

The following message was received from the House, viz:

HOUSE OF REPRESENTATIVES, Jan. 5th, 1847.

Hon. President of the Senate:

Sir— The House have concurred in the reports of the committee of conference on House bill to amend an act for the protection of fisheries, and on Senate bill to be entitled an act to provide for the sale of lands granted to the State for the purpose of internal improvement.

The House adheres to its original resolution charging the Quarter Master General with the safe keeping of the public arms, &c.

The House also adheres to its amendments to the Senate bill to be entitled an act amendatory of the several acts incorporating the city of Apalachicola, which have been disagreed to by the Senate.

Respectfully your ob't serv't,

M. D. PAPY, Clk. Ho. Reps.

Which was read, and the Senate insisted on their amendment to the resolution, charging the Quarter Master General with the safe keeping and preservation of the public arms.

The Senate adhered to their disagreement to the amendments of the House to the bill entitled an act, amendatory of the several acts incorporating the city of Apalachicola—which was ordered to be certified to the House.

A Committee from the House, informed the Senate, that they were appointed to request the Senate to return a bill, to be entitled an act requiring the former Sheriff of St. Lucie to collect the arrears of taxes for the years 1845 and 1846; which Committee were received; and Messrs. Kelly, Austin and McLean appointed a Committee to return said bill, which Committee shortly after reported that they had performed the duty assigned them.

On motion the Senate adjourned until to-morrow 9 o'clock.

WEDNESDAY, 6th January, 1847.

The Senate met pursuant to adjournment, and a quorum being present, the reading of the journal of yesterday's proceedings was dispensed with.

On motion of Mr. Carter the messenger of the Senate was excused from attendance for the balance of the session.

A committee from the House informed the Senate that they had been appointed by the House to request the return of a bill, lost in the House entitled an act for the relief of the administrators of Nehemiah Brush deceased, which request was complied with, and the bill returned.

A committee from the House also requested the return of a bill, lost in the House entitled an act to re-organize the sixth Regiment Florida Militia, which bill was also returned by a committee from the Senate.

Mr. McLean made the following report:

The committee on enrolled bills have instructed me to report as correctly enrolled—

An act to amend the several acts concerning limitations of actions; also,
 An act to amend the several acts relative to proceedings in Chancery; also,
 An act to provide for the re-establishment of the records of the county of Columbia; and for other purposes; also,
 An act to adopt a seal for the Supreme Court of this State.

D. G. McLEAN.

One of the committee.

The following message was received from the House.

HOUSE OF REPRESENTATIVES, Jan. 5th, 1847.

Hon. President of the Senate:

Sir—The House disagrees to the amendments of the Senate to the House 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.

The House concurs in the amendments by the Senate to a bill to be entitled an act to incorporate the city of Key West.

The House also concurs in the amendment by the Senate to the bill to be entitled an act to regulate the time of holding courts in the eastern circuit of Florida.

Respectfully, your obedient servant,

M. D. PAPY, Clerk Ho. Rep.

Which was read, the amendments of the Senate insisted upon, and certified to the House. Also the following:

HOUSE OF REPRESENTATIVES, 6th Jan., 1847.

Hon. President of the Senate:

Sir—The House recedes from its adherence to its amendments to the act amendatory of the several acts incorporating the city of Apalachicola. And also from its amendments thereto disagreed to by the Senate.

Respectfully, your obedient servant,

M. D. PAPY, Clerk House of Representatives.

Which was read.

On motion a committee was appointed to request of the House the return of a bill, lost in the Senate entitled an act to establish Trustees of Seminary and School funds, and for other purposes, which committee reported that they had performed the duty assigned them.

A committee from the House returned the said bill, the vote on its rejection yesterday reconsidered, and the same placed among the orders.

Mr. Kelly made the following reports:

The committee on the State of the Commonwealth, to whom was referred a petition from sundry citizens of Columbia county, praying to have re-established county courts; have had the same under consideration, and report said petition back to the Senate, and ask to be discharged.

W. W. J. KELLY.

The Select Committee to whom was referred a bill to be entitled an act to amend an act relative to elections in this State, have had the same under consideration, and report the bill back to the Senate without amendment, and ask that they may be discharged.

W. W. J. KELLY.

Which were read, and the bill reported back, placed among the orders.

Mr. Lorimer, from a select committee, made the following report:

The Select Committee to whom was referred the "Preamble and resolution to encourage and promote the growth of Silk," having had the same under consideration, beg leave to

REPORT:

That they have given the subject that consideration which their limited time and means of information have allowed, and which its intrinsic importance demands. They are satisfied, from many considerations, and from actual experiments made by citizens of Florida, that our climate and soil are, perhaps, better adapted to the growth and culture of silk, than any other part of the world, certainly inferior to none. They are also satisfied that the prosperity of our infant State would be greatly and peculiarly promoted by the general and extensive culture and manufacture of silk. On these two cardinal points of the subject, your committee beg leave to insert extracts from a highly interesting letter of the Hon. Thomas Douglass, (one of our Circuit Judges) published in the last "Annual Report of the Commissioner of Patents."

"MACARIZ, East Florida.

