

The Senate having returned to their chamber, on motion, they adjourned until to-morrow 12 o'clock.

WEDNESDAY, December 23d, 1846.

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

On motion of Mr. Floyd, Mr. Goodbread was excused from the Senate during the present session.

Mr. Walker moved the rules be waived, to allow him to introduce a bill to be entitled an act to re-organize the sixth regiment of Florida militia: read the first time, and ordered for to-morrow.

Mr. Broward gave notice that he will, at an early day, ask leave to introduce a bill to provide for the election of electors to elect the President and Vice President of the United States.

Mr. Floyd was permitted to have spread upon the journal the following protest:

And now comes R. J. Floyd, Senator of the 6th Senatorial district—and assigns as reasons of protest against a bill, passed at a former day of this session, for the payment of Jurors, the following:

1st. That it will tend greatly to increase the revenue to the detriment of larger counties.

2d. That he is in favor of the payment of jurors by the different counties in this State; and of allowing the county commissioners power to levy a special tax for that purpose when the people of any such county shall demand it.

R. J. FLOYD.

Mr. McLean, pursuant to previous notice, introduced a bill to be entitled an act concerning grand and petit jurors; which was read the first time, and ordered for to-morrow.

On motion of Mr. Walker, a bill to amend an act to regulate the pilotage of the port of St. Mark's, was taken from the table, and placed among the orders.

On motion of Mr. Broward, the vote on yesterday directing certain resolutions from the State of New Hampshire returned to the Governor, was reconsidered, and the resolutions laid on the table.

Mr. Carter presented the petition of sundry citizens of Columbia, asking the division of that county; which was referred to a select committee, to consist of Messrs. Carter, Bird, and White; also,

A petition to abolish commissioners courts, and establish county courts; which was referred to the Committee on the State of the Commonwealth; also,

A memorial from Eliza A. Crews and J. M. Crews, administrators of James Niblack, to sell real estate in Columbia county; which was read, and referred to the Judiciary Committee.

Mr. Floyd presented the following preamble and resolutions:

WHEREAS, A tariff of imposts and duties was originally authorized and designed exclusively for "revenue;" And whereas, a tariff imposed principally for protection and secondly for revenue is unauthorized by the Constitution of the United States—tends to the creation of monopolies, is prejudicial to and destructive of all interests not protected; is productive of sectional discord and jeal-

ousy, benefits the few to the detriment of the many, is restrictive of commerce, and is an onerous tax upon the great body of the people; And whereas, it "is not only the duty of the General Government, to protect its citizens in their rights of person and property, but equally so to protect and defend the public domain against invasion by a foreign power, for the purpose of acquiring possession thereof under a groundless assertion of title;" and whereas, the honor, integrity and interest of our republic demand that when territory acquired by it is claimed by a foreign power, and there is just reason to believe that the territory thus claimed will be forcibly entered upon by the claimant, to place such disputed territory in possession of an armed force adequate to its retention. And that a war resulting from such a procedure is on our part just, honorable and defensive:

*Be it, therefore resolved by the Senators and Representatives of the General Assembly of the State of Florida,* That they repudiate the tariff of 1842 and approve that of 1846.

*Resolved,* That they cordially and unswervingly approve the conduct of the present Administration in placing an army of occupation upon the territory between the Neuces and Rio Grande, to defend and protect it (as public domain) from being taken possession of by Mexico under a false and groundless assertion of title. That they approve the war with Mexico, it being involuntary and defensive on our part, and recommend that it be prosecuted with activity and vigor to an honorable peace, or to its entire conquest and subjugation.

*Resolved,* That we do hereby instruct our Senators and request our Representative in Congress to vote against the repeal of the tariff of 1846, and against the restoration of that of 1842. And that they vote for all measures tending to an active and vigorous prosecution of the war with Mexico, to an honorable peace or to its entire conquest and subjugation.

*Be it further resolved,* That copies of this preamble and resolutions be forwarded by the Executive of this State, to our Representative and Senators in Congress.

Which were read; and on the question, shall the resolutions be read a second time to-morrow? the yeas and nays being called by Messrs. Kelly and Floyd, the vote was as follows:

Yeas—Mr. President, Messrs. Bird, Bradley, Broward, Carter, Fairbanks, Floyd, Johnson, Tabor—9.

Nays—Messrs. Austin, Kelly, Lorimer, McLean, McMillan, Walker, White—7.

So the resolutions were ordered for a second reading on to-morrow.

Mr. Kelly, from the Committee on the State of the Commonwealth, made the following report:

The Committee on the State of the Commonwealth, to whom was referred a bill to be entitled "an act to limit the sessions of the General Assembly of the State of Florida," have had the same under consideration, and

REPORT: That your committee recommend that said bill be amended, by striking out the second section, and ask to be discharged from the further consideration thereof.

W. W. J. KELLY, Chairman.

Which was received, and the bill reported back ordered, with the proposed amendment, for to-morrow.

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

The select committee, to whom was referred a bill entitled "an act to regulate the printing for the State of Florida," have had the same under consideration, and

REPORT:

Your committee think that the inexpediency of the passage of such an act at this session, will be so obvious, they deem comment unnecessary. Your com-

mittee therefore return said bill, with the following amendment: In the 5th section, 14th line, between the words *the* and *one*---"Court of Appeals," and insert in lieu thereof Supreme Court.

W. W. J. KELLY, Chairman.

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

The following message from the House was received:

HOUSE REPRESENTATIVES, Dec. 23d, 1846.

Hon. President of the Senate---Sir:

The House have passed the Senate bill to be entitled an act to exempt from the payment of capitation tax, certain persons therein named, with the following amendment, to wit:

After the word "ministry," in the 3d line of the second section, insert, "and who derive their support solely from their occupation as such."

