

The Senators then returned to the Senate Chamber, when on motion of Mr. Hawkins, the Senate adjourned until to-morrow, 10 o'clock, A. M.

WEDNESDAY, July 2nd, 1845.

The Senate met pursuant to adjournment, and a quorum being present, yesterday's proceedings were read and approved.

Mr. Broward moved that, on Saturday next, the General Assembly do proceed to complete the election of all State officers that are required by the Constitution of the State of Florida, to be chosen by joint ballot of both Houses of the General Assembly; and that the concurrence of the House of Representatives be asked by a committee of three, to be appointed for that purpose.

Which was read the first time, and, on motion of Mr. Hawkins, laid on the table.

Mr. Carter offered the following resolution:

*Be it resolved by the Senate and House of Representatives in General Assembly convened,* That on Saturday, the 5th inst., at 12 o'clock, M., they will proceed to the election of Circuit Judges of the State of Florida.

Which was read the first time.

Mr. White presented a petition, with an accompanying paper, from John C. Poythress, executor and trustee of George Poythress, deceased.

Which was read and referred to the Committee on the Judiciary.

The following message was received from his Excellency the Governor:

EXECUTIVE OFFICE, July 2, 1845.

*Gentlemen of the Senate  
and House of Representatives:*

I herewith transmit to you, for your consideration, the memorial of William Wyatt, a stockholder of the Union Bank of Florida, praying the action of the Legislature, in relation to the affairs of that institution.

W. D. MOSELEY.

Which memorial was read and laid on the table.

Mr. Haughton, from the Committee on Enrolled Bills, reported as correctly enrolled, the preamble and resolutions in reference to the postponement of the sale of the public lands in the State.

A resolution was received from the House, adopted by them, relative to the State Library.

Which resolution was adopted, and Messrs. Mays, Wright and Bellamy appointed a Joint Select Committee, in pursuance thereof, on the part of the Senate.

#### ORDERS OF THE DAY.

The resolution respecting Colors for the State, which was laid on the table until to-day, came up on its third reading.

On motion of Mr. Haughton, the rule was waived and the resolution referred to a Select Committee, consisting of Messrs. Haughton, Mays, Broward, Center and McLean.

The following messages were transmitted to his Excellency the Governor:

SENATE CHAMBER, July 2nd, 1845.

*To his Excellency the Governor of Florida:*

I herewith transmit for the approval and disposition by your Excellency, in pursuance of the first resolution, a preamble and resolutions adopted by both Houses of the General Assembly, and signed by the officers thereof, in relation to the postponement of the sale of the public lands in the State of Florida.

Your obedient servant,

THO'S. F. KING, Sec'y. Senate.

SENATE CHAMBER, July 2, 1845.

*To his Excellency the Governor of Florida:*

At the meeting of the two Houses of the General Assembly on yesterday, for the election of Senators to the Congress of the United States, on motion of Mr. Floyd, it was

Ordered that the President of the Senate and Secretary of the joint meeting, do certify two copies of the minutes thereof to his Excellency the Governor of this State, to be duly exemplified by him under the seal of the State, and to accompany the commissions to be issued to the Senators elect.

In pursuance of said order, I herewith transmit to your Excellency two copies of the minutes of said joint meeting, certified accordingly.

Your obedient servant,

THO'S. F. KING,

Secretary of the joint meeting of the General Assembly.

On motion of Mr. Hawkins, the Senate adjourned until to-morrow 11 o'clock, A. M.

THURSDAY, JULY 3d, 1845.

The Senate met pursuant to adjournment, and a quorum being present, yesterday's proceedings were read and approved.

Mr. Carter moved,

That so much of the Governor's message as refers to the Executive, be referred to the Committee on the Executive Department.

That so much as refers to the laws, be referred to the Committee on the Judicial Department.

That so much as refers to census and apportionment, be referred to the Committee on Census and Apportionment of Representatives.

