

all after the word "state" in the 5th line and insert in lieu thereof as follows: "That the same is not as perfect as it is desirable that the great seal of the state should be, and that the same be returned to the governor with the request that he will procure the execution of another seal;" which motion was lost, and the resolution ordered to be engrossed for to-morrow.

A bill to be entitled an act to amend an act relative to elections in this state was called up and 75 copies ordered to be printed.

Preamble and resolutions from the House in relation to a Light House at or near the mouth of the Suwannee river, was read the first time and ordered for to-morrow.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, December 8th, 1846.

Hon. President of the Senate:

Sir:—The House have concurred in the amendments of the Senate to the Preamble and Resolution asking Congress to grant to the State of Florida, the Barracks at St. Augustine.

Very Respectfully, your obedient servant,

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

Which was read.

Having gone through with the orders the Senate adjourned until to-morrow 10 o'clock.

WEDNESDAY, December 9th, 1846.

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

Mr. White gave notice that he will, on some future day, ask leave to introduce a bill to be entitled an act to authorize Jesse Coe to establish a ferry across the Apalachicola river, near Aspalaga, in Gadsden county.

Mr. Fairbanks from the Judiciary made the following reports viz:

The Judiciary Committee to whom was referred the bill entitled an act to authorize Reason F. Swilley administrator of Calvin E. Swilley to sell the real estate of said deceased at private sale

REPORT: That it is represented to them that the said Calvin E. Swilley died possessed of no other real estate than the 16th part of a section of land in Hamilton county, mentioned in the bill; that the children of said Swilley are none of them over the age of ten years; that said land is 2d or 3d rate land, and with the small improvement on the same will become almost valueless unless occupied or sold. That the expense of selling the same at public sale as required by law would nearly absorb the whole amount which the land would probably bring. Under these circumstances the committee would recommend the passage of the bill with the following proviso thereto: "Provided that such adminis-

trator shall first file additional security in such amount as the Judge of Probate of Hamilton county shall require proportioned to the probable value of such land."

G. R. FAIRBANKS, Chairm'n.

The judiciary committee to whom was referred the bill to extend the jurisdiction of Justices of the Peace, &c.,

REPORT:

That they have had the same under consideration and report that the same should be amended as follows: to wit: in the 4th and 5th lines the words 'exclusive' 'original' be stricken out and the word 'concurrent' inserted therein. They would further express their opinion, that in the present sparsely settled state of the country it will be difficult, if not impossible, beyond the limits of our cities and thickly settled townships to find fit and competent persons to accept the office of Justice of the Peace and should the proposed jurisdiction be extended to one hundred dollars, it is exceedingly questionable whether the injurious results arising from the administration of law in the hands of unskilled persons and the numerous appeals which would eventually arise would not more than counter balance all the advantages to be derived from such extension.

G. R. FAIRBANKS, Chairm'n.

The Judiciary Committee to whom was referred the bill to be entitled an act to regulate public Printing report the same back to the Senate without amendment, and ask leave to be discharged from further consideration of the same.

G. R. FAIRBANKS, Chairman.

Which reports were received, and with the bills reported back, placed among the orders.

Mr. McLean made the following report:

The Joint Select Committee of the Senate and House of Representatives who were appointed to examine the condition of the office of the Treasurer, beg leave to

REPORT: That after a careful examination of the laws and vouchers and books appertaining to the office of Treasurer, the committee find them all correct, also that from 1st November, 1845, to the 1st November, 1846, the amount received by the Treasurer was,

|                                   |             |
|-----------------------------------|-------------|
| Amount paid out to 1st Nov. 1846, | \$28,498 44 |
|-----------------------------------|-------------|

22,769 54

|                 |             |
|-----------------|-------------|
| Amount on hand, | \$ 5,728 90 |
|-----------------|-------------|

Your committee would further state the duties of the office for the past year have been exceedingly laborious, and that the officer has faithfully discharged his duties with zeal and ability.— All of which is respectfully submitted.

D. G. McLEAN,

Chairman on part of Senate.

P. A. STOCKTON,

Chairman Ho. of Representatives.

Which was received and read.

