

State, as to make the sessions of the legislature biennial, instead of annual, engrossed for to-day, was taken up, and by unanimous vote, recommitted to the Committee on Amendments and Revisions of the Constitution.

A bill to be entitled an act to provide for filling vacancies in boards of county commissioners, engrossed for to-day, was by unanimous vote recommitted to the Committee on Propositions and Grievances.

Having gone through with the orders, the Senate adjourned until Monday, 11 o'clock.

MONDAY, 21st December, 1846.

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

Mr. Bird gave notice that he would, on to-morrow ask leave to introduce a bill to be entitled an act concerning divorces.

Mr. Fairbanks gave notice that he would, on a future day, ask leave to introduce a bill to amend the laws now in force relative to chancery proceedings; also,

A general law relating to corporations.

Pursuant to previous notice, Mr. Johnson introduced a bill to be entitled an act to regulate patrols within this State, and for other purposes; which was read the first time, and ordered for to-morrow.

On motion of Mr. Broward, a bill to be entitled an act to provide for the payment of the expenses of criminal prosecutions, and the contingent expenses of circuit courts, was taken from the table, and placed among the orders of the day.

Mr. Broward obtained leave to spread the following protest on the journal:

We the undersigned, Senators, do solemnly protest against the bill passed in this body on the 17th inst., providing for the payment of juries out of the treasury of this State; and claim that this protest be entered on the Journals of the Senate, with our objections to the said bill:

1st. Because the number of jury-men in each county for the grand inquest, and for petit jurors will not be less than forty seven, and if on an average the courts remain in session one week each—the number of jury-men entitled to pay for two courts annually will be ninety-four, and if each man is paid one dollar per day for twelve days—each county will have a claim for one thousand, one hundred and twenty-eight dollars, annually on the public treasury—which will not only exhaust the revenue of the state, but involve us in debt far beyond our present means to pay.

2d. If the certificates mentioned in said bill be issued to the ju-

rymen and made receivable in payment of taxes, there will be no use for a treasurer—for speculators in these certificates will soon discredit them and be able to procure them greatly under par, to the injury of the state—credit and at much sacrifice to the innocent holders of this scrip.

3d. Because it will necessarily introduce a new kind of currency on the part of the state, worse than any banking system that can be devised, and ruinous to the credit and character of the State.

4th. Because the bill is at war with the principles of our civil policy, dangerous to our financial economy and calculated to encourage speculation and fraud.

5th. Because under the existing law of the State the county commissioners are empowered to levy a tax in their several counties for the payment of juries—and they will consult the people whether they will tax their county to pay their jury-men; thus leaving it to each county to determine their action on this subject.

JOHN BROWARD,
DANIEL BIRD.

On motion, Mr. Fairbanks was added to the Military Committee.

Mr. Fairbanks, from the Judiciary Committee, reported a bill entitled an act to define more particularly who are retailers of spirituous liquors, back to the Senate without amendment.

Mr. Fairbanks, from the Judiciary Committee, to which was referred a bill to be entitled an act to provide for appeals and writs of error in criminal cases, reported a substitute for said bill, to be entitled an act to prescribe the mode of appeal in criminal cases; which substitute was read, and the bill and substitute ordered for to morrow.

Mr. Fairbanks from the Judiciary Committee, presented the following reports:

The committee on Claims to whom was referred the bill entitled an act for the relief of Nathan Backer,

REPORT: That they have examined into the same and report the same back without amendment and recommend its passage.

G. R. FAIRBANKS, Chairman.

The committee on Claims to whom was referred the Preamble and Resolutions relating to the payment of the salary of Richard T. Brantley late Solicitor of the Southern Circuit,

REPORT: That they have examined into the circumstances relating to this case and that it appears from the records in the office of the Secretary of State, that Mr. Brantley never qualified under his said appointment of Solicitor of the Southern circuit.—Your committee are unable to find any law authorizing the payment of such a claim, and are not informed of any peculiar circumstances in the present case which should take it out of the

general rule of law applicable to such cases. They therefore return the same and decline recommending its passage.

G. R. FAIRBANKS, Chairman.

Which reports were received, and the bills ordered for to-morrow.

Mr. Broward, from the Committee on Elections, to whom was referred a bill to be entitled an act to amend an act relative to elections, reported the same without amendment; which report was received, and the bill ordered for to-morrow.

Mr. Carter, from the Committee on Amendments and Revisions of the Constitution, to whom was recommitted a bill to be entitled an act so to amend the constitution of this State, as to make the sessions of the Legislature biennial, instead of annual, reported said bill back, with sundry amendments; which report was received, the amendments concurred in, and the bill placed among the orders.