"Dear Sir—Although my experiments in the silk culture may be of little value, yet, added to the general stock which is now being garnered up by those who feel a solicitude for the success of this branch of agriculture, they may be of some service, especially to our Territory; in all that concerns which you take so deep an interest. I therefore proceed with pleasure to comply with a request you made of me before you left for Washington, to give you some information on the subject. The feeding of silk worms began to attract attention in this region in 1838. Few, however, engaged in it. Mrs. D. that year fed a small number by way of amusement, which succeeded so well that we were induced to continue it. In 1839, we fed about ten thousand worms, and although (from necessity,) we kept them in a small, close and badly ventilated room, they were throughout perfectly healthy, wound off well, and made very fine cocoons, weighing about two hundred and seventy-five to the pound. Encouraged by this, and believing that the culture might be carried on successfully here, become a valuable branch of our agriculture, and bring into requisition a large portion of our pine timbered lands, I determined to proceed with it; and in the spring of 1840, commenced the erection of a building suited to the purpose, which I have since finished. That spring I had a large crop (or family, as the French writers would, perhaps, more correctly call it,) hatched out; but owing to the want of room for them, made only forty bushels of cocoons. This crop wound off in April. In the succeeding month of May, I brought out another small crop from some choice eggs sent me from the North, which turned out well. In June and July, I brought out another crop of about five thousand worms—these were the second crop of the small white two crop worm, a very hardy and valuable variety; and although we fed them in the attic story of my new Cocoonery, amidst the noise and dust occasioned by the carpenters and masons who were engaged in finishing it at the time... they were exceedingly healthy, and wound off in the month of August; very handsomely.

In 1841, we fed two crops of about one hundred and fifty thousand each; the first in March and April; and the latter, which consisted of the two crop worm, in May and June; and made about one hundred bushels of cocoons. There being no ice house in this neighborhood, we could not avail ourselves of the advantage of giving our eggs what is termed a "temporary winter," so as to cause them to hatch again that season; and were therefore compelled to forego a further feeding until the ensuing spring: but, during the month of March, we brought out a crop of about three hundred thousand; which wound off very handsomely in April and May, from which we made about seventy bushels of

cocoons. Being too much engaged with professional pursuits to go North to procure reelers, or the necessary apparatus for reeling; and having no knowledge of that matter ourselves, except what we have derived from our experiments, and little time to devote to it. We have most of our cocoons, say about two hundred bushels, yet on hand. We have, however, with such apparatus as we could procure here, which is by no means the best, reeled off enough to ascertain that our cocoons, which I think would not suffer by a comparison with any made elsewhere, will make very fine, strong and excellent silk. To satisfy you more fully upon this point, I herewith enclose you a small sample reeled in my family, and saved a large quantity of eggs; but, notwithstanding, a large portion of the latter were of the small white two crop worm above mentioned, they did not hatch out a second time...a circumstance for which I am unable to assign any reason, unless it was owing to a long continuance of hot dry weather, which some writers on the subject say, will cause that result. An ice house having been established in St. Augustine, I, about the middle of July, placed a small quantity of my eggs assorted in it, in order to test the fact, whether giving them a "temporary winter" would cause them to hatch; and being very much pressed with business, paid no farther attention to them until about the middle of September, when I took them out, and spread them on a shelf in my cocoonery; and in a few days they commenced hatching, and we fed them through the months of October and November; they were also healthy and wound off well.

"I used no artificial heat, and am satisfied from my own experience, that we can always feed here eight months in the year without it, and in favorable seasons nine months, during which time we can make four crops, provided we can manage our eggs so as to cause them to hatch out, when we wish them to do so; and I see no reason why we may not. I am aware that different opinions are entertained on this subject, it is contended by some that retarding the hatching in the manner I have mentioned must necessarily injure the constitution of the worm. I do not think so. Providence seems in every other respect to have adapted it to the wants of man; its want of locomotion is a remarkable instance of that adaptation, if it crawled about like other worms, we could do nothing with it, and I believe that it is also adapted to that use in the particular that I have mentioned, an opinion to which I am led by observations and experience. This opinion I know is at variance with that of some writers, and amongst others, Mr. G. B. Smith, of Baltimore, whose opinions upon all questions connected with the silk culture, are entitled to great weight. He says, that the silk worm when left to itself, exposed to the ordinary atmosphere, hatches out in the spring, exactly at the time the mulberry leaves open; and requires exactly twelve months to pass through the various stages of its existence; that if, for example, a silk worm is hatched on the first of May, 1840, the eggs that it would produce would naturally hatch on the first day of May, 1841. In this I think he is mistaken; and with all due deference, there seems to me to be an inaccuracy between his premises, which are correct, and his conclusions, unless the mulberry leaves come out always exactly at the same period of the year, which is by no means the case in this latitude. I never laid by any eggs from silk worms that hatched earlier than about the 10th of February, until last year; yet I have almost every winter had worms hatch out whenever the temperature of the atmosphere was as high as 70d., in the following December and January, which is often the case here. Again in consequence of cool weather at the same period of the year when the worms were hatched, from which they were produced, the hatching has been retarded; indeed, that is the case now. Many of the worms that produced the eggs I now have on hand, were hatched before the 10th of February of last year; yet they have not hatched, owing, doubtless, to a backward spring, and by keeping eggs in a cool place. I have also retarded their hatching beyond the period of the year at which the worms that produced them were hatched, without any prejudicial effect, so far as I could discover, upon the worm. But the Persians, it is said, possess a variety which produces

eight successive crops in the year, and if I am not wrong in relation to the theory above mentioned, it will be a desideratum to introduce this species in Florida, where it will find a congenial climate.

I observe that at a silk convention held in the fall of 1843, at Northampton, Massachusetts, Mr. Samuel Whitmarsh, whose experience in the silk culture is well known, stated that he was satisfied that but one crop could be made in the year in New England; and the principal reason assigned by him why more could not be raised, was, that the mulberry tree would not afford suitable food a longer period than was necessary for one crop. I use the leaf of the *morus multicaulis*, and that affords good foliage for silk worms here at least eight months, and sometimes nine, and even ten months in the year.