#### ORDERS OF THE DAY.

A resolution in relation to the Chaplain of the Senate, was read a third time and on the question of its adoption, the yeas and nays were called by Messrs. Broward and Bird, and were as follows:

Yeas—Messrs. Broward and Priest—2.

Nays—Mr. President, Messrs. Austin, Bird, Bradley, Carter, Fairbanks, Goodbread, Johnson, Kelly, Lorimer, McLean, McMillan, Tabor and White—14.

So the said resolution was rejected.

Resolution relating to the claim of captain Wm. H. Payne's company, was read the third time and adopted. Ordered that the same be certified to the House of Representatives.

Mr. Broward moved that in consequence of his engagements preparing business to come before a committee of the Senate, he be excused for the balance of the day, from attending in the Senate chamber, which motion prevailed.

On motion of Mr. Broward the rules were waived and he permitted to give notice that he would on some future day, ask leave to introduce a bill to make all minor criminal offences payable in the county or counties where such crime is or may be committed, and the expenses of prosecuting criminals for offences where the crime is death shall be paid at the state treasury.

A bill to be entitled an act to provide for the payment of treasurer's certificates, was read a third time. On the question of the passage of the bill, the vote was as follows:

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

Noes—Messrs. Austin, Goodbread, Lorimer and McMillan—4.

So the bill passed with the title as stated.

A bill to be entitled an act for the relief of aged, idiotic, insane, or crippled persons from paying a poll tax in this state came up on its third reading.

On motion the bill was, by unanimous consent, recommitted to a committee of the whole, Mr. White in the chair. After some time the committee rose, and reported said bill back to the Senate with sundry amendments;—which report was received, the amendments concurred, and the bill ordered to be engrossed for to-morrow.

Resolution relative to an adjournment on the 12th inst., was read a second time. On motion by Mr. White indefinitely to postpone said resolution, and the yeas and noes being called by Messrs. Kelly and Carter, were as follows:

Yeas—Mr. President, Messrs. Austin, Bird, Bradley, Carter, Fairbanks, Goodbread, Johnson, Lorimer, McLean, McMillan, Tabor and White—13.

Nays—Messrs. Kelly and Priest—2.

So the resolution was indefinitely postponed.

Resolution in relation to the election of Judge was read a second time and postponed until Saturday next.

A bill to be entitled an act authorizing judges of the circuit courts in this state to hold extra terms of their courts for the trial of criminal prosecutions, was read a second time and referred to the committee on the judiciary.

A bill providing for the payment of solicitor's fees, and designating the mode of collecting the same, was read a second time, the farther consideration of the same postponed for the present and 75 copies ordered to be printed.

A resolution in relation to the adjournment on the 21st instant, was read a third time, and on the question of the adoption of said resolution, and the ayes and nays being called, the vote was as follows:

Yeas—Messrs. Austin, Carter, Goodbread, Johnson, McLean, McMillan, White.—7.

Nays—Mr. President, Messrs. Bird, Bradley, Fairbanks, Kelly, Lorriner, Priest and Tabor—8.

So the resolution was rejected.

Preamble and resolution from the House in relation to the Haul Over on the Atlantic coast, was read the third time and adopted.

Ordered that the same be certified to the House.

Resolution in relation to the seal of the state, was read the third time and recommitted to the committee on the Executive Department.

Preamble and resolution from the House relative to a Light House at or near the mouth of Suwannee river, was read the second time and ordered for to-morrow.

The Senate received from the House the following Message:

HOUSE OF REPRESENTATIVES, DEC. 9th, 1846.

Hon. President of the Senate—Sir:

Messrs. Towle and Fletcher have been made a committee on the part of the House to act with the committee on the part of the Senate, in considering the propriety of the third joint rule adopted for the government of the two houses at the present session.

Your ob't serv't,

M. D. PAPY, Cl'k. House Rep's.

On motion the Senate adjourned until to-morrow 11 o'clock.

THURSDAY, 10th December, 1846.

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

Mr. White gave notice that he would on some future day ask leave to introduce a bill to be entitled An act to define more particularly who are retailers of spirituous liquors.