Mr. White, from the Committee on Propositions and Grievances, made the following report:

The committee on Propositions and Grievances to whom was referred a House bill to be entitled an act to change the northern line of the county of St. Lucie, have had the subject under consideration and ask leave to

REPORT: That they have given the subject that attention which it merits, and from the best information the committee have been able to obtain, they are of opinion that the bill ought to pass. The committee find that the most of the land proposed to be taken from Orange and added to St. Lucie county is covered by a grant known as de Lespin's grant, and as the dividing line now runs this grant lies partly in Orange and partly in St. Lucie counties, thus creating confusion in the collection of the State revenue, which annually falls due on the same, the assessors not being able to arrive at the number of acres in their respective counties. By running the line as is proposed in the bill, this grant would be thrown entirely in the county of St. Lucie, and that difficulty removed. The committee have been informed that there is not an inhabitant embraced in that portion of Orange county, which is proposed to be added to St. Lucie; therefore no inconvenience can arise to the citizens of either county by making the proposed division. The committee, therefore, return the bill without amendment, and would recommend its passage, and ask to be discharged from the further consideration of the subject. All of which is respectfully submitted. THOMAS M. WHITE, Chair'n.

Which report was received, and the bill ordered for to-morrow.

Mr. White, from the Committee on Enrolled Bills, made the following report:

The committee on enrolled bills,

REPORT: As correctly enrolled a bill to be entitled an act

to provide for the payment of Treasurer's certificates. Also resolutions requesting our Senators and Representative in Congress to call the attention of the general Government to the condition of the United States bridge over the St. Sabastian river, &c. Also an act to make certified copies of records evidence. Also a preamble and resolution requesting our Senators and Representative in Congress to use their best exertions towards obtaining the passage of a law establishing a mail route, &c.,

THOMAS M. WHITE, Chairman.

Which was received.

The House transmitted to the Senate the following bills, viz:

A bill to be entitled an act relative to costs in criminal cases; also,

A bill to be entitled act to authorize Richard T. Martin to establish a ferry across White's creek; also,

A bill to authorize Henry Havit to establish a ferry across Choctawhatchie river; also,

A bill to be entitled an act to establish and regulate pilotage on the waters and in the harbours of Dade county; also,

A bill to be entitled an act to provide for taking testimony in chancery; which bills were severally read the first time, and ordered for to-morrow.

The following message was received from the House of Representatives, to wit:

HOUSE OF REPRESENTATIVES,
December 18th, 1846. }

Hon. President of the Senate... Sir.

The House have concurred in the amendments by the Senate to House preamble and resolution, relative to the establishment of a complete educational system.

Respectfully, your obedient servant,

M. D. PAPY, *Clerk House of Representatives.*

Also, the following:

HOUSE OF REPRESENTATIVES, Dec. 21st, 1846.

Hon. President of the Senate:

The House have made the following orders, viz: 1st. That this House notify the Senate that they will be ready to go into the election of tax assessor for the different counties on Tuesday evening the 22d inst., at 7 o'clock, P. M. 2d. That this House notify the Senate that they will be ready to go into the election of judge for the southern circuit on Wednesday, 23d inst., at 12 o'clock, M. 3d. That this House notify the Senate that they will be ready to go into the election of Register of the public lands on Thursday next at 12 o'clock, M. 4. That the Senate be invited to sit in the hall of the House of Representatives during the period occupied by the elections of assessor and register.

Your ob't servant,

M. D. PAPY, Clerk Ho. Rep.

Which was read, and laid on the table.

The President laid before the Senate the following communication from the Comptroller of Public Accounts:

COMPTROLLER'S OFFICE, Tallahassee, Dec. 21st, 1846:
To the Hon. President of the Senate:

I have the honor to transmit herewith a statement showing the amounts due from defaulting sheriffs, throughout the state, and the measures taken to enforce the law in such cases—in compliance with a resolution adopted by Senate on the 15th inst.

Very respectfully, your obedient servant,

N. P. BEMIS, Comptroller.

Which was read, and referred to the Committee on Taxation and Revenue; also,

The following communication from the Treasurer, to wit:

TREASURER'S OFFICE,
Tallahassee, 18th Dec., 1846.

