

mittee rose, and reported the bill amended, and said bill was ordered to be engrossed for to-morrow.

Mr. English from the select committee, to whom was referred the communication of his Excellency the Governor, made to the Senate on yesterday, reported the following letter of his Excellency, as the report of said committee, and beg to be discharged from the further consideration of the subject.

EXECUTIVE DEPARTMENT.

Tallahassee, 13 February, 1841.

Sir—No bonds have been issued, no commissioner appointed, and I have been anxiously expecting the action of the Legislative Council upon my communication of yesterday.

I am Sir, very respectfully, your obedient servant,

ROBERT RAYMOND ESQ.

Wm. F. English, Chairman committee.

Said communication was referred to the Committee on the State of the Territory, with instructions to report to-morrow morning.

The Senate received from his Excellency the Governor a message, which was referred to the Committee on the State of the Territory. Also a message from the House of Representatives—which was ordered for to-morrow.

The Senate then went into secret session on certain nominations of his Excellency the Governor—on motion the doors were opened, and the Senate adjourned until to-morrow.

SATURDAY, February 14.

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

Mr. Dupont from the Committee on the State of the Territory made the following report:

The Committee on the State of the Territory, to whom were referred, under order of the Senate, two communications of the Executive, upon the subject of the matter mentioned heretofore, in order to carry into effect certain Resolutions heretofore passed by the Legislative Council, providing for the settlement of the claims of certain troops, which had been engaged in the service of the Territory, having endeavored to give to the subject that serious consideration which its importance demanded,

beg leave to report:—That by the terms of the first, second and third resolutions above alluded to, the Executive was authorised and requested to settle the claims therein specified; and had the Legislative Council taken no further action upon the subject, than merely to have passed the said first, second and third resolutions the Executive would have possessed ample authority, by a provision of the act of February 10th, A. D., 1838, (under which these claims had arisen) to have negotiated a loan for that purpose. But the Legislative Council being fully aware of the exhausted state of the Territorial treasury, and that a loan based upon a pledge of the Territorial faith could not be negotiated but at a ruinous sacrifice, appended a further resolve, prescribing that any loan that might be effected should be made at not less than par. The object then of this last resolution certainly could not be construed into a requisition upon the Executive to make “forthwith” an issue of the Bonds, for this authority he already possessed, under the provisions of the act above referred to; but your committee are of opinion that a much more rational interpretation of the said last resolution would be, that the Legislative Council did not contemplate any issue of Bonds *at this time*, for it cannot be presumed that they would so far trifle with the hopes of their fellow-citizens, as to make the liquidation of their just claims dependant upon the sale of Florida Bonds *at par*, when the Bonds of no *State* in the Union now command their par value. Such a supposition is indeed preposterous, and if correctly founded would say as little for the intelligence as the candor of the Legislative Council; the plain and obvious intention of the Legislature in passing the resolutions was two fold: 1st. A *recognition* of the claims. 2d. To insure by the said act of recognition a successful appeal to the general government for an early settlement of the same.

The Legislature will therefore as referred to by the Executive, so far from imposing any obligation upon him to make an issue of Bonds forthwith, seems to your Committee to indicate precisely the reverse.

If the Senate shall coincide with the views of the Committee, then it would seem but proper that resolutions *declaratory* of the Legislative will, should be forthwith passed, and presented to his Excellency without delay. They therefore recommend the adoption of the resolutions accompanying this report.

*Be it Resolved by the Legislative Council, That his Excellency the Governor of the Territory, be instructed to defer the issuing of any Territorial Bonds, for the purpose of raising money to meet any claims against the Territory, until the said claims shall have been presented to the proper department of*

the General Government, and payment of the same is absolutely refused.

*Be it further Resolved*, That if payment of any such claims shall be refused by the General Government, then it may be competent for the Executive to issue bonds in accordance with the provisions of and for the purposes contemplated by the acts now in force; provided, that all monies which may be raised upon any such bonds, shall be forthwith deposited in the Territorial Treasury, to be drawn out only on the warrants of the Governor, or by special act of the Legislative Council.

C. H. DUPONT, Chairman.

D. G. McLEAN.

Which was read and ordered for Monday.

An engrossed bill to be entitled, an act to require specie payments and to provide remedies for the violation of charters and contracts by the Banks of Florida, was read a third time, and on the question of its adoption, the yeas and nays were called by Messrs. Livingston and Duval, and were:

Yeas—Mr. President, Messrs. Brockenbrough, Dupont, English, Livingston, McLean and Walker, 7.

Nay—Mr. Cooper.

So said bill passed—ordered that the title be as above.

A bill to be entitled, an act to incorporate the Monticello Rail Road Company, before passed by the House of Representatives, was read and ordered for Monday.

An act concerning Indian depredations, and for other purposes, before passed by the Senate and amended by the House of Representatives, was ordered for Monday.

The Senate went into secret session on certain nominations of his Excellency the Governor; on motion the door was opened.

Mr. Livingston moved to re-consider a bill entitled, an act to prevent duelling. On which question the yeas and nays were called by Messrs. English and Dupont, and were:

Yeas—Mr. President, Messrs. Brockenbrough, Dupont, Livingston, McLean and Walker, 6.

Nays—Messrs. Cooper and English, 2.

So the motion prevailed, and said bill was referred to the Committee on the Judiciary.

The Senate then adjourned until Monday, 12 o'clock.