

Nays—Messrs. Avery, Burritt, Floyd, Tweed—4.

Said motion prevailed.

Ordered that said bill be engrossed for a third reading to-morrow.  
The following message from his Excellency the Governor was read:

EXECUTIVE DEPARTMENT, Jan. 10, 1849.

*Gentlemen of the Senate and House of Representatives :*

I hereby nominate the following persons as Auctioneers for the counties in which they respectfully reside, to wit : William J. Keyser and John Forecheimer, for the county of Santa Rosa ; Stephen Daniel, for the county of Washington ; J. N. Whitehurst, for the county of Jackson. Also, E. H. Richards, John E. Johnson and Thomas H. Parsons, as Port Wardens for the Port of Cedar Keys ; and John Denham, Port Warden for the Port of St. Marks ; and Charles T. Porter and William Harrison, Commissioners of Fisheries for the county of Washington. To which your advice and consent is respectfully solicited.

Very respectfully,

W. D. MOSELEY.

Said nominations were advised and consented to.

Also the following :

EXECUTIVE DEPARTMENT, Jan. 10, 1849.

*Gentlemen of the Senate and House of Representatives :*

The following Acts and Resolutions passed at your present session are approved, to wit :

An act to provide for the increase, investment, safe keeping and disbursement of the common school fund ;

An act declaring Yellow River, in Walton county, a navigable stream ;

An act to amend the revenue laws of this State, as regard hawkers, pedlars and itinerant traders ;

An act to amend the revenue laws of force in this State ;

An act requiring the Judges of the Circuit Courts to hold the terms of Court at the time and places prescribed by law ;

An act to authorize and provide for the election of Register of Public Lands, by the qualified voters of this State ;

An act in relation to the duties of Tax Assessors and Tax Collectors, and for other purposes ;

An act relating to fines, forfeitures, costs, and other moneys adjudged to the State ;

An act amendatory of the several acts relating to Jurors and State Witnesses :

An act to provide for the establishment of Common Schools in this State ;

An act to authorize the several Judges of Probate in this State to solemnize the rites of matrimony, and for other purposes ;

An act to amend an act concerning roads and highways, passed at the adjourned session of 1845 ;

An act to authorize the administrators of John W. Du Bose, deceased, to sell real estate ;

An act concerning the records of Levy county ;

An act for the relief of James M. Bates :

An act compensating Lewis H. Miller for taking the census of Holmes county in 1848 ;

An act to change certain precincts in Columbia county ;

An act for the relief of Mary A. Hardee and Mrs. — Burnett ;

An act to empower George P. Keyes, a minor, to assume the management of his own estate ;

An act to locate permanently the county site of Calhoun county, and for other purposes ;

An act to amend an act to change the northern line of St. Lucie county, approved December 28, 1846 ;

Preamble and Resolution asking Congress to establish a mail line therein named ;

Preamble and Resolution asking Congress to pass a law authorizing the payment of the claim of the Rev. John Tucker, as chaplain for Garrison's Battalion of Florida Militia ;

Preamble and resolution relative to the establishment of certain mail routes ; and

Resolution for the relief of W. J. Faircloth.

Very respectfully,

W. D. MOSELEY.

House bill to be entitled, An act to authorize Jos. M. Crews to establish a Ferry near the mouth of Oalusta, in Columbia County, was read the first time, the rule waived, read a second and third time by its title, and on the question of its passage, the yeas and nays were :

Yeas—Mr. President, Messrs. Aldrich, Austin, Avery, Brown, Burritt, Crawford, Forward, Ghent, Lorimer, Moseley, Sanderson, D. J. Smith, J. M. Smith, Tweed—15.

Nays—None.

Said bill passed. Title as stated. Ordered to be certified to the House.

House bill to be entitled, An act for the protection of old and infirm slaves, was read the first time, the rule waived, read a second time by its title, and ordered to a third reading to-morrow.

House bill to be entitled, An act to amend an act regulating Judicial Proceedings, was read the first time, the rule waived, read a second time by its title, 75 copies ordered to be printed, and said bill referred to the Committee on the Judiciary.

House bill to be entitled, An act to amend the laws now in force establishing a Tariff of Fees, was read the first time, and ordered to a second reading to-morrow.

On motion of Mr. D. J. Smith, the Senate adjourned until to-morrow, 10 o'clock, A. M.

THURSDAY, January 11, 1849.

The Senate met pursuant to adjournment.

Rev. Mr. Choice officiated as Chaplain.

A quorum being present, on motion of Mr. D. J. Smith, the reading of the Journal was dispensed with.

A Committee from the House informed the Senate that the House had rescinded the 6th Joint Rule, in which they asked the concurrence of the Senate.

The Senate concurred, and by a committee, consisting of Messrs. White, Burritt and Austin, so informed the House.

A committee from the House informed the Senate that they had been appointed to wait upon, and request the Senate to return to the House, Senate bill entitled, An act amendatory of the several acts now in force in relation to the assessment and collection of the revenue.

On motion, a committee, consisting of Messrs. Tweed, Lorimer and D. J. Smith, were appointed to return said bill to the House.

Said Committee reported that they had performed the duty assigned them.

