

gress the views of the Legislative Council as to the fortifications necessary to be erected for the ports of St. Marks, Apalachicola, St. Joseph, Key West, Tampa Bay, and other points near the Florida reef; which was twice read, the rule being waived, and adopted.

Messrs. Duval, Mills, Marvin, and Hawkins were appointed said committee.

A resolution passed by the House and transmitted to the Senate on Friday last, in relation to the remission of the Territorial tax on the sale of the pews of the Episcopal and Presbyterian Churches in this city, was again read, and on motion to lay said resolution on the table the yeas and nays were called by Messrs. Berthelot and Hawkins, and were, yeas—Mr. President, Messrs. Bailey, Berthelot, Duval, Hawkins, Walker, and Wright, 7; nays—Messrs. Dupont, Hart, Mills, and Marvin, 4. So said resolution was laid on the table. On motion said resolution was again taken from the table and indefinitely postponed.

On motion of Mr. Mills, the Senate went into committee of the whole on a bill entitled "an act to provide for and authorize the payment of the Florida troops for services rendered during the Seminole war," after some time spent in its consideration the committee rose, and Mr. Berthelot, chairman thereof, reported progress and asked leave to sit again, which was concurred in.

On motion said bill was laid on the table and copies ordered.

A resolution, before offered by Mr. Berthelot in relation to taking bond and security of the printer elect, for the faithful performance of the work, was again read and adopted.

On motion the Senate then adjourned until to-morrow 12 o'clock.

#### TUESDAY, January 22nd, 1839.

The Senate met pursuant to adjournment and yesterday's proceedings were read.

The House sent to the Senate for their concurrence a bill entitled an act to incorporate the Ocilla Academy, in the county of Jefferson; which was read.

Also the following resolutions:

Be it resolved by the Senate and House of Representatives of the Legislative Council of Florida, that the Delegate in Congress be requested to apply to Congress for an appropriation to meet the expenses incurred by this Territory in their Convention held at the city of St. Joseph, by a law of the Legislative Council, passed at the session of 1838, authorizing the said Convention to form a Constitution and government for the State of Florida; and to apply to Congress for admission into the Union.

Be it further resolved, that the Auditor of public accounts be directed to make an estimate of the expenses of said Convention, in-

cluding the pay of the members, and submit the same to the Senate and House of Representatives, without delay.

Be it further resolved that a certified copy of the auditor's estimate of the expenses of said Convention, be signed by the Speaker of the House of Representatives and President of the Senate, after receiving the assent of the Governor together with these resolutions, and that the same be transmitted to our Delegate in Congress.

Passed January 18th, 1839. JOS. B. LANCASTER,

Clerk H. R.

Which were read.

Mr. Hawkins gives notice that he will on a future day introduce a bill regulating the Terms of the Superior Courts of the Apalachicola Judicial District; which was read.

Mr. Mills presented the petition of R. Wrightman, which was read and referred to the committee on elections.

Mr. Duval offered the following resolution, viz :

Resolved, That the Governor be requested to lay before the Legislative Council, copies of the correspondence between himself and any officer of the Militia in relation to the necessity of calling any part of the Militia into service during the year 1838, that remain unpaid; with such orders as he issued as commander in chief, and that he also inform the Legislative Council what number of officers and men have been engaged in the service under his sanction or by his orders, and the time each company was in actual service, with an estimate of the expense, and why the Militia that have been in service at any time during the year, have not been mustered or paid by the United States; which was read.

Mr. Dupont introduced the following resolution, viz :

Resolved, That the regular hour for the daily meeting of the Senate shall be 11 o'clock, A. M., until otherwise ordered; which was read.

Mr. Mills, from the committee on the state of the Territory, to whom was referred a bill entitled "an act to authorize Simeon Driggers to establish a ferry over the Withlacoochee river," made the following report :

The committee on the state of the Territory, to whom was referred the bill passed by the House of Representatives entitled "an act to authorize Simeon Driggers to establish a ferry over the Withlacoochee river in the county of Madison," have the honor to report that they have had the said act under consideration together with the several acts of the Legislative Council in relation to roads and highways and ferries," and find that the last law of a general nature in regard to ferries was passed at the session of 1832, and that the 10th section of said act entitled "an act to alter and amend the several acts relating to roads, highways, and bridges in this Territory, passed Feb. 1st and approved Feb. 10th 1832, provides, "That no person shall keep a ferry within this Territory, so as to demand and receive pay without special license first had and obtained from the county court of the county where such ferry may be, and the said

court hereby empowered on the payment of such sum, as the said court shall deem reasonable, not less than two, and not exceeding twenty dollars, for the use of the county, to grant license to each and every person applying, who shall be adjudged suitable for such purpose by the said court for the term of one year, from the time of giving such license, to keep a ferry at such place as the court shall adjudge most proper; and the court shall state such fare and ferridge at each ferry for passengers, horses, &c :

Provided, always, that every person having applied for license as aforesaid, shall before the same shall be granted, give bond with one or more sufficient securities, to the clerk of the county court of the county wherein such ferry may be, and his successors in office in such sums as the said court shall order, conditioned for the faithful performance of the duties of his station.

Your committee further report that at every session of the Legislative Council, 1824, to the last in 1838, both inclusive, special acts have been passed granting the privileges of establishing ferries and of building bridges, notwithstanding the act of 1824, concerning roads, highways and ferries, expressly gave the power of such grants to the county courts in the several counties. As this course has become so general, your committee beg leave to report the bill with an amendment limiting the term to "five" instead of "twenty years." All of which is respectfully submitted.

Signed,

W. J. MILLS, Chairman.

Which was concurred in; whereupon said bill was again read. On motion the Senate went into committee of the whole upon said bill, after some time spent in its consideration, the committee rose and Mr. Duval, chairman thereof, reported said bill without amendment, which report was received.

On motion said bill again read and taken up, when Mr. Marvin offered the following, as the 4th section to said bill, viz :

Be it further enacted that this act shall be subject to be altered, modified, or repealed, by the Legislature at any time; which was accepted. On motion of Mr. Wright to postpone said bill indefinitely, the yeas and nays were called by Messrs. Wright and Mills, and were yeas—Mr. President, Messrs. Bailey, Berthelot, Dupont, Mills and Wright 6; nays—Messrs. Duval, Hart, Hawkins, Marvin and Walker, 5. So said bill was indefinitely postponed.

On motion the Senate adjourned until to-morrow 12 o'clock.

WEDNESDAY, January 23d, 1839.

The Senate met pursuant to adjournment, and yesterday's proceedings were read.

Mr. Duval, offered the following resolution, viz: Resolved, that the Auditor reports to the Senate, whether any money has been paid out by them, for the expenses incurred by the Convention