereto, written in plain English, the name and address of owner. All traps must be visited at least once in every twelve hours. All traps set in the open must be staked on four sides with stakes one inch in diameter extending twenty-four (24) inches above the ground not closer than fifteen (15) inches from the trap, and not farther than thirty-six (36) inches from the trap, in a leaning position, so that all four ends of the stakes will come together over the top of the trap. These stakes are for the purpose of protecting stock, dogs or fowl from getting in steel traps. The State Game Commissioner and his duly authorized deputies shall have authority to seize any traps not marked, tagged or staked as provided in this section and to seize all traps found set during the closed season.

Sec. 61. The open season for taking red or grey fox shall be from September first to January thirty-first of succeeding year. Any person taking fox must have fur-bearing animal or trapper's license and will not be permitted to take other fur-bearing animals until December first, and no guns or traps shall be used or carried for purpose of taking fox until December first of each year.

Sec. 62. It shall be unlawful for any person to take or attempt to take or have in possession any otter or beaver or hides of otter or beaver within the State of Florida prior to December first, 1932.

Sec. 63. It shall be unlawful for any person to take or attempt to take or be in possession of any grey or black fox squirrel or hides thereof prior to November 20th, 1932.

Sec. 64. It shall be unlawful for any person to set or cause to be set on any land other than his own, any steel trap or other kind of a trap for taking fur-bearing animals, unless he has received written permission from the owner of such property to set such traps on his land.

Sec. 65. It shall be unlawful for any person to engage in the business of a dealer in green or fired furs taken from fur-bearing animals of the State of Florida, until such person has been licensed as herein provided. A resident dealer shall be required to pay a license fee of twenty-five dollars (\$25.00) per annum. A non-resident or alien dealer

shall be required to pay a license fee of one hundred dollars (\$100.00) per annum. Application for such license shall be made to the State Game Commissioner on blanks furnished by him. All dealers shall forward to State Game Commissioner each two weeks during open season a report showing number of hides bought and price and name of trapper from whom bought and his license number. No common carrier shall ship or transport or receive for transportation any hides or furs unless such shipments have marked thereon name of shipper and the number of his fur animal license, or fur dealer's license.

Sec. 66. Any person who engages in the business of renting boats for purposes of hunting or fishing in fresh waters shall pay a license fee on each boat operated, as follows: boats under eighteen feet long, \$5.00; boats eighteen to twenty-one feet long, \$8.00; boats twenty-one to twenty-five feet long, \$15.00; boats over twenty-five feet long, \$25.00. Application for such license shall be made to the State Game Commissioner upon application blanks furnished by him. The State Game Commissioner shall furnish to owners of boats so licensed, metal tags, one for each side of boat, showing number and year license is good for, which tags shall be attached to the boat for convenient inspection.

Sec. 67. All dealers in fresh water fish shall at the end of each month report to the State Game Commissioner the amount of the different kinds of fresh water fish that they have sold during the past month. Failure to make such report shall cause such dealer to be denied license for ensuing year.

Sec. 68. To each license to take game of fur-bearing animals shall be attached a stub, showing number and kind of license and name of licensee. Within ten days after close of open season licensee shall detach such stub and send to State Game Commissioner, showing number and kinds of game or fur-bearing animals taken during the open season for which license was issued. Persons failing to make such report shall be denied license for the next open season.

Sec. 69. No person shall engage in the business of guiding for hunters or hunting parties until he has secured a license to do so from the State Game Commissioner. Application for guide license shall be made to the State Game Commissioner upon blanks furnished by him. The

cost of guide license shall be ten dollars per open season, which license shall permit the holder to guide or act as guide for hunters or hunting parties in the State of Florida. An applicant for guide license on making application must state his name, age, address, physical description, and qualifications to act as guide. No guide while acting as guide to hunters or hunting parties shall take any game or carry shotgun or rifle. When guide is found guilty of violating any provisions of this Act, or other laws of this State relative to game, birds, fresh water fish or fur-bearing animals, his license shall be revoked.

Sec. 70. All guns, fishing tackle, traps, or other devices (except as provided by Section 26) used in or accessory to the violation of the provisions of this Act, shall, upon conviction of the user thereof, be forfeited to the State of Florida and sent to the State Game Commissioner immediately after such conviction. At the end of each fiscal year the State Game Commissioner shall sell to highest bidder all guns, fishing tackle, traps, or devices received by him under the provisions of this section and deposit amount received therefrom to credit of the fine and forfeiture fund of the proper county.

Sec. 71. All game and fresh water fish seized under the authority of this Act shall, upon conviction of the offender or sooner if the court so orders, be forfeited to the State of Florida and given to a hospital or charitable institution and receipt therefor be sent to the State Game Commissioner. All furs or hides of fur-bearing animals seized under the authority of this act shall, upon conviction of the offender be forfeited to the State of Florida and sent to the State Game Commissioner, who shall sell the same and deposit the proceeds of such sale to the credit of the State Game Fund. If any such hides or furs are seized and the offender is unknown, the court shall order such hides or furs sent to the State Game Commissioner, who shall sell such hides and furs and deposit the proceeds of such sale to the credit of the State Game Fund.