The advantage that I anticipate for Florida from the silk culture in relation to our pine barren lands, (as they are called,) will doubtless be realized; for although the trees raised upon these lands do not produce so large leaves as those raised on the rich hammock lands, yet they afford a better food, and the silk made by the worms fed upon them is stronger and of a finer texture. By the by, I am happy to learn that the experiment of cultivating sugar upon the pine lands in the interior also succeeds well. The cane raised upon them, although not so large as those grown upon the swamp lands, contains much more saccharine matter to the gallon. There is a great saving of labor, therefore, in handling and transporting it to the mill, and in grinding it. The same result as to silk culture upon the pine lands, has attended the effort in Georgia. A writer in the last "Georgian," speaking of the experiments made there, says: "that pine lands are suitable for the production of the best qualities of silk."

"I now consider it as determined, and the fact to be of great importance to the neighboring counties, and especially to Savannah. If the pine country in our rear, which has been regarded as little more than waste lands, can be made productive, and subsist a dense population, which would now seem the most visionary calculations of such a change to Savannah and the country at large, would fall short of the reality. But I venture to predict such a change, and that whoever may live to see thirty years hence, will see "Lower county Georgia silk," quoted in the prices current of Liverpool and Havre."

I certainly agree with this writer, and what will be true of Georgia will also be true of Florida, and those who live at that day will also see "Florida silk," quoted in the same prices current; but while East Florida may compete with Georgia and States further north in the cultivation of silk, and that too, with superior advantages, she will produce several staples in the cultivation of which they cannot compete with her, amongst the more important of which will be that of sugar. And now that the din of war has ceased, and the overflowing scourge that has so long devastated this fair portion of Florida has passed by, we may hope soon to see the country settled by an industrious, intelligent, and enterprising people. There is no portion of our country (or perhaps any other) that offers greater inducements to the emigration of that class of people than East Florida."

The foregoing extracts your committee regard as of the highest authority, from the intelligence of the author, and from the fact that his knowledge has been derived from experience.

Your committee take the liberty of here inserting a letter, (doubtless not intended for publication) from a gentlemen of this State, to whom a letter of enquiry on this subject was addressed. It contains facts and suggestions which are believed to be accurate and sound:

TALLAHASSEE, December 24, 1846.

Col. J. H. T. Lorimer:

Dear Sir...Your letter of yesterday, asking for information in relation to the culture and manufacture of silk is before me, and it affords me pleasure to refer you to such sources of information on these interesting points as are within my knowledge. I certainly agree with you in the opinion that no part of the United States is better adapted to the culture of silk than Florida; and I doubt

if any other State is in all respects equal to our own. I do not by any means think that the culture of silk should in many instances supercede the culture of our great staple, or other crops profitably engaging the labor of our citizens at present; but my idea is that its culture would bring into requisition a large amount of labor which at present is necessarily unemployed. Those too old and infirm, and too young and feeble to be efficient in common plantation labor, are fully equal to the labor of raising silk. This part of most families, both white and black, is a constant source of expense; whereas by introducing the silk culture it would become a source of profit. This would doubtless be an almost inestimable blessing to the poorer classes of society. Many interesting calculations might be made on this point which I lack time to enter into.

You are correctly informed, that in my native State (Tennessee) silk has been successfully cultivated. The very best piece of silk velvet which I remember ever to have observed, I saw in the loom in the city of Nashville! Several silk companies have been incorporated by the Legislature of that State with very large capitals. A bounty is paid by the state of twenty cents, I believe, per pound for cocoons, and fifty cents per pound for reeled silk. This has been found a great stimulant to the culture. One of the most active and intelligent citizens of that state who has engaged in the silk business, writing to a friend in April, 1841, speaks of his success as follows:

'I want nothing but the certainty of sufficient cocoons to secure the fact of immediately converting *Multicaulis* leaves into gold. The victory is won. The people have nothing to do but to secure it. Cocoons can be made in this country for \$1 25; and when the labor is not hired, thousands will say, as a man said to my enquiry, what it cost to make the five bushels he sold me: 'Cost?' said he. 'Yes,' said I, 'what did the production of these cocoons cost you?' 'Oh!' said he, with surprise at my question, 'they cost nothing, sir: my little brothers and sisters made them, and their labor would have been nothing otherwise.' If \$20 had fallen from the clouds into that man's hands, he could not have had a clearer gain to his income without additional expense. Thousands will answer in this spirit, ere long I believe. My two reels are steadily at work. The silk reeled since first February, (two months,) amounts to about seventy pounds; some of it is as good as they can make in Piedmont, and the worst many times better than any I have seen from Smyrna or Bombay. Up to last Saturday, two girls in fifty-two days, all sorts of weather and cocoons had reeled sixty-two pounds of silk without their being pushed, and idling some of course. They are delighted with their work. The profit I am making at present is greater than I expected it to be, or desire it should be; I could make more money at reeling silk, than any cotton, or sugar plantation, or gold mine in the United States. Two girls in fifty-two days have reeled sixty-two pounds of silk:

The cocoons cost me	186
Two girls' wages at 20c. each pr day,	36 33½
Two reelers at \$1 for the two pr day,	8 66½
Two children who turn the aspel,	7 75
Flossing cocoons at 12½c. to the lb. of silk,	
	<hr/>
Total,	\$238 75
	<hr/>
Price of 62 lbs. silk at \$5 50.	341 25
	<hr/>
Profit,	\$102 25

Mr. Ross, from whose letter the above extract is made, is altogether worthy of the utmost credit as to the accuracy of his statements. Mr. Timothy Smith of Amhurst, in a letter relative to the cost of producing silk, says: 'I consider that one acre of white mulberry, set in hedge rows, will yield foliage for fifty pounds of silk; and presume to say that an acre of *Multicaulis* will yield double that amount. I consider that reeled silk costs me about two dollars per lb.; but feel confident that in two or three years, by using the

best kinds of mulberry, and the better economy, that silk can be made for one dollar and a half per pound.

