

A resolution to adjourn sine die on the 2d January, came up on its second reading; Mr. Kelly moved to amend the resolution by striking out 2d January, and inserting Saturday week, on which motion the ayes and noes were called by messrs. Floyd and Kelly, and were as follows:

Yeas—messrs. President and Kelly—2.

Nays—messrs. Austin, Bird, Broward, Carter, Fairbanks, Floyd, Johnson, Lorimer, McLean, McMillan, Walker and White—12.

So the motion was lost.

Mr. Floyd moved to lay the resolution on the table; upon which motion messrs. Austin and White called the ayes and nays, which were as follows:

Yeas.—Mr. President, Messrs. Fairbanks, Floyd, Kelly and Lorimer—5.

Nays—Messrs. Austin, Bird, Broward, Carter, Johnson, McLean, McMillan, Walker, and White—9.

So the motion was lost.

Mr. Fairbanks moved that the resolution be amended by inserting Wednesday the 6th in lieu of 2d January.

Which motion prevailed.

Mr. McLean moved that the rule be waived, the resolution as amended read the third time and put upon its passage, upon which motion the ayes and noes were called by Messrs. Floyd and Kelly and were as follows:

Yeas—Messrs. Austin, Bird, Broward, Johnson, Lorimer, McLean, McMillan, Walker and White—9.

Nays—Messrs. President, Carter, Floyd and Kelly—4.

There not being two thirds in favor of the motion the same was lost.

The resolution was then ordered for a third reading on to-morrow. On motion the Senate adjourned until to-morrow 10 o'clock.

FRIDAY, January 1st, 1847.

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

On motion of Mr. Johnson, the vote of yesterday on the passage of a bill to be entitled an act to amend the several acts relative to proceedings in Chancery, rejecting said vote, was reconsidered, and the bill placed first among the orders for to-day.

On motion of Mr. Floyd, the nomination of G. G. Holt by his Excellency the Governor, was taken up from the table and placed among the orders.

Mr. Lorimer offered the following preamble and resolution, viz.:

Whereas David S. Walker received a majority of the votes of the two Houses of the Legislature of Florida, on the thirty-sixth

voting for the office of Judge of the Southern Circuit of Florida; and whereas the office cannot be filled by any other person without the resignation of Mr. Walker: therefore,

Be it resolved by the Senate and House of Representatives in General Assembly convened, That David S. Walker is duly, constitutionally and legally elected Judge of said Southern Circuit; which was read the first time, and on motion of Mr. Fairbanks to reject the same, and the yeas and nays being called for by Messrs. Fairbanks and Kelly, were as follows:

Yeas—Mr. President, Messrs. Bird, Bradley, Broward, Carter, Fairbanks, Floyd, Johnson, Kelly, Priest, Tabor—11

Nays—Messrs. Austin, Lorimer, McLean, McMillan, Walker, White—6

So the motion prevailed, and the preamble and resolution rejected.

Mr. Bird presented the following Report:

The committee on Federal Relations to whom was referred the two several resolutions "relating to slavery," passed by the Legislature of the State of New Hampshire received by the Governor of this State from the Executive of New Hampshire,

REPORT: That they have examined the said resolutions and find them to consist of virulent misrepresentation and low assertion, and are unworthy the attention, much less the consideration of this body, and the same being evidently intended as an insult, the committee recommend their return to the Executive with the request that he transmit the same to the Governor of New Hampshire with a copy of this report.

DAN'L BIRD, Chairman.
JAS. H. T. LORIMER,
J. CARTER.

Which was received and read.

Mr. Bird also presented the following Report:

The Committee on Federal Relations,

REPORT:

That they have carefully and attentively considered the state of our Federal Relations, and that portion of the annual Message of His Excellency the Governor especially referred to them, and feel it incumbent upon them to present their views in relation to the several matters under their consideration.—The national questions which arise and are directly operative upon us as a member of the united confederacy, call upon us for an expression of our sentiments upon subjects so important and momentous.

The happy settlement of the Oregon question upon the true basis upon which civilized nations should ever act, is, in their opinion, creditable to the administration and to the country, determined to submit to nothing that was wrong, and willing to concede on our part whatever was right, an honorable settlement of this question by negotiation entitles the administration to our support and confidence. The unanimity with which the treaty entered into upon this subject has been approved throughout our whole country, indicates a sound and healthy public opinion, and repels the injurious aspersions of foreign nations, ascribing to our Government and people a spirit of ambition and a thirst for war.