Sec. 72. It shall be unlawful for any person to have in possession or carry in the State of Florida any shotgun, rifle, or any other device designated or intended for the taking or killing of game during the closed season provided in this Act, except upon the public highways, roadways,

or in the immediate vicinity of homes, or in incorporated cities or towns, or upon enclosures of farms, groves or orchards, or other enclosures actually under cultivation.

Sec. 73. Cold storage plants, meat or fish markets, hotels, restaurants or other places having cold storage places or refrigerators, may have or keep on cold storage, during open season and for five days after close of such season, game lawfully taken; provided, that such cold storage or other places as mentioned above shall furnish to the State Game Commissioner copy of receipt issued to owner of such game, such receipt shall show the name, address and kind of license and number of license that the owner is in possession of, and kinds and amount of game birds or animals placed in storage. No such game shall be received by any cold storage plant or other places having refrigerators or cold storage places, unless the owner of such game shall be in possession of a valid hunting license and in no case shall there be kept for any one person more than two days' bag limit of game at any one time or any one week. The State Game Commissioner and his duly authorized deputies shall have the authority to search without warrant any cold storage plant, meat or fish markets, hotels or restaurants having cold storage places or refrigerators, at any time when they have probable cause to believe that any of the provisions of this Act are being violated.

Sec. 74. In all cases where possession, transportation, purchase or sale of any non-game bird, game bird, game animal, fresh-water fish or fur-bearing animal, or any part thereof, is restricted or unlawful, the possession, transportation, purchase, or sale of such animal, bird, fresh-water fish or fur-bearing animal coming from or taken without the State, whether belonging to the same or a different species from that native to this State; provided that such bird or animal belongs to the same family as those protected by this Act, shall be deemed to be, and is unless otherwise expressly provided herein, unlawful. No game birds or game animals, or any part thereof, domestic or imported, shall be sold, offered for sale, purchased or bartered or served in restaurants, cafes, hotels, boarding houses, dining cars, lunch stands or any other public eating places, at any time, except that such places may during open season prepare and serve game lawfully taken to persons who have killed such game and are in possession of a valid hunting license; provided, that rein-

deer meat may be legally shipped into the State and sold as such under permit from the State Game Commissioner.

Sec. 75. Anyone found guilty of violating any of the provisions of this Act shall be fined for the first offense not less than ten dollars or more than three hundred dollars, or imprisoned not to exceed ninety days, or be both fined and imprisoned in the discretion of the court, and for a second or subsequent offense shall be fined not less than twenty-five dollars or more than five hundred dollars, or imprisoned not more than six months. Any one convicted of a violation of this Act shall forfeit to the State of Florida any license or permit that may have been issued to him under the provisions of this Act and shall forthwith surrender the same to the court. If such violation occurs in the open season no license or permit shall be issued under the provisions of this Act to such person at any time during the remainder of such open season. If any person is convicted of taking game birds or game animals during the closed season, no license shall be issued to such person for the open season next following.

Sec. 76. All other general or special laws or parts of general or special laws relating to game, fresh water fish, birds or fur-bearing animals, whether in conflict herewith or not, are hereby repealed.

Sec. 77. If any section or portion of this Act shall be held unconstitutional or invalid, such holding shall not affect any other part of same.

Sec. 78. This Act shall take effect July first, nineteen hundred twenty-seven.

By Senator Knight—
Senate Bill No. 71:

A bill to be entitled An Act defining and fixing territory and boundaries of the Eighth Judicial Circuit; creating the twenty-second Judicial Circuit; providing for a Circuit Judge and State Attorney in the Twenty-Second Judicial Circuit; and providing and fixing time for the holding of terms of the Circuit Court in said Twenty-second Circuit and effecting on pending litigation, and making appropriation for payment of salaries of Judge and State's Attorney.

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

By Senator Parrish—
Senate Bill No. 72:

A bill to be entitled An Act fixing the salaries of certain State Attorneys.

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

By Senator Harrison—
Senate Bill No. 73:

A bill to be entitled An Act to amend Section 1 of Chapter 9120, Acts of 1923, Laws of Florida, as amended by Chapter 10025, Acts of 1925, Laws of Florida; relating to the imposing of license taxes upon gasoline and other like petroleum products, and providing for the disposition of the moneys derived from such tax; to amend Section 4 of Chapter 9120, Acts of 1923, Laws of Florida, being an Act imposing license taxes on gasoline or other like products of petroleum, providing for the disposition of the money derived from such tax; such amendment providing for distributing a portion of such tax to the County Road or County School Fund.

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

By Senator Smith—
Senate Joint Resolution No. 74:

A Joint Resolution proposing an amendment to Section 10, of Article XII of the Constitution of the State of Florida relating to education.

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

By Senator Waybright—
Senate Bill No. 75:

A bill to be entitled An Act to require the registration of all physicians, surgeons, osteopaths, chiropractics, naturopaths, midwives and all others practicing the healing art in the State of Florida; to provide fees for the same and penalties for violation.