On these points I refer you to a little volume, (a copy of which I send you,) which may be had at almost any book store, entitled 'The silk culture, with historical sketches of the silk business in Europe and the United States; the natural history of the silk worm, mulberry tree, etc., with numerous engravings; price 25 cts.

I also refer you to the last annual report of the Commissioner of Patents, in which you will find much valuable information to the people of Florida on this subject.

It seems to have been the policy of most of the States in the Union, to grant bounties on the production of silk, as well as in Europe. Maine, New York, Connecticut, Massachusetts, Pennsylvania, Illinois, Indiana, Georgia, are examples of this. Indeed, when we remember that on an average, silk is the largest item of our imports from foreign countries, the sound policy of encouraging its home production can hardly be questioned. About fifteen millions of dollars in cash, are annually sent to Europe for silk. I think it altogether probable that there are in the South and West alone, idle old men, women and children; (white and black) unfit for ordinary agricultural labor, sufficient to save this vast annual expenditure, if they were, as they might soon be, properly engaged and instructed in the production of silk."

Your committee cannot better enumerate the reasons for the culture of silk in Florida, than by inserting the following extract of a letter from ALEXANDER WALSH of New York, published in the "History and culture of Silk":

"I will close this by simply adding a few reasons why I think the people of the United States, and especially the farmers, should engage in the business of silk growing:

- 1st. Because silk forms the heaviest item in the catalogue of our importations.
- 2d. Because we possess the means of doing it to better advantage than any other nation.
- 3d. Because the necessary skill is readily acquired, and no nation ever possessed better talents to acquire it.
- 4th. Because the nation is under heavy embarrassments, on account of excessive importations, and no other means are so sure of success in providing the necessary relief.
- 5th. Because it can be effectually engaged in by all classes of people, requiring little or no capital.
- 6th. Because we have more spare land than any other nation, and much well suited to the growth of the mulberry, which is worn out for other purposes.
- 7th. Because we are already well stocked with the mulberry trees, which will be lost to the nation, if not used for that purpose.
- 8th. Because a stock of silk worms may be obtained the first year, equal to what could be reared of any other live stock in a great portion of a life time.
- 9th. Because raw silk or cocoons are always sure of sale.
10. Because it is a very certain crop.
11. Because a pound of silk worth six dollars, can be grown in less time than a pound of wool worth fifty cents.
12. Because it will cost no more to transport a pound of silk to market worth six dollars, than a pound of bread stuff or pork worth six or eight cents.
13. Because the labor of growing a crop of silk requires only six or seven weeks, while that of almost any farming crop requires more than as many months.
14. Because most of the labor will be performed by women, children, or invalids, who, though willing, are unable to perform other profitable labor.
15. Because there are hundreds, if not thousands, of skilful silk manufacturers in the country who are unable to find regular employment for want of raw silk.

16 Because the growing and manufacture of silk has never failed to be a source of wealth to any nation which embarked in it."

Very respectfully yours,

ALEXANDER WALSH."

The growing of silk is one of the pleasantest rural employments, if not identically the most so, of any branch of human industry, and is also one of the most lucrative, as the produce is always sure of a market at a fair price. It is also a business simple in its nature and easily understood. But however easy it may be to acquire a sufficient understanding of it, yet that understanding is absolutely necessary, and without it the best managed undertaking would probably end in loss and disappointment; like every other business, however simple, it requires theory and practice, a perfect theoretic knowledge of the business of hatching, feeding, and rearing silk worms, may be clearly committed to writing and may be read with perfect understanding—but still a practical acquaintance will be necessary to make it familiar, and consequently pleasant and successful.

The object at which we aim in this little treatise, is to present the unpractised beginner in silk growing, such information as will lead him in safety through an experimental course. When this course is completed, the learner will have acquired a familiar and interesting acquaintance with the silk worm, and to speak figuratively, will have so far learned its language, as not only to know, but to anticipate its wants, and keep it in a vigorous and healthy state through every period of its existence. There is perhaps no other living creature whose life is less precarious than the silk worm; but still it is an insect of delicate organization, and its life depends on certain indispensable requirements—these are, an uncontaminated atmosphere, a proper temperature, and suitable and timely food. With these, its life is almost certain; without them it will not live.

Its prolific nature and the shortness of its duration, render it more easily and speedily obtained than any other animal stock. Its profits are equal if not greater than those of any other, and its products command a surer market with less fluctuation in price than almost any other commodity. In addition to this, it may be commenced and extended with so little capital as to be within the reach of all classes.

With all these considerations, there can be no doubt that to excite a general and persevering spirit of silk growing, and to give proper instructions for its accomplishment, would be to point out the surest road to national wealth.

The growing of the silk will require diligent attention, and the reeling of it in such manner as to insure success will require patient perseverance with all the stimulus of emulation.

JAMES H. T. LORIMER, Chairman.

Which was received, the reading dispensed with, and the bill reported read the first time.

