

the last term of Marion circuit court, was read the second time, and postponed for to-morrow.

A bill to be entitled a general law in respect to corporations, was read a second time, and ordered to be engrossed for to-morrow.

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

THURSDAY, 31st December, 1846.

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

Mr. Floyd, pursuant to previous notice, introduced a bill to be entitled an act for the relief of Wm. McKain; which was read the first time, and ordered for to-morrow.

On motion of Mr. Bird, the vote of yesterday; rejecting a bill from the House entitled an act to alter the twelfth section of the fifth article of the Constitution of the State of Florida, was reconsidered, and the bill placed among the orders.

Mr. Lorimer offered the following preamble and resolutions, viz: *Preamble and resolution to encourage and promote the growth of silk.*

WHEREAS, the encouragement of the production of silk has engaged the attention of several of the State Governments; and whereas the climate and soil of Florida is considered peculiarly favorable to its culture: be it therefore—

Provided by the Senate and House of Representatives of Florida, in General Assembly convened, That His Excellency the Governor of this State be requested to correspond with Rev. A. C. Van Epps of New York, on this interesting subject to the people of Florida.

Be it further resolved, that for the purpose of inducing the people of Florida to turn their attention to the growth and production of this valuable article of agriculture, a bounty of        dollars per pound be given for every pound of first quality raw silk made in this State, for the next        years, and        cents per pound for every pound of cocoons produced during the same time.

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

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

The committee on Propositions and Grievances, to whom was referred the Memorial of sundry citizens of Tallahassee praying the passage of a law restraining the exercise of the taxing power by the corporation of Tallahassee: Also, a Counter Memorial signed by many other citizens of Tallahassee remonstrating against any action on the part of the General Assembly which will have the effect to retard or defeat the honest and praiseworthy object of the corporate authorities in the exercise of the taxing power, have had the subject under consideration and ask leave to,

REPORT: That they find by examining the memorials, that the first memorial have forty two names: while the counter memorial has one hundred and twelve names. Two of the signers of the first memorial addressed a note to the

Committee requesting the erasure of their names, (they having signed the counter memorial,) which note is returned with the memorial. A note was received from another signer of the memorial, declaring that in signing the memorial, he had "no intention of asking for the enactment of any law which would take from the corporation the power of providing a revenue sufficient to pay its debt in a reasonable time and defray the necessary expenditures of the city authorities;" which note is also returned with the Memorial. Your committee would further state that they have had satisfactory evidence before them that the petitioners for the enactment of a law restraining the corporate authorities of the city of Tallahassee in the exercise of the taxing power, do not constitute the larger portion of the tax payers and property holders within the limits of the corporation of Tallahassee.

Your committee further report that they are of opinion that any interference by the General Assembly in the municipal authorities of the city of Tallahassee, at this time would be impolitic. The committee therefore recommend that the prayer of the memorialists asking the enactment of a law restraining the corporate authorities of Tallahassee in the exercise of the taxing power, be not granted; and ask leave to be discharged from the further consideration of the subject. All of which is respectfully submitted.

THOMAS M. WHITE, Chairman.

Which was read, and the same, with the memorials, placed among the orders.

Mr. Floyd, from the Judiciary Committee, made the following report, viz:

The Judiciary Committee, to whom was referred a bill to be entitled an act to amend an act to provide for the appointment of weighers of cotton, and other produce, and inspectors of lumber and tobacco, in and for the county of Franklitt;

REPORT: That the bill proposes to take the appointment of these officers from the Governor, and to vest it in the city council of Apalachicola. These offices are for the mutual benefit of the producer, the home buyer, and the foreign purchaser, and are therefore public offices, which almost universal usage vest in the Governor, and such appointment invests them with a higher dignity, and the record of their appointment is in the public archives of the State, a certified copy of which, under the great seal of the State, may be obtained whenever any question may arise; and, further,

Report that after due investigation upon said bill, are of opinion that it may be necessary to change this bill in this particular, to wit: so as to allow the mayor and city council of Apalachicola to levy a tax upon said officers in conformity to the State tax; and report against said bill, all after the enacting clause; and report the following bill, to wit:

Section 1st. That nothing in the act to which this is an amendment shall be so construed as to prevent the mayor and city council from levying a tax upon all weighers, inspectors and lumber measurers in conformity to the revenue laws of the state.

R. J. FLOYD.

Which report, with the bill, were ordered for to morrow.

The following bills and resolutions were received from the House, viz:

Resolutions charging the quarter master general with the safe keeping and preservation of the public arms; also,

Resolution in relation to treasury certificates; also,

A bill to be entitled an act to amend an act concerning roads and highways, now in force in this State; also,

A bill to be entitled an act to provide for the permanent location of the county site of Benton county; also,

A bill to be entitled an act to establish trustees of seminary and school funds, and for other purposes; which bills and resolutions were read the first time, and ordered for to-morrow.

#### ORDERS OF THE DAY.

Majority and minority reports of the committee on elections made the special order for to-day, came up, were postponed, and made the special order for Saturday next.