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

By Senator Etheredge—

Senate Bill No. 76:

A bill to be entitled An Act providing uniform telephone rates in the State of Florida, and penalties for the violation of the same.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Fla., April 12, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

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

Substitute for House Bill No. 41:

A bill to be entitled An Act to amend Chapter 9293 (No. 175), Laws of 1923 of General Acts of Legislature of the State of Florida, relating to the printing of names upon the ballot in general elections; and relating to printing of names upon the same in special elections where a vacancy occurs during session of Legislature.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

And Substitute for House Bill No. 41, contained in the above message, was read the first time by its title only.

Mr. Gillis moved that the rules be waived and that Substitute House Bill No. 41 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Substitute House Bill No. 41, with title above stated, was read the second time by its title only.

Mr. Gillis moved that the rules be waived and that Substitute House Bill No. 41 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Substitute House Bill No. 41, with title above stated was read the third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President: Senators Cobb, Dell, Edge, Etheredge, Gary, Gillis, Glynn, Hale, Harrison, Hinely, Jennings, Knight, Malone, Mitchell, Overstreet, Parrish, Phillips, Putnam, Rowe, Scales, Singletary, Smith, Stewart, Swearingen, Taylor (11th Dist.), Taylor (31st Dist.), Turner, Turnbull, Wagg, Walker, Watson, Waybright, Whitaker—34.

Nays—None.

So the bill passed, title as stated.

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

Also—

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Florida, April 11, 1927.

Hon. S. W. Anderson,
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. 39:

A bill to be entitled An Act to authorize and empower the City of Wildwood, Florida, a municipal corporation, to issue and sell bonds of the said city for the purpose of completing the extension of its waterworks system to include "Sunset Park" and "Meadow Vista," two (2) subdivisions of said city; to prescribe the amount of such bonds, and the manner of their issuance.

Also—

House Bill No. 40:

A bill to be entitled An Act to authorize and empower the City of Wildwood, Florida, a municipal corporation, to issue and sell bonds of said city for the purpose of paying for the city's portion of paving streets in said city; to prescribe the amount of such bonds and the manner of their issuance.

Also—

House Bill No. 127:

A bill to be entitled An Act providing for the issuance of \$375,000 bonds of the Town of Pompano, the same being a portion of \$750,000 bonds which have been authorized and validated, and cancelling the authority to issue the remainder of said bonds.

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk of the House of Representatives.

And House Bills Nos. 39, 40 and 127 contained in the above message were read the first time by their titles and placed on the Calendar of Local Bills on second reading without reference.

Also—

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Florida, April 11th, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—
Senate Bill No. 6:

A bill to be entitled An Act to appropriate moneys to take care of any deficiencies arising for purchasing suitable desks, seats, and other furniture for the Senate Cham-

ber and the Chamber of the House of Representatives of the State of Florida.

With the following amendment:

In Section 2, line 1 (printed bill), strike out the words and figures: "five thousand (\$5,000.00) dollars." and insert in lieu thereof the following: "seven thousand (\$7,000.00) dollars."

And respectfully requests the concurrence of the Senate therein.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

And Senate Bill No. 6, together with the amendment of the House of Representatives, contained in the above message, was placed before the Senate.

Mr. Taylor (11th Dist.), moved that the Senate do concur in the House of Representatives amendment, as contained in the above message.

Which was agreed to.

And the Senate concurred in the said amendment.

The action of the Senate was ordered to be certified to the House of Representatives.

Also—

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Florida, April 11, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—
Senate Concurrent Resolution No. 4:

A Resolution—Whereas, The bound volumes of the statutes of 1920 are exhausted and it will probably be necessary to reprint these statutes unless other provisions are made concerning a revision of the laws, and

Whereas, It has been suggested to the Legislature that some action in the matter should be taken at this session.

Therefore, be it resolved by the Senate, the House of Representatives concurring, that a special Joint Committee to consist of three lawyers from the Senate and three lawyers from the House to be appointed by the President of the Senate and the Speaker of the House respectively, to examine into the advisability and the necessity of a revised compilation of the general laws of the State under such plan as may be proposed and adopted at this session.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

And Senate Concurrent Resolution No. 4, contained in the above message, was referred to the Committee on Enrolled Bills.

Also—

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Fla., April 11, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

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

Senate Concurrent Resolution No. 5:

WHEREAS, The Honorable Albert Waller Gilchrist, a former Governor of Florida, died in New York City May 15, 1926, in the sixty-eighth year of his age; and

WHEREAS, It is appropriate that the legislative department should take official notice of the death of those who have been Chief Executives of the State, and have made an impress for good upon the laws, the Government, and the development of the State, thereby showing its appreciation of their noble work while living, and the deep grief which is felt when they pass away. Albert Waller Gilchrist was born at Columbia, South Carolina, January 15, 1858, while his mother was visiting her parents. His father, General W. E. Gilchrist, lived at Quincy, Florida, where Albert was reared. At the age of twenty he entered West Point Military Academy, resigning three years thereafter and coming back to Florida, and was appointed Inspector General of the State Militia by Governor Perry.

At the outbreak of the Spanish-American war he was Brigadier General in the Florida Militia, and resigned to enter the regular army as a private and was sent to Santiago, Cuba, where he was honorably discharged as a captain.