His Excellency the Governor transmitted the following message, accompanied by the act to authorize the payment of jurors:

EXECUTIVE DEPARTMENT, }
January 6, 1847. }

Gentlemen of the Senate,
and of the House of Representatives:

I return herewith, *without approval*, a bill to be entitled "an act to authorize the payment of jurors."

As the General Assembly purposes to adjourn to-day, I am compelled to confine myself to a brief statement of the objections to the bill, which have suggested themselves to my mind,

within the very limited time which I have had time to devote to its consideration.

In the first place, provision is already made for the payment of jurors, by granting to each county the privilege of receiving all fines and forfeitures imposed and incurred in each county, as a fund to pay the jurors of that county, and the further privilege of levying a tax in each county for any further sum that may be required to meet such expenses. This system has been adopted with great success in some of the older States, and secures the prompt execution of the criminal laws; while it leaves within the discretion of the people of each county, the amount which is to be contributed by each citizen of the county, and paid by each juror, for such service. Improper charges for allowances to jurors can be more easily detected by the authorities of the county, when interested to prevent such abuses, and consequently justice is more likely to prevail under the present plan.

Under this system, in counties where jurors are paid, and serve in regular rotation, they can afford to contribute a county tax sufficient, with the fines and forfeitures, to defray this expense. In other counties, where jurors are not paid, they realize an equal benefit in the reduction of the county taxes.

The bill now proposed is objectionable, on the ground that it makes each clerk of the circuit court, to a certain extent a *comptroller* of public accounts of the State, without any sufficient check upon him to prevent abuses of the power sought to be conferred—for it cannot be supposed that the judge, whose approval is required, can find time to give such examination into each account presented for his approval, as the great interests involved should require. I cannot imagine that a greater opportunity could be afforded to squander the public moneys, by the payment of pretended claims, than is afforded under the third section of this bill, which evidently places the public moneys within the control of the several clerks.

Beside all this, there seems to me to be a great injustice in any measure which proposes to divest from the Treasury, moneys already *pledged* to meet expenses of the State *already* incurred.—The Treasury warrants *now outstanding* have obtained circulation on the faith of the system now in operation, which guarantees the payment of certificates or warrants according to number; or in other words, of services to the State, in the order in which they are performed. It is evident, that the measure proposed is entirely in conflict with this just principle recognized by existing laws; for it secures payment *first*, of services *last* performed.

But above all, the credit of the State is involved in this matter. To *maintain that credit*, even should it be at sacrifices of important interests, I feel to be a paramount duty, from which I can never shrink. At present, there is but little money in the Treasury to pay the liabilities of the government, for services already perfor-

med. Warrants to a large amount, issued by the Treasurer, are outstanding and depreciated. The present liabilities of the State will soon be increased to a large amount by the presentment of claims for expenses of the General Assembly, the expenses of the current fiscal year do not promise to be less than those of the *past year*; while the revenues of the Government are reduced, in proportion to the extent of the exemption from capitation tax, established at the *present session*.

Under such circumstances, I am asked to approve a bill, which proposes to add to the *expenditures* of the Government at least 25 per cent., and which provides no corresponding income, to meet such additional expense. However great would be the pleasure which I might experience, in participating with the General Assembly in making provision for the payment of jury services to the State, and particularly those of jurors who suffer great inconveniences in the discharge of their responsible duties, I cannot, in view of these circumstances, gratify myself in this regard, at the expense of the credit of the State. The measure, if adopted, cannot fail to involve the State more deeply; and that very portion of our citizens who would be presently benefited by the measure, would soon be called upon to return, in the shape of high taxes, the moneys they would receive as jurors, to make good the deficiency created by these additional expenditures.

A *bankrupt treasury*—ruin to the credit of the State—losses by depreciation of the treasury warrants, and high taxes upon the people to restore the credit of the State, will, I solemnly believe, be the inevitable consequences of my approval of the bill.

These views I honestly entertain, and must candidly express, whatever may be the consequences.

On questions in which policy only, and not principle, is involved, I may be expected to yield to the judgment of the General Assembly; but where I deem the credit of the State involved, I cannot withhold my interference, within the limits of the Constitution. I, therefore, return the bill to the representatives of the people, for their re consideration.

With great respect,

W. D. MOSELEY.

Which was read; and on the question of the passage of the bill, over the veto of the Governor, was as follows:

Yeas—Mr. President, Bradley, Carter, Fairbanks, Johnson, Kelly, McLean, McMillan, Walker—9.

Nays—Messrs. Austin, Bird, Broward, Floyd, Lorimer—5.

So the bill was lost, there not being a constitutional majority in favor of its passage.

ORDERS OF THE DAY

Were called, viz:

A bill to be entitled an act concerning grand and petit jurors, was read a third time. On the question, "shall this bill pass?" the vote was as follows, viz:

Yeas—Messrs. President, Austin, Bird, Bradley, Broward, Carter, Fairbanks, Johnson, Lorimer, McLean, McMillan, Walker—12.

Nay—Mr. Floyd—1.

So the bill passed, title as stated, and was certified to the House.

A bill to be entitled an act to establish trustees of school and seminary funds, and for other purposes, was read a third time, as amended. On the question, "shall this bill pass?" the vote was as follows:

Yeas—Mr. President, Messrs. Austin, Bird, Bradley, Carter, Fairbanks, Floyd, Johnson, Lorimer, McLean, McMillan, Walker—12.

Nays—Messrs. Broward, Kelly—2.

So the bill passed as amended, with the title changed as follows: A bill to be entitled an act in relation to seminary and school lands, and for other purposes; which was certified to the House.