To which the concurrence of the Senate is requested.

Respectfully, your obedient servant,

M. D. PAPY, Clerk House Representatives.

Which was read, the amendment disagreed to, and the same ordered to be certified to the House.

The Senate received from the House a bill to be entitled an act to admit Charles P. Cooper to practice law in the several courts of this State; which was read the first time, and ordered for to-morrow.

The following message was received from His Excellency the Governor:

EXECUTIVE DEPARTMENT

December 23d, 1846. }

Gentlemen of the Senate,

and House of Representatives:

I hereby nominate Robert McKinny and John W. Anderson, as auctioneers for Madison county; and John P. Burwells and E. M. Harville as auctioneers for Benton county.

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

W. D. MOSELEY.

Which was read, and the nominations therein made advised and consented a to.

Also, the following:

EXECUTIVE DEPARTMENT,

December 23d, 1846. }

Gentlemen of the Senate,

and of the House of Representatives:

I hereby nominate John W. Richards as auctioneer for the county of Hillsborough.

Very respectfully, your obedient servant,

W. D. MOSELEY.

Which was read, and laid on the table.

Also, the following:

EXECUTIVE DEPARTMENT,

December 23, 1846. }

Gentlemen of the Senate

and House of Representatives ;

I have approved the following resolutions and acts :

An act to authorize Jesse Coe to establish a ferry across the Apalachicola river.

An act to authorize Reason F. Swilley, admr., to sell land at private sale.

Resolution relating to commissioner for Capt. W. H. Payne's company.

Resolution relating to the public arms.

An act to amend the Constitution so as to extend the elective franchise to all

free white male inhabitants, being citizens of the United States, with the limitations therein provided for.

I have the honor to be,

Very respectfully your obedient servant,

W. D. MOSELEY.

Which was read.

On motion of Mr. Fairbanks, the nominations laid on the table yesterday, were taken up, considered, confirmed, and ordered to be certified to His Excellency the Governor.

On motion, the Senate took a recess until 3 o'clock, P. M.

### 3 o'clock, P. M.

A quorum being present, the Senate took up the  
ORDERS OF THE DAY.

A bill to be entitled an act to amend an act to regulate the pilotage of the Port of St. Marks, was read the second time and ordered to be engrossed for to-morrow.

A bill to be entitled an act to define more particularly who are retailers of spirituous liquors, was read the third time and on the question, shall this bill pass? the vote was as follows:

Yeas—Messrs. Austin, Bird, Bradley, Broward Carter, Fairbanks, Floyd, Kelly, Lorimer, McLean, McMillan, Walker and White—13.

Nays—Mr. President, Mr. Johnson—2.

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 amend an act relative to the elections in this state, came up on its second reading. On motion the Senate resolved itself into a committee of the whole, Mr. White in the chair on said bill. After some time the committee rose reported the bill back to the Senate, with sundry amendments and asked to be discharged from the farther consideration of the same. Which report was received, the committee discharged, and the amendments adopted. The bill was then referred to a select committee to consist of Messrs. Kelly, Carter and McLean.

The Senate in committee of the whole, Mr. Floyd in the chair, resumed the consideration of a bill to be entitled "an act to provide for the sale of the lands granted to the State for the purposes of internal improvement." After some time spent in considering said bill, the committee rose, reported the bill back to the Senate, with sundry amendments, and asked to be discharged therefrom; which report was received, the amendments concurred in, and the bill ordered for to-morrow.

A bill to be entitled an act to prescribe the mode of appeal in criminal cases, was read the second time, and ordered to be engrossed for to-morrow.

A bill to be entitled an act to change the northern boundary of

St. Lucie county, was read the third time. On the question of the passage of the bill, the vote was as follows:

Yeas—Messrs. Bird, Bradley, Broward, Carter, Floyd, Johnson, Tabor—7.

Nays—Mr. President, Messrs. Austin, Kelly, McLean, McMullan, and Walker—6.

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

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

#### THURSDAY, 24th December, 1846.

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. Fairbanks, the Senator from Jefferson, Mr. Bird, obtained leave of absence until Monday next.

Pursuant to previous notice, Mr. Fairbanks, introduced a bill to be entitled general law in respect to corporations, which was read the first time and seventy-five copies ordered to be printed: also,

A bill to be entitled an act to amend the several acts relative to proceedings in chancery—which was read the first time and ordered for to-morrow.

On motion of Mr. Carter, the secretary was directed to inform the House of Representatives, that this body would be ready to proceed to the election of a Register to-day at 12 o'clock M. Also, that the Senate will be ready to go into an election for a Circuit Judge on Tuesday morning next at 10 o'clock A. M.

On motion the Senator from Gadsden, Mr. Austin, also the Senator from Wakulla, Mr. Walker, obtained leave of absence until Monday next.

Mr. Lorimer offered the following resolutions.

*Resolved, by the Senate and House of Representatives of the State of Florida in General Assembly convened, That the Treasurer of this State be and he is hereby required to pay to Benjamin G. Thornton his executors, administrator or assignees the sum of two thousand five hundred dollars out of the first moneys which shall come to his hands, belonging to the Tallahassee fund, together with interest thereon at six per centum per annum from the fifth day of March in the year one thousand eight hundred and forty two, until paid. Provided, that no part of said sum or interest shall be paid until the said Thornton his executors administrator or assignees shall have executed a release in full of all demand upon the state of Florida, or the Tallahassee fund besides the demand for the said two thousand five hundred dollars, and provided also, that nothing herein contained shall debar the said Thornton from claiming from the*