His political career began with his election to the Florida House of Representatives, in which body he served four sessions, those of 1893, 1895, 1903 and 1905. He was elected Speaker of the House of Representatives of the 1905 session and served with great credit to himself and honor to the State. In 1909 he was elected Governor of Florida, and rendered distinguished service as one of Florida's most careful, hard-working and economical Governors. He was no orator, but kept well up with all State affairs, and always was ready to express his opinion, and did so fearlessly and to the point.

He never married, but in many ways demonstrated his love for little children, and it was due to him that a hospital for crippled children was established in this State. He provided in his will for a fund whereby all children in his home city of Punta Gorda might be annually treated to ice cream and cake, testifying in this and many other ways that he had learned the great lesson of the Master—"of such is the Kingdom of Heaven."

He was Grand Master of Masons in Florida from 1911 to 1913. In appreciation of his services to this State, the Legislature, session 1925, named one of the newly-made counties "Gilchrist" in his honor. His private life was marked by brotherly love and sympathy, and by the charm of his big heart he made friends of all who came in contact with him; and

WHEREAS, This body, in common with all departments of the State government, is sensible of the great loss the State has sustained in the death of this former Governor and record with pride this expression appreciative of his long service to the State; therefore, be it

RESOLVED, by the Senate, the House of Representatives concurring, That in the death of Albert Waller Gilchrist the State of Florida has lost one of its foremost citizens, a true friend and a wise counsellor.

RESOLVED FURTHER, That these Resolutions be spread upon the Senate and House Journals, and that the

Secretary of State be directed to prepare a copy of these Resolutions, and forward same under the great seal of State to the surviving relatives of the deceased.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

And Senate Concurrent Resolution No. 5, contained in the above message, was referred to the Committee on Enrolled Bills.

Also the following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Fla., April 11, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—
Senate Bill No. 22:

A bill to be entitled An Act validating, legalizing and confirming the acts of the Town Council of the Town of DeFuniak Springs, Florida, a municipal corporation, and of its officers in the matter of street pavements and improvements heretofore made in said municipality; providing that the costs of such improvements shall constitute liens upon property specially benefited and providing for the enforcement of such liens upon such property.

Also—

Senate Bill No. 31:

A bill to be entitled An Act to provide for the taking of a State census of the County of Polk.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

And Senate Bills 22, and 31, contained in the above message, were referred to the Committee on Enrolled Bills.

Also—

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Florida, April 11, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

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

Senate Bill No. 55:

A bill to be entitled An Act to amend Section 1 of Chapter 8290, Special Acts of 1919, Laws of Florida, in relation to the boundaries and municipalities of Key West.

Also—

Senate Bill No. 56:

A bill to be entitled An Act to protect and regulate the Salt Water Fishing Industry in Volusia County, Florida.

Also—

Senate Bill No. 58:

A bill to be entitled An Act repealing Chapter 10644, Laws of Florida, 1925, and Chapter 11540, Laws of Florida enacted at the extraordinary session of the Legislature of Florida, 1925, and relating to the construction and operation of a toll bridge and approaches and tube, tunnel or subway over and under Hillsborough Bay from a point at or near Gadsden's Point in Hillsborough county, Florida, to the opposite shore of said bay; granting to and vesting Tampa Subway Corporation, its successors and assigns, with the right, franchise, power and privilege to survey, locate, construct, maintain, operate and enjoy such toll bridge and/or tube, tunnel or subway and appurtenances, and granting to said Tampa Subway Corporation, its successors and assigns, the right-of-way for said bridge over and across the submerged lands of the State of Florida, with the right to fill in, occupy and use the same along said right-of-way and to construct thereon and thereunder such roads,

trestles, arches, drawbridges, tubes, subways, wharves and other improvements as may be necessary, requisite or desirable in connection with the construction and operation of such bridge, and vesting the fee simple title to any lands so filled in along the right-of-way hereby granted in said Tampa Subway Corporation; providing that said bridge and/or tube, tunnel or subway shall be operated for public use, and vesting the owner or owners thereof with the power to adopt regulations for the use thereof; providing for the exercise of the right of eminent domain by said Tampa Subway Corporation, its successors and assigns; authorizing the purchase of such bridge, tube, tunnel or subway by Hillsborough County or any municipal corporation, agency or department of the state of Florida thereunto authorized, and providing the method of determining such purchase price and the conditions of such sale; providing for the giving of bond by said Tampa Subway Corporation, its successors and assigns, for the prosecution and execution of the powers, privileges and rights hereby granted; and repealing all laws or parts of laws in conflict herewith.

Very respectfully,

FRANK WEBB,

Chief Clerk House of Representatives.

And Senate Bills 55, 56 and 58, contained in the above message, were referred to the Committee on Enrolled Bills.

Also—

The following message from the House of Representatives was received and read:

House of Representatives,
Tallahassee, Fla., April 11, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—
Senate Bill No. 64:

A bill to be entitled An Act giving and granting to and conferring upon all persons, associations and corporations possessing or holding the right, franchise, power or privi-

lege under the Laws of the State of Florida to survey, locate, construct, maintain and operate a toll bridge or toll bridges over and across the St. Johns River between Clay and St. Johns Counties, Florida, the power and authority to exercise the right of eminent domain to acquire approaches and rights of way, and providing for the manner of its exercise.