That so much as refers to finance, be referred to the Committee on Taxation and Revenue.

That so much as refers to the Militia, be referred to the Committee on Militia.

That so much as refers to the Public Library, be referred to a Joint Select Committee.

That so much as refers to donations of the public lands, be referred to the Committee on Education.

That so much as refers to Corporations, be referred to the Committee on Banks and other Corporations.

That so much as refers to adjournment, be referred to the Committee on the Judicial Department; and that the several committees report at as early a day as practicable, by bill or otherwise.

Which motion prevailed.

According to previous notice, Mr. Wall obtained leave and introduced a bill to be entitled, An Act assenting to the purchase by the United States of certain lands on the Island of Key West for the purpose of erecting fortifications thereon, and ceding to the United States jurisdiction over said land, for the purpose aforesaid.

Which was read the first time, and it being deemed a case of urgency, the rule was dispensed with and the bill read a second and third time.

The yeas and nays on the passage of the bill were:

Yeas—Mr. President, Messrs. Bell, Broward, Carter, Center, Goodbread, Houghton, Hawkins, Mays, McLean, Porter, Priest, Walker, Wall, White, Wright—16.

Nays—None.

So the bill passed. Title as stated.

Mr. Broward offered the following resolutions:

1. *Resolved by the Governor and General Assembly of the State of Florida*, That the Governor and Legislative Council of the Territory of Florida had no power to pledge the faith of the people of Florida in aid of any banking institutions.

2. *Resolved*, That the acts of said Governor and Council, authorizing the Governor of the Territory to pledge the faith of the people of Florida, in aid of the Union Bank of Florida, the Bank of Pensacola, and the Life Insurance and Trust Company, are usurpations of the rights of the people of Florida, and that said acts therefore impose no binding obligation upon the people or the State of Florida; and that the bonds issued by virtue of said acts, are entirely null and void, so far as they profess to bind the people of Florida.

Which were read the first time.

Mr. Wright made the following report:

The Committee appointed under the Standing Rules of the Senate, to take into consideration that part of the Constitution of the State of Florida, entitled "Declaration of Rights," have the honor to

#### REPORT:

That they have examined that branch of the Constitution, with a view to the legislation required at the present session of the General Assembly, and are of opinion that no action upon it is called

for; especially as the Declaration of Rights is designed rather to forbid than to encourage legislation, upon the subjects to which it relates.

Your Committee therefore ask leave to be discharged from the further consideration of the subject.

All which is respectfully submitted.

BENJAMIN D. WRIGHT, Chairman.

Which was received and concurred in.

Mr. Broward made the following report:

The Committee on Taxation and Revenue, having taken that subject into consideration, beg leave to

#### REPORT:

That they cannot, at the present meeting of the General Assembly, ascertain the amount of expenses which the State of Florida will incur in the several departments of its government, nor are there any means to arrive at correct information, what amount of taxable property there is in the State of Florida, which information appears to your Committee to be all important, before they proceed to levy a tax, in view of the Constitution of the State of Florida, which provides that no other, or greater, amount of tax, or revenue, shall, at any time, be levied, than may be required for the necessary expense of Government.

And your Committee are of the opinion that the present meeting of the General Assembly is for the purpose of organizing the State Government, and legislating on such matters only, as the provisions of the Constitution make it imperative should be done at its first meeting, and that all other business of legislation will be deferred to the regular session of the General Assembly in November next. At the close of that session would, in the opinion of your Committee, be the appropriate time to ascertain the amount of expenses of the State Government, and by the returns of the census, which we anticipate will be taken, and returns made to the proper department, embracing the amount of taxable property in the State, would better enable your Committee to levy a tax, in the language of the Constitution, to meet the necessary expenses of Government.