Resolution in favor of Dr. R. E. Little, was read the third time, and adopted; also,

Preamble and resolution in favor of P. A. Hayward, was read a third time, and adopted.

A bill to be entitled an act to amend an act organizing the Circuit Courts of this State; which was read the 2d time, rule waived, read a third time; and on the question of its passage, the vote was as follows:

Yeas—Messrs. President, Bird, Bradley, Broward, Carter, Fairbanks, Floyd, Johnson—8.

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

So the bill passed, title as stated.

Mr. McLean made the following report:

The Committee on Enrolled Bills, have instructed me to report as correctly enrolled, an act to provide for the sale of the lands granted to the State for the purpose of internal improvement; also, an act to re-organize the sixth regiment Florida militia.

D. G. McLEAN, one of the Committee.

Which was read.

Mr. Fairbanks introduced certain resolutions relative to lands granted for internal improvements.

Which were read the first time, and placed among the orders.

A resolution in relation to Benjamin G. Thornton, was read a third time, adopted, and certified to the House.

A bill to be entitled, an act to provide for holding extra terms of the circuit courts, was read a third time, as amended; and on the question, "shall this bill pass?" the vote was as follows:

Yeas—Messrs. Bird, Bradley, Broward, Fairbanks, Johnson, Kelly, McMillan, Walker—8.

Nays—Mr. President, Austin, Floyd, Lorimer—4.

So the bill passed as amended, title as stated. The Senate took a recess until 3 o'clock.

3 o'clock, P. M.

A quorum being present, the Senate proceeded to the consideration of the orders.

A bill to be entitled an act to amend an act entitled an act to organize the circuit courts of the State of Florida, approved July 22d, 1845, was read a second time.

Mr. Fairbanks moved to strike out from the first section of the bill all after the enacting clause, and insert the second as the first section thereof.

The following message was received from the House:

HOUSE REPRESENTATIVES, January 6, 1847.

Hon. PRESIDENT of the Senate.

Sir: The House has adopted the resolution substituted for one from the House, in relation to Dr. B. S. Scriven's account, and which was lost by the select committee to which the original was referred.

Respectfully, your obedient servant,

M. D. PAPY, Clerk, Ho. Reps.

Which was read.

The following message was received from His Excellency the Governor:

EXECUTIVE DEPARTMENT, }
January 6, 1847. }

Gentlemen of the Senate,

and House of Representatives:

I have approved the following acts, to wit:

An act to re-organize the sixth regiment Florida militia;

An act to provide for the sale of the lands granted to the State for the purposes of internal improvement.

I have the honor to be, very respectfully, your obedient servant,

W. D. MOSELEY.

Which was read.

The Senate received from the House, a resolution in relation to the boundary between Florida and Georgia; which was read the first time.

The following message from the Governor was received:

EXECUTIVE DEPARTMENT, }
January 6, 1847. }

Gentlemen of the Senate,

and of the House of Representatives:

I have approved an act entitled "An Act to amend the several acts concerning limitations of actions."

Very respectfully,

W. D. MOSELEY.

Which was read. Also, the following:

EXECUTIVE DEPARTMENT, }
 January 6, 1847. }

Gentlemen of the Senate, and House of Representatives:

I have approved the following acts, to wit:

An act to amend the several acts relative to proceedings in chancery;

An act to provide for the re-establishment of records in Columbia county;

An act to adopt the seal of the Supreme Court.

Very respectfully, W. D. MOSELEY.

Which was read.

On motion of Mr. Kelly, the nomination of a Judge of Probate, laid on the table on the 4th inst., was taken up; and on the question of advising and consenting to said nomination, the ayes and noes were called by Messrs. Kelly and Floyd, and were as follows:

Yeas—Messrs. Bradley, Fairbanks, Floyd, Johnson, Tabor—5.

Nays—Messrs. President, Austin, Bird, Broward, Carter, Kelly, Lorimer, McMillan, Walker—9.

So the nomination was rejected.

Mr. Carter, from the Committee on Taxation and Revenue, made the following report:

The Committee on Taxation and Revenue ask leave to

REPORT: That they are prevented, by the near approach of the adjournment of the General Assembly, from entering into a detailed report of the state and condition of the finances. Important measures before the General Assembly, & under consideration since an early day of the session, having a bearing upon the subject of the revenue, have induced the committee to wait their final disposition, which action was had on this day, and has therefore compelled them at this late hour, to offer the following brief calculation for the fiscal year ending October 31st, 1847, taking for a basis the receipts and expenditures of the preceding year, viz:

Total expenses of the Government for the first fiscal year, (including five quarters,) ending October 31st, 1846, \$56,009 57

This estimate includes the following items, which deduct from the probable expenses for the year ending 31st October, 1847, viz:

For taking census,	\$1,937 13
Extra session of the General Assembly,	13,047 50
Expenses of Supreme Court,	500 00

15,474 63

\$40,534 94

To meet this amount, the following calculation on the receipts of the Treasury are submitted viz:	
Amount of assessment, under the revenue law now in force, as per assessment, for fiscal year ending October 31st, 1846,	\$51,196 73
Deduct for insolvencies, overcharges, &c. 10 per cent.	5,119 67
	<hr/>
	\$46,077 06
Probable income from auction sales, fines and forfeitures, &c.	1,200 00
	<hr/>
	\$47,277 06
	<hr/>
	40,534 94

Probable surplus in the Treasury, October 31st, 1847, \$6,742 12

Respectfully submitted. J. CARTER, Chairman Committee.

Which was read.