Very respectfully,
FRANK WEBB,
Chief Clerk House of Representatives.

And Senate Bill No. 64, contained in the above message, was referred to the Committee on Enrolled Bills.

CONSIDERATION OF LOCAL BILLS ON THE SECOND READING.

Senate Bill No. 24:

A bill to be entitled An Act to validate two hundred forty-nine thousand dollars (\$249,000) street improvement bonds of the City of Titusville, Florida, including the proceedings to authorize the issuance of said bonds, and the proceedings for the levy of special assessments for their payment, and declaring said bonds to constitute valid and legally binding obligations of said City of Titusville, Florida.

Was taken up in its order and read the second time.

Mr. Parrish moved that the rules be waived and that Senate Bill No. 24 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 24, with title above stated, was read the third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Cobb, Dell, Edge, Etheredge, Gary, Gillis, Glynn, Hale, Harrison, Hinely, Jennings, Knight, Malone, Mitchell, Overstreet, Parrish, Phillips, Putnam, Rowe, Scales, Singletary, Smith, Stewart, Swearingen, Taylor (11th Dist.), Taylor (31st Dist.), Turnbull, Turner, Wagg, Walker, Watson, Waybright, Whitaker—34.

Nays—None.

So the bill passed, title as stated.

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

Senate Bill No. 25:

A bill to be entitled An Act authorizing and empowering the City Council of the City of Rockledge, Brevard County, Florida, by supplemental additional and alternative method, to borrow money, and issue and sell negotiable, interest bearing bonds, bearing six per centum per annum interest, payable semi-annually, in such form, date of maturity, and time and place or places of payment as the said City Council may adopt, in the sum of \$73,000.00 for the payment of certain indebtedness of said city, and \$12,000.00 for certain repairs to streets in said city, and to provide for the expenditure of the proceeds of said bonds and to authorize the levy and collection of taxes for the payment of the principal and interest thereof.

Was taken up in its order and read the second time.

Mr. Parrish moved that the rules be waived and that Senate Bill No. 25 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 25, with title above stated, was read the third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Cobb, Dell, Edge, Ethredge, Gary, Gillis, Glynn, Hale, Harrison, Hinely, Jennings, Knight, Malone, Mitchell, Overstreet, Parrish, Phillips, Putnam, Rowe, Scales, Singletary, Smith, Stewart, Swearingen, Taylor (11th Dist.), Taylor (31st Dist.), Turnbull, Turner, Wagg, Walker, Watson, Waybright, Whitaker—34.

Nays—None.

So the bill passed, title as stated.

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

Senate Bills Nos. 26 and 61 were taken up in their respective order and their further consideration was temporarily passed over.

The Senate reverted to the order of Reports of Committees

REPORTS OF ENGROSSING COMMITTEE

Mr. Edge, Chairman of the Committee on Engrossed Bills on the part of the Senate, submitted the following report:

Senate Chamber,
Tallahassee, Florida, April 11, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 50:

A bill to be entitled An Act amending Section 3 of Chapter 10079 of the Laws of Florida, Acts of 1925, entitled "An Act defining and fixing the territory and boundaries of the Fifteenth Judicial Circuit; creating the Twenty-first Judicial Circuit; providing for a Circuit Judge and State's Attorney, etc.

Have examined the same and find it correctly engrossed. And the same is herewith returned.

Very respectfully,

L. D. EDGE,

Chairman of the Committee on Engrossed Bills.

And Senate Bill No. 50 was placed on the Calendar of Bills on the Third Reading.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Edge, Chairman of the Committee on Engrossed Bills on the Part of the Senate, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 11, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

Your Committee on Engrossed Bills, to whom was referred—

Senate Bill No. 33:

A bill to be entitled An Act to authorize and empower the Board of County Commissioners for Marion County, Florida, to issue time warrants of said County in the amount of \$55,000 for the purpose of aiding the City of Ocala in the construction, equipment and furnishing of a hospital in said County.

Have examined the same and find them correctly engrossed, and return same herewith.

Very respectfully,

L. D. EDGE,

Chairman of the Committee on Engrossed Bills.

And Senate Bill No. 33 was placed on the Calendar for the Third Reading.

REPORTS OF COMMITTEES

Mr. Malone, Chairman of the Committee on Judiciary C, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 12, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

Your Committee on Judiciary C, to whom was referred—
Senate Bill No. 9:

A bill to be entitled An Act defining and fixing territory and boundaries of the Fifteenth Judicial Circuit; creating the Twenty-second Judicial Circuit; providing for a Cir-

cuit Judge and State's Attorney in the Twenty-second Judicial Circuit; etc.

Have the same under consideration, and recommend that the same do pass.

Very respectfully,

A. H. MALONE,
Chairman of Committee.

And Senate Bill No. 9, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Swearingen, Chairman of the Committee on Judiciary A, submitted the following report:

Senate Chamber,
Tallahassee, Florida, April 12, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

Your Committee on Judiciary A, to whom was referred:

Senate Bill No. 34:

A bill to be entitled An Act to amend Section 3813 of the Revised General Statutes of Florida.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

JOHN J. SWEARINGEN,
Chairman of Committee.