To proceed to levy a tax, without the knowledge of the amount wanted, or the amount of property to raise the revenue from, would be levying a tax, at the risk of collecting either a less or greater amount than wanted; and should the latter be the case, the people, our masters, may justly say, that we extorted from them more money than was wanted to pay the necessary expenses of Government; which would, in the opinion of your Committee, be a violation of the rights of the people, and of the Constitution of the State of Florida.

All of which your Committee respectfully submit, and ask leave to be discharged from further action on the subject, during the present meeting of the General Assembly.

JOHN BROWARD, Chairman.

Which was received.

Mr. Mays moved,

That that article in the State Constitution relating to revenue and taxation, be recommitted to the committee upon the said article, with instructions to report a bill to raise a revenue for the State.

Which motion and the report were laid on the table.

The following messages were received from his Excellency the Governor :

EXECUTIVE OFFICE, }  
Tallahassee, July 3d, 1845. }

*Gentlemen of the Senate  
and House of Representatives :*

I have approved the Preamble and Resolutions in relation to the postponement of the sales of the Public Lands in this State, and forwarded a copy to the President of the U. States, agreeably to your request.

I have the honor to be,  
Your obedient servant,

W. D. MOSELEY.

EXECUTIVE OFFICE, }  
Tallahassee, July 3, 1845. }

*Gentlemen of the Senate  
and House of Representatives :*

I herewith transmit to you the original manuscript of the Constitution of the State of Florida, together with the accompanying communication from the Representative of the late President of the Convention.

I have the honor to be,  
Your obedient servant,

W. D. MOSELEY.

ST. AUGUSTINE, June 15th, 1845.

Sir—I have the honor to enclose to you the original MS. copy of the "Constitution of the State of Florida," which came into my possession with the papers of the late Robt. Raymond Reid, President of the Convention.

I deem it proper to make the transmission through you to the General Assembly, to be disposed of as they may see fit.

I am, Sir,

Very respectfully, yours,

M. M. REID.

W. D. MOSELEY, Gov. of Florida.

On motion of Mr. Haughton, a committee, consisting of Messrs. Walker and Hawkins, was appointed to convey the manuscript copy of the Constitution to his Excellency, and request that it be deposited with him until a Secretary of State be elected.

Which committee retired and after a short time reported that they had performed that duty.

On motion of Mr. Broward, Mr. Bellamy had leave of absence until Monday next.

On motion of Mr. Haughton, Mr. Wright was added to the Committee on the Judiciary.

#### ORDERS OF THE DAY.

The resolution respecting the election of Judges on Saturday next,

Was read a second time, and laid on the table.

On motion of Mr. Carter, the Senate adjourned until Saturday, 12 o'clock, M.

SATURDAY, JULY 5, 1845.

The Senate met pursuant to adjournment, and a quorum being present, the journal of Thursday's proceedings were read and approved.

On motion of Mr. Broward, the resolutions relative to furnishing Journals to the different precincts in the State,

Was taken from the table, and referred to the Committee on the Judiciary.

On motion of Mr. Carter, the report of the Committee on Taxation and Revenue,

Was taken from the table, and placed among the orders of the day.

Mr. Broward moved, that on Monday next, all Committees of the Senate do make reports on all the subjects submitted to them, as regards the organization of the State of Florida, in order that the Senate may proceed to act definitively on the same.

Mr. Carter moved to strike out the words "on Monday next," and insert the words, "at as early a day as practicable," in the first line of the motion ;

Which amendment was concurred in.

The motion was then adopted as amended.

Mr. Broward offered the following resolution :

*Resolved*, That his Excellency the Governor of Florida, be requested to inform the Senate if there has been any money paid to the Territory of Florida, from the distribution of the sales of the Public Lands, and if any payment has been made, who received the money, and what disposition has been made of the same.

Which was read the first time, the rule waived, and read a second time.

Mr. Carter offered the following resolution :

*Resolved by the General Assembly of the State of Florida*, That in view of the Report made on the 3d day of July, by the Committee of the Senate on Taxation and Revenue, it is not proper to pass