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Clerk authorized to appoint special deputy for registration in precinct where office situated.

of the Circuit Courts in the several counties in this State are hereby authorized to appoint in the election district or precinct in which their offices are situated, a special Deputy Clerk or Registration Officer to perform the duties as such Deputy Clerk or Registration Officer in such election district or precinct.

SEC. 2. That all laws and parts of laws in conflict with this act are hereby repealed.

Approved February 12, 1885.

CHAPTER 3594—[No. 39.]

AN ACT to Provide a General Law for the Adoption of Children.

Circuit Courts to have power to legalize adoption of children.

The People of the State of Florida, represented in Senate and Assembly, do enact as follows: SECTION 1. That from and after the passage of this act the Judges of the Circuit Courts of the several Circuits of this State, on the application of any person or persons, shall have full power and authority to legalize the adoption of any child or children by any person or persons who may apply to the said Judges of the Circuit Court of the several Circuits of this State.

Party desiring to adopt child must publish or post notice.

SEC. 2. That any person or persons who desire to apply to the Circuit Judge of any Circuit in this State shall give four weeks notice in a newspaper published in the county of residence of such person or persons, and if there is no newspaper published in the county then by posting in three public places in said county, one of which shall be the court-house, of an intention to apply.

Party applying to file petition in Circuit Court.

SEC. 3. After giving the notice provided for in the above section of this act the person or persons desiring to adopt any child or children shall file a petition to the Judge of the Circuit Court in the Circuit in which said person or persons applying reside, said petition to contain the age as nearly as can be ascertained of the child or children, clearly setting forth the reasons why the said person or persons applying desire to adopt said child or children, and the said petition shall be sworn to before some officer authorized by law to administer oaths by one of the petitioners or by their attorney-at-law of the petitioner or petitioners. Upon the filing of said petition it shall be the duty of the Judge to appoint a guardian *pendente lite* to represent said minor upon the hearing of said petition.

Guardian pendente lite.

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SEC. 4. It shall be the duty of any Circuit Judge of this State, when the provisions of this statute have been complied with, after hearing the said petition, together with such evidence as may be presented, in his discretion to grant its order or decree authorizing the adoption of any child or children by any person or persons so complying with the provisions of this statute; and if the order be granted the same shall be made a matter of record in said Circuit Court.

Judge to grant petition at his discretion.

Order to be recorded.

SEC. 5. Any child or children adopted by any person or persons under the provisions of this statute shall be declared the children and heir at law of the person or persons applying for their adoption; *Provided*, That nothing in this act contained shall in any way interfere with any rights of property belonging to the child or children at the time of the adoption.

Rights of children so adopted.

SEC. 6. All laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Approved February 4, 1885.

CHAPTER 3595—[No. 40.]

AN ACT to Authorize Railroad and Canal Companies Incorporated under any law of this State to Condemn lands owned by Private Individuals or Corporations for the use of such Railroads or Canal Companies, and to Provide a Method of Procedure therefor.

The People of the State of Florida, represented in Senate and Assembly, do enact as follows: SECTION 1. In case any railroad or canal company, which has been or which may hereafter be incorporated under any law of this State, shall not have acquired the right to use any land owned by private individuals or corporations, required for the purpose of its incorporation, whether it is or is not in possession of such land at the date of the approval of this act, such railroad or canal company may acquire the right to use such land in the manner and by the proceedings prescribed in this act.

Railroad or canal corporations may acquire use of lands by terms of this act.

SEC. 2. For the purpose of acquiring such right such corporation shall file a petition in the Clerk's office of the Circuit Court of the county in which such land lies. Such petition shall be signed and duly sworn to by the attorney or some authorized officer of such corporation. It shall contain a description of the land, and designate its location; and it must state that such corporation does exist; that it is the intention of such corporation, in good faith, to construct and finish a railroad or canal over or through the lands described

Petition to be filed in Clerk's office, what to contain.