And Senate Bill No. 34, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Swearingen, Chairman of the Committee on Judiciary A, submitted the following report:

Senate Chamber,
Tallahassee, Florida, April 12, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

Your Committee on Judiciary A, to whom was referred:

Senate Bill No. 4:

A bill to be entitled An Act to amend Section 3949 (2590) of the Revised General Statutes of Florida relating to sales and conveyances of property of a married woman.

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

Very respectfully,

JOHN J. SWEARINGEN,
Chairman of Committee.

And Senate Bill No. 4, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Swearingen, Chairman of the Committee on Judiciary "A", submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 12, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

Your Committee on Judiciary "A", to whom was referred:

Senate Bill No. 1:

A bill to be entitled An Act to amend Section 3845 (2502) of the Revised General Statutes of Florida, relating to bills of complaint in foreclosure of mortgages.

Have had the same under consideration, and recommend that the same do pass.

Very respectfully,

JOHN L. SWEARINGEN,
Chairman of Committee.

And Senate Bill No. 1, contained in the above report, was placed on the Calendar of Bills on Second Reading.

Mr. Watson, Chairman of the Committee on Miscellaneous Legislation, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 11, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

Your Committee on Miscellaneous Legislation, to whom was referred:

Concurrent Resolution No. 4:

Whereas, The Journals of the House of Representatives and of the Senate for the past several sessions have been nearly a foot thick, and

Whereas, The present practice is to print the Journals in 10 point type double space which is not necessary, and

Whereas, The size of the bound Journal can be very materially reduced by setting the Journal 8 point type, 32 ems wide, single space and print the same upon a lighter type of paper which would be for the convenience of the members of the House and Senate in handling their permanent Journals, therefore,

Be it Resolved by the House of Representatives, the Senate concurring:

That a committee of one member from the Senate and two members from the House of Representatives be appointed to confer with the State printer upon a plan by which the physical size of the Journal can be reduced and that such committee be given authority to complete all arrangements on behalf of this Legislature looking toward the printing of the Journal in a smaller type, closely set and upon thinner paper.

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

Very respectfully,

J. W. WATSON,
Chairman of Committee.

And Concurrent Resolution No. 4, contained in the above report, was placed on the table under the rule.

Mr. Watson, Chairman of the Committee on Miscellaneous Legislation, submitted the following report:

Senate Chamber,
Tallahassee, Florida, April 11, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

Your Committee on Miscellaneous Legislation, to whom was referred:

Senate Bill No. 19:

A bill to be entitled An Act to provide for the speedy publication and distribution of all General Laws enacted by the Legislature.

Have had the same under consideration, and recommend that the same do hereby pass.

Very respectfully,

J. W. WATSON,
Chairman of Committee.

And Senate Bill No. 19, contained in the above report, was place on the Calendar of Bills on Second Reading.

Mr. Swearingen, of the Seventh District, Chairman of the Committee on Judiciary A, submitted the following report:

Senate Chamber,
Tallahassee, Florida, April 12, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

Your Committee on Judiciary A, to whom was referred—
Senate Bill No. 2:

A bill to be entitled An Act to amend Section 3803 of the Revised General Statutes relating to acknowledgments of married women.

Have had the same under consideration and recommend that the same do pass.

Very respectfully,

JOHN J. SWEARINGEN,
Chairman of Committee.

And Senate Bill No. 2, contained in the above report, was placed on the Calendar of Bills on Second Reading.

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

Senate Chamber,
Tallahassee, Florida, April 12, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

Your Committee on Public Health, to whom was referred: Senate Bill No. 10:

A bill to be entitled An Act to enable Counties having a population of thirty thousand (30,000) inhabitants or more according to the 1925 census as certified by the Commissioner of Agriculture August 1, 1925, but less than sixty thousand (60,000) inhabitants according to said census to establish and maintain public hospitals, levy a tax and issue bonds therefor, for construction and maintenance of such hospitals, elect hospital trustees, maintain a training school for nurses, provide suitable means for the care of such hospitals and disabled persons.

Have had the same under consideration, and recommend that the same do hereby pass.

Very respectfully,

J. W. TURNER,
Chairman of Committee.

And Senate Bill No. 10, contained in the above report, was place on the Calendar of Bills on Second Reading.

Mr. Swearingen, Chairman of the Committee on Judiciary A, submitted the following report:

Senate Chamber,
Tallahassee, Florida, April 12, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

Your Committee on Judiciary A, to whom was referred:
Senate Bill No. 3:

A bill to be entitled An Act to repeal Section 3619 of the
Revised Statutes relating to inheritance from infants.

Have had the same under consideration, and recommend
that the same do pass.

Very respectfully,

JOHN J. SWEARINGEN,
Chairman of Committee.

And Senate Bill No. 3, contained in the above report, was
placed on the Calendar of Bills on Second Reading.

Senator Hinely, Chairman of the Joint Committee on
Enrolled Bills on the part of the Senate, submitted the
following report:

Senate Chamber,
Tallahassee, Florida, April 11, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

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

(Senate Concurrent Resolution No. 1):

Providing that the Legislature, on behalf of the people
of the State of Florida, officially welcome the United
Confederate Veterans to our State, and extend to them
our most cordial greetings, with the sincere wish for
their continued happiness and well being.