The adoption of the sub-treasury system, by which the public monies are se-

cured and separated from illegitimate purposes, and always held subject to the drafts upon the Treasury, without the intervention of banking corporations, is a matter of congratulation to us. This measure, made the theme of virulent attack and misrepresentation by the interested and the prejudiced, so simple in its idea, and commended to the good sense of every man, by every principle of justice and public policy, has gone into operation, and its beneficial effects are already seen in the stability and credit of the government, although engaged in an expensive war. No monopoly or corporation has in its hands the destiny of the country, or can, by wicked or irregular action, upon the finances of the State in its charge, jeopardize our safety. The funds of the Government are kept in the hands of its own functionaries, without the intervention of irresponsible agents, and consequently no derangement of the currency threatens us with revulsion and disaster. A result attained by the adoption of the simplest plan, upon which every individual acts, that of keeping within his own control and hands his own income.

We view the repeal of the oppressive tariff of 1842, and the adoption of that of 1846, so much more in accordance with the general principles of justice and equality, as a measure of great importance to our State and country. While on the one hand, we are transferring our surplus produce, at fair prices, into the free ports of Great Britain, we are, on the other, enabled, by the adoption of a uniform and moderate tariff, to reduce the price of the manufactured goods of foreign nations, thus bringing to our home producer a fair price for his produce and furnishing him with the comforts and adding to the enjoyments of life at reduced cost, bringing benefit to all, and injury to none.

We admire the patriotism and wisdom which, regardless of the clamor of the protected few, whose interests were likely to be affected by a change, looked to the interests of the consuming and producing mass.

The war with Mexico is referred to by his Excellency the Governor, in terms that meet our hearty approbation and concurrence. We were placed in a peculiar position with regard to Mexico, endeavoring by every honorable means in our power to avoid any collision with a country claiming to be a republic, and weaker than ourselves, but after submitting to insult and injury, open hostilities on their part has drawn us into the necessity of carrying on war against that distracted and misgoverned country. The progress of our arms and the brilliant achievements performed by our citizens in arms, has shown that our people are as energetic in carrying on war, as they were reluctant to commence it.

The cause of our country is a common one, and dear to the heart of every citizen, and though there may have been some differences of opinion in respect to the policy which should be pursued, now when we are actually in a state of war, every good citizen is called upon to stand by his country, and by a firm and unanimous expression of opinion, strengthen the hands of the Government and cheer the hearts of our fellow citizens battling for our country's honor.

The committee, in accordance with the views expressed, report, herewith the following resolutions:

Resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened, 1. That the settlement of the differences between this country and Great Britain in relation to the Oregon boundary by treaty and the course of the administration in relation thereto, meets with our concurrence and approbation.

2. *Be it further resolved,* That we hail with much satisfaction the repeal of the oppressive tariff of 1842; and are decidedly and unreservedly opposed to the adoption of any tariff assimilating thereto, and to a repeal of the present tariff—believing that a tariff of protection is entirely at variance with the interests of our country and our State, and at war with the spirit of republican institutions.

3. *Be it further resolved,* That although we regret that by the insolent and suicidal course of the Mexican government we have been forced into collision

With that mis-governed country; yet we cordially, and to the fullest extent approve the course of the Federal Government in promptly defending the territory of our sister State from aggression and invasion, and carrying on the war in a manner to compel an honorable peace, in maintaining the dignity and self respect of our country: and we trust that the war will be spiritedly persevered in until these objects are attained.

4. *Be it further resolved*, That copies of the foregoing resolutions be transmitted to the Senators and Representatives of this State in Congress assembled; and that the Governor be requested to transmit copies hereof to the Governors of the several States of the United States, and to the presiding officers of both Houses of Congress.

Respectfully submitted,

DANIEL BIRD, Chairman.
J. CARTER

Which was received, read, and five hundred copies of the report and resolutions ordered to be printed.

The following message was received from the House, viz:

HOUSE OF REPRESENTATIVES, Dec. 31, 1846.