The following message was received from His Excellency the Governor:

EXECUTIVE DEPARTMENT, }
January 6, 1847. }

Gentlemen of the Senate,
and of the House of Representatives:

I hereby nominate B. Ellison, D. S. Smith, J. W. Rinaldi, Edward McCully, D. G. Raney, and H. B. Stone, as port wardens; and J. S. Hutchinson, E. McCully, R. Myers, and C. S. Shepard, as auctioneers for the county of Franklin.

Very respectfully,

W. D. MOSELEY.

Which was read, and the nominations of D. S. Smith and J. W. Rinaldi, laid on the table; the balance advised, consented to, and certified to the Governor.

The following report from the Enrolling Committee, was received:

The Committee on Enrolled Bills have instructed me to report as correctly enrolled, an act for the relief of the executors of the estate of Nehemiah Brush, deceased; also, an act to regulate patrols within this State; and a preamble and resolution relative to H. M. Breckenridge's lots.

D. G. McLEAN, Chairman.

Which was read.

A bill to be entitled an act to organize the county of Holmes, was read a second time, and laid on the table.

A bill to be entitled an act to amend an act relative to elections in this State, was read a second time, and laid on the table.

A bill to be entitled an act to amend an act entitled an act to

raise a revenue for the State of Florida, and defining the duties of the assessors and collectors thereof, approved July 24, 1845, was read the third time and passed, title as stated.

The following message was received from His Excellency the Governor:

EXECUTIVE DEPARTMENT, }
January 6, 1847. }

Gentlemen of the Senate,
and of the House of Representatives:

I have approved the acts and resolutions following, to wit:

An act for the relief of the executors of the estate of Nehemiah Brush, deceased;

An act in relation to patrols;

A resolution for the relief of Henry M. Breckenridge.

Very respectfully,

W. D. MOSELEY.

Which was read:

A bill to be entitled an act to amend the 14th article of the constitution of this State, was read a third time; and on the question of its passage, the vote was as follows:

Yeas—Mr. President, Messrs. Austin, Bird, Carter, Kelly, Lorimer—6.

Nays—Messrs. Broward, Johnson, McMillan, Walker—4.

So the bill was lost.

A bill to be entitled an act so to alter the constitution of this State, as to have Judges of Probate elected, was laid on the table.

A bill to be entitled an act to amend an act to organize the office of Comptroller, was laid on the table.

A bill to be entitled an act to amend an act organizing the office of Treasurer of the State of Florida, was laid on the table.

Mr. McLean presented the following report:

The Committee on Enrolled Bills have instructed me to report as correctly enrolled, an act amendatory to the several acts incorporating the city of Apalachicola; also, an act to provide for the election of electors of President and Vice President of the United States.

D. G. McLEAN, Chairman.

The Senate took a recess until 7 o'clock.

7 o'clock, P. M.

A quorum being present, the following message from His Excellency the Governor was read:

EXECUTIVE DEPARTMENT, }
January 6, 1847. }

Gentlemen of the Senate, and House of Representatives:

I have approved the following acts: an act to provide for the

election of electors of President and Vice President of the United States; an act amendatory to the several acts incorporating the city of Apalachicola. Very respectfully,

W. D. MOSELEY.

The Senate received from the House a bill to be entitled an act making appropriations to defray the expenses of the second General Assembly of the State of Florida, commencing on the 23d November, 1846, and ending 6th January, 1847; which bill was read the first time, rules waived, read the second time; and on motion, the Senate, in Committee of the Whole, went into the consideration of said bill, Mr. McLean in the Chair. After some time, the committee rose, reported the bill to the Senate as amended, and asked to be discharged from its farther consideration; which report was received, the amendments concurred in, and the bill read a third time, and put upon its passage, the vote was as follows:

Yeas—Messrs. President, Austin, Bird, Bradley, Carter, Johnson, Kelly, Lorimer, McMillan, Tabor, Walker—11.

Nays—Messrs. Broward, Fairbanks, Floyd, McLean—4.

So the bill passed, title as stated, and the same certified to the House.

The following message was received from the House:

HOUSE REPRESENTATIVES, January 6, 1847.

Hon. PRESIDENT of the Senate.

Sir: The House concurs in the amendments by the Senate to House bill to be entitled an act to organize the militia of the State of Florida, approved December 27, 1845.

The House also concurs in the amendments by the Senate to House bill, to be entitled an act amendatory of the criminal laws in force in this State.

The House adheres to its bill to be entitled an act to provide for holding extra terms of the Circuit Courts, as passed by the House.

Respectfully, your obedient servant,

M. D. PAPY.

Which was read, the amendments disagreed to by the House insisted on, and Messrs. Fairbanks, Kelly, and Johnson, appointed a Committee of Conference; which was certified to the House.

The following message was received from the House. viz:

HOUSE REPRESENTATIVES, 6th January, 1847.

Hon. PRESIDENT of the Senate.

Sir: The House have agreed to the amendments by the Senate to the bill to be entitled an act making appropriation to defray the expenses of the second General Assembly of the State of Florida, &c. commencing on the 23d day of November, 1846, and ending on the 6th day of January, 1847, and for other purposes.

Respectfully, your obedient servant,

M. D. PAPY, Clerk, Ho. Reps.

Which was read.

Resolutions relating to lands granted for internal improvements, were read the second time, (the rules being suspended,) read a third time; and on the question of their adoption, the vote was as follows:

Yeas—Messrs. Bird, Broward, Fairbanks, McLean—4.

Nays—Mr. President, Austin, Carter, Floyd, Johnson, Kelly, Lorimer, McMillan, Tabor, Walker—10.

So the resolutions were lost.