Have examined the same and find them correctly en-
rolled.

The same having been duly signed by the Speaker and
Chief Clerk of the House of Representatives, we here-

with present the same for the signatures of the President and Secretary of the Senate.

Very respectfully,

S. A. HINELY,

Chairman of the Joint Committee on Enrolled
Bills on the Part of the Senate.

The Resolution contained in the above report was thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

REPORT OF ENROLLING COMMITTEE

Mr. Hinely, Chairman of the Joint Committee on Enrolled Bills on the part of the Senate, submitted the following report:

Senate Chamber,
Tallahassee, Florida, April 12, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

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

(House Concurrent Resolution No. 1):

Providing that no bills be introduced until Thursday, April 7th, or until standing committees have been announced.

Also—

(House Concurrent Resolution No. 2):

A Resolution providing that the Senate and House advise the Governor that the Legislature as per his request would assemble in the House of Representatives at eleven o'clock A. M., April 6th for the purpose of receiving his message.

Also—

(House Concurrent Resolution No. 3):

A Resolution providing for a recess of the House from noon Thursday, April 7th, until noon Monday, April 11th, on account of the meeting of the Bar Association and also because the work of laying the carpet could not be done while the House was in session.

Also—

(House Concurrent Resolution No. 5):

Changing the hour of convening on April 11th from twelve o'clock noon to three o'clock P. M.

Also—

(House Bill No. 14):

An Act abolishing the Board of Bond Trustees of Okechobee County, Florida, and providing for the disposition of funds held by them.

Also—

(House Bill No. 29):

An Act validating and confirming the ordinance passed by the Town Council of the Town of DeFuniak Springs, Florida, at its meeting held March 11, 1927, entitled "An Ordinance authorizing and directing the Mayor and the Town Clerk to enter into a contract with Gulf Power Company, a corporation, providing for the sale of the electric lighting and water plants and systems belonging to the Town to Gulf Power Company, a corporation, its successors and assigns," the contract made in pursuance thereof by the Mayor and Town Clerk with said Gulf Power Company and all acts and proceedings of the Town Council and Officers had with reference thereto; and authorizing said town to sell its water and light plants to said Gulf Power Company and to pass the ordinances, grant the franchises, adopt rates and make the contracts all as provided by said ordinance and contract.

Have examined the same and find them correctly enrolled.

The same having been duly signed by the Speaker and Chief Clerk of the House of Representatives, we herewith

present the same for the signature of the President and Secretary of the Senate.

Very respectfully,

S. A. HINELY,

Chairman of the Joint Committee
on Enrolled Bills on the Part of the Senate.

The Resolutions and Bills contained in the above report were thereupon duly signed by the President and Secretary of the Senate in open session and ordered referred to the Joint Committee on Enrolled Bills on the part of the Senate, to be conveyed to the Governor for his approval.

The following communication from Hon. Clay Crawford, Secretary of State was received and read:

OFFICE OF THE SECRETARY OF STATE

State of Florida

. Tallahassee, Florida, April 12, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

Pursuant to Chapter 11558, Laws of Florida, approved November 30, 1925, I am transmitting the report of the Water Supply Commission of the City of Jacksonville for use of the Legislature of the State of Florida at its regular session in the year 1927.

Yours very truly,

H. CLAY CRAWFORD,
Secretary of State.

INTRODUCTION OF BILLS.

By permission the following bills were introduced:

By Senator Waybright—
Senate Bill No. 77:

A bill to be entitled An Act to amend Section V of Chapter 8415 of the Laws of 1921, relating to the organization and meeting of the State Board of Medical

Examiners; to amend Section VI of said Act relating to application for license and admission to examination; to amend Section VII of said Act relating to the recording of licenses and registration; to amend Section XI of said Act relating to the fees to be charged by the Board; to amend Section XIII of said Act relating to refusal to grant license, and revocations; to amend Section XIV of said Act relating to the definition of the practice of medicine; to amend Section XV of said Act relating to the penalties for violations of said Act.

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

By Senator Etheredge—
Senate Bill No. 78:

A bill to be entitled An Act to fix the compensation of members of Boards of County Commissioners in certain counties.

Which was read the first time by its title.

And the bill was placed on the Calendar of Local Bills on the Second Reading without reference.

By Senator Stewart—
Senate Bill No. 79:

A bill to be entitled An Act to legalize, validate and confirm an election held in the City of Fernandina, a municipal corporation, in Nassau County, State of Florida, on the 8th day of February, 1927, to determine whether or not said City of Fernandina should sell its electric and water utilities and distribution systems thereof and therefor, and ice plant and equipment owned and operated by the City of Fernandina, Florida, and grant a franchise to the Southern States Power Company, its successors or assigns, and to legalize, validate and confirm the bill of sale from the City of Fernandina to Southern States Power Company, dated March 31, 1927.

Which was read the first time by its title.

Mr. Stewart moved that the rules be waived and that Senate Bill No. 79 be read the second time by its title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 79, with title above stated, was read the second time by its title only.