Hon. President of the Senate:

The House have concurred in the amendment of the Senate to the title of the House bill to be entitled an act to organize the Jasper Huzzars, so that said title now reads An act in relation to the Jasper Huzzars.

Respectfully your obedient servant,

M. D. PAPY,

Clerk House of Representatives.

The following bills were received from the House:

A bill to be entitled an act to incorporate the city of Key West, which was read the first time; also,

A bill to be entitled an act to establish a tariff of fees; also,

A bill to be entitled an act to amend an act to organize the militia of the State of Florida, approved December 27th, 1845; also;

A resolution authorizing the publishing the laws to alter the Constitution; also,

Resolution relative to the establishment of a light house at Indian river bar; also,

A bill to be entitled an act to amend the several acts heretofore passed relative to the migration of free persons of color into this State so far as relates to the Island of Key West; also,

Resolutions appropriating the taxes of Calhoun county for the years 1847 and 1848 for the erection of a court house and jail in said county; also,

Resolution relative to an account of P. A. Hayward for binding for the use of the Executive Department previous to admission of Florida into the Union; also,

A bill to be entitled an act to regulate the time of holding courts in the eastern circuit of Florida.

Which bills and resolutions were read the first time and ordered for to-morrow.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, 1st Jan., 1847.

Hon. President of the Senate:

The House insist upon the original bill to be entitled An act to amend an act

to organize the Supreme Court of the State of Florida and to annul certain rules adopted by said Court. Respectfully, M. D. PAPY,
Clerk House of Representatives.

Which was read and the amendment receded from. Ordered to be certified to the House.

Mr. Lorimer gave notice that the minority of the committee on Federal Relations dissents from the report of the majority of said committee, and asked leave at a future day to present a minority report; which was granted.

Mr. White from the committee on Enrolled Bills reported as correctly enrolled an act more particularly to define who are retailers of spirituous liquors; also,

An act so to amend the constitution of this State as to make the sessions of the General Assembly biennial instead of annual; which report was received.

The nomination of G. G. Holt was taken from the table and advised and consented to, and ordered to be certified to the Governor.

On motion of Mr. Floyd the rule was waived and he permitted to give notice of his intention on to-morrow to introduce a bill to be entitled an act amending the criminal laws of the State in certain cases.

ORDERS OF THE DAY.

Preamble and resolutions in relation to the services of Rev. Jno. Tucker, as chaplain of Garrison's Battallion, was read the third time and adopted. Ordered to be certified to the House.

Resolution requiring the Treasurer to issue his certificates in such sums as the claimant may require, was read the third time; on the question of its adoption, the vote was as follows:

Yeas...Messrs. Bradly, Broward, Carter, Fairbanks, Johnson, McLean, McMillan, Priest, Tabor, Walker and White...12.

Nays...Mr. President, Messrs. Austin and Kelly...3.

So the resolution was adopted, and ordered to be certified to the House.

A bill to be entitled an act to repeal an act therein named, was read a third time and passed by the following vote, viz:

Yeas...Messrs. President, Austin, Bird, Bradly, Broward, Carter, Fairbanks, Priest, Tabor and Walker...10.

Nays...Messrs. Floyd, Johnson, Kelly, McLean and McMillan...5.

Title as stated.

A bill to be entitled an act to define the boundary of Washington county, was read the third time, and on the question of its passage the vote was as follows:

Yeas...Messrs. President, Austin, Bird, Bradley, Broward, Carter, Floyd, Fairbanks, Johnson, Kelly, McLean, McMillan, Priest, Tabor, Walker...15.

Nay...Mr. White...1.

So the bill passed—title as stated.

A bill to be entitled an act for the relief of William McKain, was read a second time and ordered to be engrossed for to-morrow.

Resolution in relation to treasury certificates issued to Enos

Evans for six dollars was read a second time and ordered for to-morrow.

Resolution charging the Quarter-master General with the safe keeping and preservation of the public arms, &c., was read a second time and referred to the committee on the militia.

A bill to be entitled an act to amend an act concerning roads and highways came up, on its second reading, and the Senate in committee of the whole, Mr. Carter in the chair, went into the consideration of said bill; after some time the committee rose, reported progress, and asked leave to sit again at three o'clock—which report was received and a recess until 3 o'clock ordered.

3 o'clock, P. M.