The following message was received from the House, viz:

HOUSE OF REPRESENTATIVES, January 6, 1847.

Hon. President of the Senate:

Sir—Messrs. Aldrich, Farrior, Leonard and Towle have been appointed a Committee of Conference on the part of the House, on House bill to be entitled an act to provide for holding extra terms of the circuit courts.

Respectfully, your obedient servant,

M. D. PAPY, *Clerk Ho. Rep.*

Which was read, and the bill referred to the Committee on Conference.

Mr. McLean, from the Committee on Enrolled Bills, reported as correctly enrolled an act concerning grand and petit jurors; also,

A resolution in favor of Benjamin G. Thornton; which report was received.

Mr. Fairbanks, from the Committee of Conference, on a bill to be entitled an act to provide for holding extra terms of the circuit courts, reported that the two committees did not agree as to the amendments to said bill—consequently the bill was lost.

The following message was received from His Excellency the Governor:

EXECUTIVE DEPARTMENT,
January 6, 1847. }

Gentlemen of the Senate and House of Representatives:

I have approved the following act and resolution, to wit:

An act concerning grand and petit jurors.

Resolution in relation to the claim of Benjamin G. Thornton.

Very respectfully,

W. D. MOSELEY.

Which was read.

The following message was received from His Excellency the Governor:

EXECUTIVE OFFICE, }
6th January, 1847. }

Gentlemen of the Senate,
and House of Representatives:

I return herewith the act providing for biennial, instead of annual, sessions of the General Assembly, without approving or disapproving the same. After mature reflection, I am inclined to the opinion, that the power to amend the Constitution is not a pure-

ly legislative power, but a special power conferred on the General Assembly *alone*, under the restrictions prescribed in the 14th art. of the constitution, and that that article or any other, does not contemplate any participation on the part of the Executive in amending the constitution. Two-thirds of the members elect of each House of the present General Assembly having agreed to the proposed amendment, and two-thirds of the members of each House of the next General Assembly being required to add their approval of the amendment, before it can be considered a part of the constitution, there can be no necessity for the approval of the Executive, which is not equal to the vote of a bare majority of each House.

If I disapprove the act, it must be under the 16th section of the 3d article of the constitution, which provides that a majority of each House is sufficient to pass a bill against the veto of the Governor. If this should occur in relation to the present act, a bare majority may do what is expressly prohibited to be done by a bare majority. The veto power is intended as a check upon, and confined to the ordinary legislation which may be done by a majority of a *quorum*, or less than a majority of the representatives of the people in each House. I therefore think that my approval or disapproval of the act could not add to, or detract from, the force of the act.

I am opposed to the exercise of a doubtful power, and think the precedent of refusing a right to the Executive to veto acts of this character, would accord with a proper construction of the constitution, and should be at once established. For these reasons, the bill is returned, without any action whatever on the same, on the part of the Executive.

With great respect, your obedient servant,

W. D. MOSELEY.

Which was read, agreed to, and the bill transmitted to the Secretary of State. On the question of agreeing to the message of the Governor just read, the ayes and noes were called by Messrs. Kelly and Carter, and were,

Yeas—Mr. President, Messrs. Austin, Bird, Broward, Fairbanks, Floyd, Johnson, Lorimer, McLean, McMillan, Tabor, Walker—12.

Nays—Messrs. Bradley, Carter, Kelly—3.

The following message was received from the House:

HOUSE REPRESENTATIVES, JANUARY 6, 1847.

Hon. President of the Senate:

Sir: The House have concurred in the amendment just communicated by the Senate, to the House bill to be entitled an act to establish a tariff of fees.

Respectfully your ob't servant,

M. D. PAPY, Clerk Ho. Rep.

Which was read.

Mr. McLean, from the Committee on Enrolled Bills, reported as correctly enrolled, a bill entitled a general law in respect to

corporations; which report was received, the bill certified and sent to His Excellency the Governor for approval.

Messrs. Kelly, Carter, and Johnson, were appointed a committee to inform the House that the Senate was now ready to adjourn *sine die*, and request the House to appoint a joint committee on their part, to wait on His Excellency the Governor, and inform him that the two Houses were now ready to adjourn *sine die*, and ask His Excellency if he had any further communications to make; which committee reported that they had performed the duty assigned them.

A committee from the House informed the Senate that the House was also ready to adjourn, and that they were appointed a committee on the part of the House to wait jointly, with the Committee of the Senate, on His Excellency the Governor.

The joint committee reported that they had waited on His Excellency the Governor, and informed him that the two Houses of the General Assembly were now ready to adjourn *sine die*, and that the Governor had informed them that he would soon be ready to communicate with them.

His Excellency the Governor transmitted to the Senate the following message:

EXECUTIVE DEPARTMENT, January 6, 1847.

Gentlemen of the Senate, and
House of Representatives:

I have approved the following act, to wit:—"A general law in respect to Corporations."

Very respectfully,

W. D. MOSELEY.

Which was read.

On motion, Mr. Fairbanks was called to the Chair, when the following resolution was offered by Mr. Kelly:

Resolved, by the Senate, That for the very able and courteous manner with which the honorable President of this body has presided, during a long and laborious session, we tender to him our approbation and most heartfelt thanks.

Which was unanimously adopted.

The President on taking the Chair, addressed the Senate for some time, returned them his thanks for the very flattering terms in which they regarded his discharge of the duties of the Chair.

Mr. Bradley offered a resolution complimenting the Secretary of the Senate for the manner in which he had discharged his duties; which was adopted.

After which, the Senate adjourned *sine die*.