Hon. President of the Senate:

Sir:—I would most respectfully call the attention of the General Assembly to my responsibility in receiving and paying out the bank bills of the several states in the collection and disbursement of the revenues of the state. We have no circulating medium of our own, and are entirely dependent on the banks of other states to supply us with their notes for all we have except what little gold and silver that finds its way among us. I have received and paid out the bills of the banks of the different states that were current in our state at the time they were received, and always paid out the money as soon as the proper creditors of the state could be found to receive the same. On the failure of the Commercial bank of Macon, Geo., last summer, I found that I had on hand \$15 of its bills, which I sent to a friend in Macon who sold them at sixty cents on the dollar. To meet this small loss to the state, I sold \$557 75 in specie at two per cent. premium, which I considered to be right and proper under the circumstances. All of which is stated in my account ending on the 31st of October, 1846. I am very anxious to understand my responsibility in the matter, so that I may protect myself accordingly.

Very Respectfully, Your ob'd't servant,

BENJAMIN BIRD, State Treasurer.

ORDERS OF THE DAY.

A resolution in relation to the arms, &c., received by the Governor from the Government of the United States, was read the third time and adopted. Ordered that they be certified to the House.

A resolution to go into the election of Assessors on Thursday the 17th inst., postponed until to-day, was taken up and indefinitely postponed.

A bill to be entitled an act to amend an act giving a lien to

mechanics, overseers and others, was read a second time and referred to the Judiciary committee.

A bill to be entitled an act to amend an act to regulate pilotage in the Port of St. Marks, was read the second time and laid on the table.

Resolution to adjourn sine die on the 24th inst., was read a second time and made the special order for Wednesday next.

A bill to be entitled an act directing the late Sheriff of St. Lucie county to collect arrears of taxes assessed for the years 1845 and 1846, was read a second time and referred to the Judiciary committee.

A bill for the relief of John B. de Corce was read a second time and referred to the committee on the State of the Commonwealth.

A bill to be entitled an act to allow tax assessors to administer oaths in certain cases, was read the second time and ordered for to-morrow.

A bill to be entitled an act to change the name of Levy county, was read a second time and referred to a select committee to consist of Messrs. Floyd, Fairbanks and Priest.

A bill to be entitled an act for the payment of Solicitor's fees, and designating the mode of collecting the same, amended in committee of the whole on the 18th inst., was taken up, the amendments concurred in, and the bill ordered to be engrossed for a third reading on to-morrow.

A resolution in relation to the lot purchased by Frederick Hoc of the Commissioner of the Tallahassee Fund, was read a third time and adopted. Ordered that the same be certified to the House.

A bill to be entitled an act to admit George W. Stewart to practice law in the several courts of this state, was read a third time. On the question, Shall this bill pass? the vote was as follows:

Yeas—Mr. President, Messrs. Bird, Bradley, Broward, Carter, Johnson, Lorimer, McLean, McMillan, Priest, Tabor, Walker and White—13.

Nays—Messrs. Fairbanks, Floyd and Kelly—3.

So the said bill passed with the title as stated. Ordered that it be certified to the House.

The Senate took a recess until 3 o'clock.

3 o'clock, P. M.

The Senate proceeded with

THE ORDERS OF THE DAY.

A bill to be entitled an act to admit Wilkinson Call to practice law in the several courts of this State, was read a third time; and on the question "shall the bill pass?" the vote was as follows:

Yeas—Mr. President, Messrs. Bird, Bradley, Broward, Carter, Floyd, Johnson, Lorimer, McMillan, Priest, Tabor, Walker, and White—13.

Nays—Messrs. Fairbanks and Kelly—2.

So the bill passed, with the title as stated. Ordered, that the same be certified to the House of Representatives.

A bill to be entitled an act to regulate pilotage at the port of Cedar Keys, was read a third time.

On the question, "shall this bill pass?" the vote was as follows:

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

Nays—None.

So the bill passed, with the title as stated. Ordered, that the same be certified to the House.

On motion of Mr. Floyd, the rules were waived, and he permitted to enter the following order, viz:

Ordered, That the messenger of the Senate be instructed to proceed forthwith to the printing office of the printers of the Senate, and procure the original bill entitled an act giving a lien to steamboat men navigating the Apalachicola river, which was ordered to be printed on Thursday the 17th inst., and return said bill to the Senate.

On the question of making the said order the yeas and noes were called by Messrs. Floyd and Kelly, and were as follows, viz:

Yeas—Messrs. Bird, Bradley, Broward, Floyd, Johnson, Lorimer, McLean, McMillan, Priest, Tabor, Walker, White—12.

Nays—Mr. President, Messrs. Carter, Fairbanks, Kelly—4.

So the order was made.

The following communication was transmitted to His Excellency the Governor:

SENATE CHAMBER, 21st December, 1846.