A bill to be entitled an act to alter the twelfth section of the fifth article of the constitution of the State of Florida, the vote on which was reconsidered this morning, was again put upon its passage. The vote was as follows, viz:

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

Nays—Mr. President, Fairbanks, Kelly—3.

There not being two-thirds of the members of the Senate in favor of the bill, the same was lost. Ordered, that the same be certified to the House.

Resolution in relation to the claim of Dr. B. S. Scriven for medical services rendered to prisoners in Leon county jail, was read a second time, and referred to the Committee on Claims and Accounts.

Resolution in relation to Benjamin G. Thornton, was read and referred to a select committee, to consist of Messrs. Lorimer, Fairbanks, White, and Floyd.

A bill to be entitled an act to establish and regulate pilotage on the waters and in the harbors of St. Lucie county, also.

A bill to be entitled an act to establish and regulate pilotage on the waters and in the harbors of Dade county.

Which bills were referred to, and amended by the Judiciary Committee, came up on their second reading, the amendments concurred in and the bills ordered for a third reading to-morrow.

A bill to be entitled an act to amend an act giving a lien to mechanics, overseers and others, was laid on the table.

A bill to be entitled an act to provide for the re-establishment of the records of the county of Columbia and for other purposes, came up on its second reading. On motion the Senate in committee of the whole, went into the consideration of said bill. After some time, the committee rose, reported the bill back with sundry

amendments and asked to be discharged from its further consideration. Which report was received, the amendments concurred in, and the bill ordered to be engrossed for to-morrow.

Resolution authorizing the Comptroller to issue a warrant in favor of O. A. Myers for one hundred dollars was read a second time and ordered for to-morrow.

A bill to be entitled an act to amend an act for the protection of the Fisheries on the coast of Florida, was read a second time and ordered for to-morrow.

A bill to be entitled an act for the relief of the executors of Nehemiah Brush, deceased, was read, its consideration postponed for the present, and ordered to be engrossed for to-day.

A bill to be entitled an act in respect to keeping U. S. prisoners in the jails of this state, was read a third time, on the question of its passage the vote was as follows:

Yeas—Messrs. President, Bird, Broward, Carter, Fairbanks, Floyd, Johnson, Lorimer, McLean, McMillan, White.—11.

Nays—Mr. Kelly.—1.

So the Bill passed title as stated.

A resolution discharging the fine imposed on Francis M. Derance at the last term of Marion circuit court, was read a third time and rejected.

Resolution authorizing the Governor to allow all accounts for transportation of the laws, journals, &c., was read the third time and adopted. Ordered to be certified to the House.

Resolution in relation to the claims for military supplies sold to Robert Armstrong, assistant qr. master, was read the third time and lost. Ordered to be certified to the House.

A bill to be entitled an act to authorize Henry Hewitt to establish a ferry across Choctawhatchie river—on the question of not reading the bill a third time, the yeas and nays were called for by messrs. White and McLean; and were as follows:

Yeas—messrs. Kelly, Lorimer, McLean, McMillan, Walker and White.—6.

Nays.—messrs. President, Austin, Bird, Broward, Carter and Johnson.—6.

So the motion failed, and the bill ordered for to-morrow.

A bill to be entitled an act to define in what cases certain property shall not be exempt from execution, was read a second time and ordered to be engrossed for to-morrow.

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 came up on its second reading; on motion, the Senate in committee of the whole, Mr. McLean in the chair, went into the consideration of said bill. After some time the committee rose, reported progress and asked leave to sit again; which report was received, and leave granted the committee to sit again at 3 o'clock—to which time the Senate took a recess.

## 3 o'clock, P. M.

A quorum being present, the consideration of a bill to be entitled an act to provide for the payment of criminal prosecutions, and the contingent expenses of circuit courts, was resumed in Committee of the Whole, Mr. McLean in the Chair. After some time, the committee rose, reported the bill back to the Senate, with the first section stricken out, and asked to be discharged from the farther consideration thereof; which report was received; and on the question of agreeing to striking out the first section of the bill, and the ayes and noes being called by Messrs. Fairbanks and Kelly, were as follows:

Yeas—Mr. President, Messrs. Bird, Carter, Floyd, Johnson, Kelly, McLean, McMillan, Walker—9.

Nays—Messrs. Austin, Broward, Fairbanks, Lorimer, White,—5.

So the amendment was agreed to, and the bill consequently lost.

A bill to be entitled an act for the relief of the executors of the estate of Nehemiah Brush, deceased, was read the third time; and on the question of the passage of the bill, the vote was as follows:

Yeas—Messrs. Carter, Fairbanks, Floyd, Johnson, Lorimer, McLean, McMillan, Walker—8.

Nays—Mr. President, Messrs. Austin, Bird, Broward, Kelly, White—6.

So the bill passed, title as stated.

A bill to be entitled an act to regulate patrols in this State, came up on its second reading; and on motion, the Senate, in Committee of the Whole, Mr. Fairbanks in the Chair; went into the consideration of the said bill. After some time, the committee rose, reported the bill to the Senate, with amendments, and asked to be discharged from the farther consideration thereof; which report was received, the committee discharged, the amendments agreed to, and the bill as amended ordered to be engrossed for tomorrow.