Mr. Stewart moved that the rules be waived and that Senate Bill No. 79 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 79, with title above stated, was read the third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Cobb, Dell, Edge, Etheredge, Gary, Gillis, Glynn, Hale, Harrison, Hinely, Jennings, Knight, Malone, Mitchell, Overstreet, Parrish, Phillips, Putnam, Rowe, Scales, Singletary, Smith, Stewart, Swearingen, Taylor (11th Dist.), Taylor (31st Dist.), Turnbull, Turner, Wagg, Walker, Watson, Waybright, Whitaker—34.

Nays—None.

So the bill passed, title as stated.

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

By Senator Knight—

Senate Bill No. 80:

A bill to be entitled An Act to provide for the right of seizure and sale of personal property upon default or breach of the conditions, stipulations, and covenants of a chattel mortgage.

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

REPORTS OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Hinely, Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate, submitted the following report:

Senate Chamber,
Tallahassee, Florida, April 11, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

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

(Senate Concurrent Resolution No. 1):

Providing that the Legislature, on behalf of the people of the State of Florida, officially welcome the United Confederate Veterans to our State, and extend to them our most cordial greetings, with the sincere wish for their continued happiness and well being.

Beg leave to report that the same have this day been presented to the Governor for his approval.

Very respectfully,

S. A. HINELY,

Chairman of the Joint Committee on Enrolled Bills
on the Part of the Senate.

Senator Hinely, Chairman of the Joint Committee on Enrolled Bills on the Part of the Senate, submitted the following report:

Senate Chamber,
Tallahassee, Fla., April 11, 1927.

Hon. S. W. Anderson,
President of the Senate.

Sir:

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

(House Concurrent Resolution No. 1):

Providing that no bills be introduced until Thursday, April 7th, or until standing committees have been announced.

Also—

(House Concurrent Resolution No. 2):

A resolution providing that the Senate and House advise the Governor that the Legislature as per his request would assemble in the House of Representatives at eleven o'clock A. M., April 6th for the purpose of receiving his message.

Also—

(House Concurrent Resolution No. 3):

A resolution providing for a recess of the House from noon Thursday, April 7th, until noon Monday, April 11th, on account of the meeting of the Bar Association and also because the work of laying the carpet could not be done while the House was in session.

Also—

(House Concurrent Resolution No. 5):

Changing the hour of convening on April 11th from twelve o'clock noon to three o'clock P. M.

Also—

(House Bill No. 14):

An Act abolishing the Board of Bond Trustees of Okeechobee County, Florida, and providing for the disposition of funds held by them.

Also—

(House Bill No. 29):

An Act validating and confirming the ordinance passed by the Town Council of the Town of DeFuniak Springs, Florida, at its meeting held March 11, 1927, entitled "An ordinance authorizing and directing the Mayor and the Town Clerk to enter into contract with Gulf Power Company, a corporation, providing for sale of the Electric Lighting and Water Plants and systems belonging to the Town to Gulf Power Company, a corporation, its successors and assigns," the contract made in pursuance thereof by the Mayor and Town Clerk with said Gulf Power Company and all Acts and Proceedings of the Town Council and officers had with reference thereto; and authorizing said town to sell its water and light plants to said Gulf Power Company and to pass the ordinances, grant the

franchises, adopt rates and make the contracts all as provided by said ordinance and contract.

Beg leave to report that the same have this day been presented to the Governor for his approval.

Very respectfully,

S. A. HINELY,

Chairman of the Joint Committee on Enrolled Bills on the Part of Senate.

Mr. Watson moved that 200 extra copies of the daily Journal of today be ordered printed.

Which was agreed to, and the order was made.

Mr. Gary moved to waive the rules and that Senate Bill No. 33 be called up from the calendar of bills on third reading and be considered.

Which was agreed to by a two-thirds vote, and

Senate Bill No. 33:

A bill to be entitled An Act to authorize and empower the Board of County Commissioners for Marion County, Florida, to issue Time Warrants of said County in the amount of \$55,000 for the purpose of aiding the City of Ocala in the construction, equipment and furnishing of a hospital in said County.

Was taken up out of its order and read the third time in full.

Upon the passage of Senate Bill No. 33 the roll was called and the vote was:

Yeas—Mr. President, Senators Cobb, Dell, Edge, Etheredge, Gary, Gillis, Glynn, Hale, Harrison, Hinely, Jennings, Knight, Malone, Mitchell, Overstreet, Parrish, Phillips, Putnam, Rowe, Scales, Singletery, Smith, Stewart, Swearingen, Taylor (11th Dist.), Taylor (31st Dist.), Turnbull, Turner, Wagg, Walker, Watson, Waybright, Whitaker—34.

Nays—None.

So the bill passed; title as stated.

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

Senator Caro was excused from attendance of this body until Wednesday.

Mr. Taylor (11th Dist.), moved that the President be empowered to appoint an assistant messenger.

Which was agreed to.

On the motion of Mr. Malone to waive the rules, Senate Bill No. 55 was recalled from the Committee on Enrolled Bills and subsequently to request the House of Representatives to reconsider their act in passing said bill, for the purpose of amending the same.

Mr. Swearingen moved that the Senate do now adjourn.

Which was agreed to.

Whereupon, the Senate at 12:12 o'clock P. M. stood adjourned to 11:00 o'clock A. M. Wednesday, April 13, 1927.