To his Excellency W. D. Moseley, Gov. of Florida:

Sir—The following bills passed by the General Assembly of Florida and signed by the presiding officers of the two Houses are sent for your consideration, viz: An act to make certified copies of records evidence.

A resolution calling the attention of the General Government to the condition of the United States bridge over the St. Sebastian river.

An act to provide for the payment of Treasurer's certificates.

Preamble and resolution relative to a mail route from the town of Milton via Escambia settlement and Nathansville to Sparta, Alabama.

By order of the Senate: H. ARCHER, Secretary Senate.

A bill to be entitled an act to fix permanently the county seat of Calhoun county, was read the third time. On the question, "shall this bill pass?" the following vote was taken:

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

Nays—None.

So the bill passed—with the title as stated. [Ordered, that the same be certified to the House.

A bill to be entitled an act to alter and define the boundary lines of Marion county, 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, Broward, Carter, Fairbanks, Floyd, Johnson, Kelly, Lorimer, McLean, McMillan, Priest, Tabor, Walker, and White—16.

Nays—None.

So the bill passed—with the title as stated.

A bill to be entitled an act to extend the time of making returns of election in Monroe and Dade counties, 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, Broward, Carter, Fairbanks, Floyd, Johnson, Kelly, Lorimer, McLean, McMillan, Priest, Tabor, Walker, and White—16.

Nays—None.

So the bill passed—with the title as stated.

Preamble and resolutions for clearing out the Ocklawaha river, was read the third time and adopted without amendment.— Ordered, that the same be certified to the House.

Resolutions from the House to go into an election of treasurer and Comptroller on Tuesday next, was read the third time, adopted, and ordered to be certified to the House.

A bill to be entitled an act so to amend the Constitution of this State as to make the sessions of the Legislature biennial instead of annual, was read the second time and ordered to be engrossed for to-morrow.

An act to provide for the payment of criminal prosecutions and the contingent expenses of the circuit courts, was read a second time and laid on the table.

A bill to be entitled an act to declare the Miami river a navigable stream, was read the third time; on the question "shall this bill pass?" the vote was as follows:

Yeas—Mr. President, Bird, Bradley, Broward, Carter, Fairbanks, Floyd, Johnson, Lorimer, McLean, Priest, Tabor, Walker, White.—14

Nays—Messrs. Kelly and McMillan.—2.

So the bill passed with the title as stated.

Mr. Carter moved the Senate adjourn until to-morrow, 11 o'clock. On which motion the ayes and noes were called by Messrs. Floyd and Carter and were,

Yeas—Mr. President, Messrs. Carter, Fairbanks, Kelly, Lorimer, McMillan, Tabor.—7.

Yeas—Messrs. Bird, Bradley, Floyd, Johnson, Priest, Walker and White.—8.

So the motion was refused.

The Senate, on motion, adjourned until $\frac{1}{2}$ past 11 o'clock to-morrow.

TUESDAY, December 22d, 1846.

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

On motion the following bills were taken from the table and placed among the orders of the day;

A bill to be entitled an act to alter the southern boundary of Benton county, and to establish the line dividing Hillsborough and Benton counties, also,

A bill to be entitled an act to provide for the sale of the lands granted to the state for purposes of Internal Improvement, also,

A bill to be entitled an act so to alter the constitution of the State of Florida as to have Judges of Probate elected; also,

A bill to be entitled an act to extend the jurisdiction of Justices of the Peace, also,

Resolution from the House in relation to elections of officers, which resolution was ordered to be placed first among the orders for to-day.

Pursuant to previous notice the following bills were presented:

By Mr. Broward, a bill to be entitled an act to define in what cases certain property are exempt from execution.

By Mr. Bird, a bill to be entitled an act concerning divorces.

By Mr. Floyd a bill to be entitled an act amendatory to the several acts incorporating the city of Apalachicola.

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

Mr. Fairbanks gave notice that he would on some future day ask leave to introduce a bill to amend the act in force relative to elections.

Mr. Mays gave notice that he will on some future day ask leave to introduce a bill to be entitled an act to amend an act entitled an act to authorize the sale of Equities of Redemption.

The President laid before the Senate a memorial of sundry citizens and tax payers of the city of Tallahassee praying the passage of a law restraining the corporation of said city within constitutional limits in their power of taxation, which was read and referred to the committee on Propositions and Grievances.

Mr. Fairbanks from the Judiciary committee made the following REPORT: The Judiciary committee to whom was referred the bill to be entitled an act to provide for holding extra terms