A quorum being present, the Senate in committee of the whole, Mr. Carter in the chair, resumed the consideration of the bill to be entitled an act to amend an act concerning roads and highways now in force in this State; after some time spent therein, the committee rose, reported bill back with amendments and asked to be discharged from its further consideration; which report was received and the amendments agreed to.

Mr. Carter offered the following amendment to the bill, viz:

Sec. 9. Be it further enacted, That so much of the act concerning roads and highways as requires one of the road commissioners to be a justice of the peace, and all parts of the same, inconsistent with the foregoing provisions be repealed.

Which amendment was adopted and the bill ordered to be engrossed for to-morrow.

A resolution authorizing the Comptroller to issue a warrant in favor of O. A. Myers for one hundred dollars, was read the third time and adopted; ordered to be certified to the House.

A bill to be entitled an act to provide for the permanent location of the county site of Benton county, was read the second time and ordered for to-morrow.

A bill to be entitled an act to provide for the re-establishment of the records of the county of Columbia, and for other purposes, was read a third time, and on the question of its passage the vote was as follows,

Yeas....Messrs. President, Austin, Bird, Bradley, Broward, Carter, Fairbanks, Floyd, Johnson, Kelly, Lorimer, McMillan, Priest, Tabor, Walker, White...16.

So the bill was passed with the title as stated.

The following communication was sent to his Excellency the Governor:

SENATE CHAMBER, 1st Jan., 1847.

His Excellency W. D. Moseley, Governor of Florida:

Sir...I have the honor to transmit you two bills, which have passed the two Houses of the General Assembly, and signed by the officers thereof, viz:

An act more particularly to define who are retailers of spirituous liquors; also,

An act so to amend the Constitution of the State of Florida as to make the sessions of the General Assembly biennial instead of annual. Which bills are sent for your Excellency's approval.

I beg leave also to inform you that the nomination of G. G. Holt as auctioneer for Wakulla county, is advised and consented to by the Senate.

Your obedient servant,

H. ARCHER, Sec. Senate.

A bill to be entitled an act to provide for the appointment of Trustees of Seminary and School lands and for other purposes, came up on its second reading, and on motion the Senate in committee of the whole, Mr. White in the chair, went into the consideration of said bill; after some time the committee rose, reported progress, and asked leave to sit again—which report was received and leave granted to sit again at 7 o'clock, p. m.

The rules were waived to permit Mr. Fairbanks to make the following report:

The Judiciary committee to whom was referred a bill to be entitled an act concerning grand and petit jurors, report the same back with the following amendments: In section 3 strike out "or who may be diseased at the time of the summons." Also strike out section 10 and substitute the following in its place:

Section 10. Every person who shall fail to attend when lawfully summoned to appear as a grand and petit juror as aforesaid without having a reasonable excuse, shall be considered as guilty of a contempt and shall be fined by the courts respectively, in any sum not less than five nor more than twenty dollars for the use of the proper county, unless good cause be shown for such default at or before the next term of such court; and it shall be the duty of the clerk to issue a summons against all such delinquents (where such persons shall not come in without process,) to show cause at the next succeeding term of such court, why he or they should not be fined for such contempt; at which, or any subsequent term, the court shall proceed to assess said fine, unless the person or persons so summoned and failing to attend as aforesaid, shall appear and show good cause for such delinquency. Provided, That the oath or affirmation of any such delinquent shall at all times be received as competent evidence in his favor.

Also to strike out section 13, and to amend section 16, so that same shall be read,

Section 15. Be it further enacted, That all laws now in force in this state inconsistent with the provisions of this act be and the same are hereby repealed.

G. R. FAIRBANKS, Chairman.

Which, with the bill reported back, placed among the orders.

A bill to be entitled an act to amend an act entitled an act for the protection of fisheries on the coast of Florida, approved December 29th, 1845, was read a third time; and on the question of the passage of the same, the vote was as follows:

Mr. President, messrs. Bird, Bradley, Broward, Carter, Johnson,

Kelly, Lorimer, McLean, McMillan, Priest, Tabor, Walker, White—14.

Nay—Mr. Austin—1.

So the bill passed with amendments, title as stated, and ordered to be certified to the House.