A bill to be entitled an act for the relief of John B. DeCorce, was read a third time; and on the question "shall this bill pass?" the vote was as follows, viz:

Yeas—Mr. President, Messrs. Austin, Bird, Broward, Carter, Fairbanks, Johnson, Lorimer, Kelly, McMillan, Walker, White—12.

Nay—Mr. Floyd—1.

So the bill passed, title as stated.

The Senate took a recess until 7 o'clock.

7 o'clock, P. M.

A quorum being present, the Senate resumed the consideration of the

## ORDERS OF THE DAY.

A bill from the House, to be entitled an act to repeal the sixth section of an act entitled an act to organise the Circuit Courts of the State of Florida, was read a third time. On the passage of the bill the vote was as follows:

Yeas—messrs. Bird, Broward, Carter, Fairbanks, Johnson—5.

Nays—mr. President, messrs. Austin, Floyd, Kelly, Lorimer, McLean, McMillan, Walker, White—9.

So the bill was lost. Ordered, that the same be certified to the House.

A bill to be entitled an act to re-organise the sixth regiment Florida militia, came up on its second reading, the amendments of the committee on the militia concurred in, and the bill ordered to be engrossed for to-morrow.

Preamble and resolutions from the House in relation to a mail route in Nassau, Duval and Columbia counties, came up on its third reading, was read, adopted, and ordered to be certified to the House.

A bill from the House, entitled an act to amend an act to organise the Supreme Court of the State of Florida, and to annul certain rules adopted by said Court, was read a third time. On the question, shall this bill pass? the vote was as follows, viz.:

Yeas—mr. President, messrs. Bird, Broward, Carter, Fairbanks, Floyd, Johnson, Lorimer, Walker and White—10.

Nays—messrs. Kelly, McLean, McMillan—4.

So the bill passed as amended—title as stated.

A bill to be entitled an act to amend an act entitled an act to organize the office of Treasurer of the State of Florida, was read the second time, and referred to the Judiciary Committee.

A bill to be entitled an act for the relief of Archibald Patterson, was read a second time, and referred to the Committee on Propositions and Grievances.

A bill to be entitled an act to define the boundary of Washington county, was read a second time, and ordered for to-morrow.

Resolution in relation to the services of Rev. John Tucker, as chaplain to Garrison's battalion of Florida militia, was read a second time, and ordered for to-morrow.

Resolution requiring the Treasurer to issue his certificates in such sums as the claimants may require, was read a second time, and ordered for to-morrow.

A bill to be entitled an act to repeal an act therein named, was read the first time, and ordered for to-morrow.

A bill to be entitled an act to amend the several acts con-

cerning limitations of actions, which was read the first time, and ordered to be engrossed for to-morrow.

A bill to be entitled an act to amend the several acts relative to proceedings in chancery, engrossed for to-day, was read the third time; and on the question, "shall this bill pass?" the vote was as follows:

Yeas—Mr. President, Messrs. Fairbanks, Floyd, Lorimer, Walker—5.

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

So the bill was lost.

A bill to be entitled an act to authorize Eliza A. Crews and J. M. Crews, administrators of James Niblack, deceased, to sell certain real estate was read the third time; and on the question of its passage, the vote was as follows, viz:

Yeas—Messrs. Bird, Carter, Floyd, Johnson, McMillan, Walker, White—7.

Nays—Mr. President, Austin, Broward, Kelly, Lorimer, McLean—6.

So the bill passed, title as stated.

A bill to be entitled a general law in respect to corporations was read a third time; on the question of the passage of the bill, the vote was as follows:

Yeas.—Mr. President, messrs. Bird, Broward, Carter, Fairbanks, Johnson, Kelly, Lorimer, McLean, McMillan, Walker, White—12.

Nays.—messrs. Austin and Floyd—2.

So the bill passed; title as stated.

A bill to be entitled an act to regulate the public printing, was read a third time. On the question of the passage of the bill the vote was as follows:

Yeas—Mr. President, Bird, Broward, Carter, Floyd, Johnson; 6.

Nays—messrs. Austin, Fairbanks, Kelly, Lorimer, McLean, McMillan, Walker, White—8.

So the bill was lost.

A bill to be entitled an act concerning divorces, was read a third time; on the question "shall this bill pass?" the vote was as follows:

Yeas—Mr. President, messrs. Austin, Bird, Broward, Carter, Fairbanks, Floyd, Johnson, Kelly, Lorimer, McLean, McMillan, Walker and White—14.

Nays, none.

So the bill passed with the title as stated.

A bill to be entitled an act to provide for holding extra terms of the circuit courts, was read a second time and postponed for to-morrow.

A bill to be entitled an act to provide for the election of electors of President and Vice-President of the United States, was read a second time and postponed for to-morrow.

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

Yeas—Messrs. President and Kelly—2.

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

So the motion was lost.

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

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

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

So the motion was lost.

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

Which motion prevailed.

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

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

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

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

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

---

#### FRIDAY, January 1st, 1847.

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

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

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

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

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