A bill to be entitled an act to authorize Henry Hewitt to establish a ferry across Choctawhatchie river, was read the third time; and on the question of its passage, the vote was as follows:

Yeas—Messrs. Bird, Bradley, Kelly, Lorimer, McLean, McMillan, Priest, Tabor, Walker, White—10.

Nays—Mr. President, Messrs. Austin, Broward, Carter, Johnson—5.

So the bill passed, title as stated.

A bill to be entitled an act to establish and regulate pilotage on the waters and in the harbours of Dade county, was read a third time. On the question of the passage thereof, the vote was as follows:

Yeas—Mr. President, Messrs. Bird, Bradley, Broward, Carter, Johnson, Kelly, Lorimer, McLean, McMillan, Priest, Tabor, Walker, White—14.

Nay—Mr. Austin—1.

So the bill passed, title as stated.

A bill to be entitled an act to establish and regulate pilotage on the waters and in the harbors of St. Lucie county, was read a third time. On the question of its passage, the vote was as follows:

Yeas—messrs. President, Bird, Bradley, Broward, Carter, Johnson, Kelly, Lorimer, McLean, McMillan, Priest, Tabor, Walker, White—14.

Nay—Mr. Austin—1. So the bill passed: title as stated.

A bill to be entitled an act to provide for the election of electors of President and Vice President of the United States, came up on its second reading; and on the question to engross the same for a third reading, the same was refused, and the bill lost.

A resolution from the House to adjourn on the 2d January, amended by the Senate, so as to read 6th January, came up, was read a third time, and on the question of its adoption, the yeas and nays were called by messrs. Kelly and Walker, and were:

Yeas—messrs. Austin, Bird, Bradley, Broward, Carter, Johnson, McMillan, McLean, Priest, Tabor, Walker, White—12.

Nays—Messrs. President, Kelly, Lorimer—3.

So the resolution was adopted as amended, and ordered to be certified to the House.

A bill to be entitled an act to provide for holding extra terms of the Circuit Courts, came up on its second reading, and was indefinitely postponed.

The Senate took a recess until 7 o'clock.

7 o'clock, P. M.

A quorum being present, the consideration of a bill to be entitled an act to establish Trustees of Seminary and School Funds and for other purposes, was resumed in committee of the whole, Mr. White in the chair. After some time the committee rose, reported the bill back to the House without amendments; which report was received and the bill ordered for to-morrow.

Preamble and resolutions to encourage and promote the cultivation of silk was read the second time, and referred to a select committee to consist of messrs. Lorimer, McLean and Walker.

A bill to be entitled an act to re-organize the sixth regiment Florida militia, was read the third time and on the passage thereof the vote was as follows,

Yeas—Mr. President, Austin, Bird, Bradley, Broward, Carter, Fairbanks, Floyd, Johnson, Kelly, Lorimer, McLean, McMillan, Walker, White—15.

Nays—none.

So the bill passed; title as stated.

A bill to be entitled an act to amend the several acts concerning limitations of action, was read a third time and on the question of its passage the vote was as follows,

Yeas—Mr. President, messrs. Austin, Bird, Bradley, Broward, Carter, Fairbanks, Floyd, Johnson, Kelly, Lorimer, McLean, McMillan, Walker, White—15.

Nays—none.

So the bill passed with the title as stated.

A bill to be entitled an act to amend an act to provide for the appointment of weighers of cotton and other produce, and inspectors of wood, lumber and tobacco, in and for the county of Franklin, was read a second time and postponed for to-morrow.

A bill to be entitled an act to regulate patrols in this State, and for other purposes, was read a third time. On the question, "shall this bill pass?" the vote was as follows, viz:

Yeas—Mr. President, Messrs. Austin, Bird, Bradley, Broward, Carter, Fairbanks, Floyd, Johnson, Kelly, Lorimer, McLean, McMillan, Walker, White—15.

So the bill passed, with the title as follows: A bill to be entitled an act to regulate patrols in this State.

A bill to be entitled an act to define in what cases property shall be exempt from execution, was read a third time; and on the question of the passage of the bill, the vote was as follows:

Yeas—Messrs. Austin, Broward, Fairbanks, Johnson, Lorimer—5.

Nays—Messrs. President, Bird, Bradley, Carter, Floyd, McMillan, Walker, White—10.

So the bill was lost.

On motion, the Senate adjourned until to-morrow, 10 o'clock.