Mr. Burritt, from the Judiciary Committee, presented the following report:

The Committee on the Judiciary, to whom was referred a bill to be entitled, An act to amend an act entitled an act to amend an act regulating the mode of proceeding in attachments, have had the same under consideration, and have instructed me to report the same back to the Senate with the following amendment.

S. L. BURRITT, Chairman.

Mr. Crawford, from a Select Committee, presented the following Report:

The Select Committee, to whom was referred a bill to be entitled, An act to alter and change the time of holding the Circuit Courts in the Middle District, have had the same under consideration, and ask leave to

#### REPORT:

They are unanimously of the opinion that the law regulating the time of holding the Circuit Courts in the Middle District, works *well enough*, and wisdom and experience teach us that we should let well enough alone. If the law in force is not perfect, it is, in the opinion of your Committee, infinitely better than it would be were this bill to pass. Believing that any alteration in the time of holding the Circuit Courts in the Middle District, is unnecessary, impolitic and unwise, we therefore report the bill back, and beg that it may not pass.

JNO. L. CRAWFORD,  
Chairman Select Committee.

The following messages from the House were read:

HOUSE REPRESENTATIVES, January 10, 1849.

*Honorable President of the Senate:*

Sir—The House has adopted the Senate Resolution herein enclosed.

Respectfully,

W. B. LANCASTER,  
Clerk House Representatives.

*Resolved by the Senate and House of Representatives of the State*

*of Florida in General Assembly convened*, That the Secretary of State be authorized, and he is hereby required, to furnish each of the members of the General Assembly with a copy of the Journals of the Senate and House of Representatives, and a copy of the acts of the present session to Judges of Probate, Judges and Clerks of the Circuit Courts, Judges of the United States District Court, and Justices of the Peace.

HOUSE OF REPRESENTATIVES, January 10, 1849.

*Honorable President of the Senate:*

Sir—The House have concurred in Senate amendment to House resolution to adjourn *sine die*.

Respectfully

W. B. LANCASTER,  
Clerk House Representatives.

HOUSE OF REPRESENTATIVES, Jan. 10, 1849.

*Honorable President of the Senate:*

Sir—The House has appointed Messrs. Maxwell, Scott and Magbee a Joint Committee on the part of the House, to act with the similar committee of the Senate, in drafting an appropriation bill for the present General Assembly.

Respectfully,

W. B. LANCASTER,  
Clerk House Representatives.

HOUSE REPRESENTATIVES, January 10, 1849.

*Honorable President of the Senate:*

Sir—The House has disagreed to the 1st and 2d, and concurred in the 3d Senate amendment to House bill to be entitled An act to provide for the election of the Judges of Probate by the People.

Respectfully,

W. B. LANCASTER,  
Clerk House Representatives.

On the question of receding from the amendments, the yeas and nays were called for by Messrs. D. J. Smith and Lorimer, and were:

Yeas—Mr. President, Messrs. Brown, Costin, Crawford, Floyd, Forward, Ghent, Lorimer, Moseley, D. J. Smith, Tweed, Watts and White—13.

Nays—Messrs. Austin, Burritt, Sanderson and J. M. Smith—4.  
The Senate receded.

The following message was also read:

HOUSE OF REPRESENTATIVES, Jan. 10, 1849.

*Honorable President of the Senate:*

Sir—The House insists upon its original resolution authorizing the Register of Public Lands to invest any money in his hands in the purchase of State Certificates.

Respectfully,

W. B. LANCASTER,  
Clerk House Representatives.

On motion to adhere, the yeas and nays were called for by Messrs. Floyd and Ghent, and were:

Yeas—Messrs. Avery, Brown, Burritt, Costin, Floyd, Forward, Ghent, Moseley, J. M. Smith, Watts—10.

Nays—Mr. President, Messrs. Crawford, Lorimer, Sanderson, D. J. Smith, White—6.

The Senate adhered.

The following message was also read :

HOUSE OF REPRESENTATIVES, Jan. 10, 1849.

*Honorable President of the Senate :*

Sir—The House have passed the following resolution :

*Resolved by the Senate and House of Representatives in General Assembly convened,* That J. Clisby be selected to print the laws passed by the present General Assembly, on his giving bond to the Secretary of State to execute the same in a proper time and manner.

*Resolved,* That the compensation shall be the same per page as for printing of the journal of this House.

Respectfully, W. B. LANCASTER,  
Clerk House Representatives.

The Senate agreed to said resolutions.

The following message was also read :

HOUSE OF REPRESENTATIVES, Jan. 10, 1849.

*Hon. President of the Senate :*

Sir: The House has passed the following joint resolution :

*Resolved by the Senate and House of Representatives,* That when the laws are printed, there shall also be printed one thousand extra copies of the bills for the sale and consolidation of the sixteenth sections, and for the establishing of common schools, to be stitched together, and distributed with the laws in each county according to its representation in the General Assembly; and such copies shall be subject to the order of the Representatives and Senators, in such number as by equal distribution they may be entitled to.

Respectfully, W. B. LANCASTER,  
Clerk House of Representatives.

The Senate agreed to said resolution.

The following message from His Excellency the Governor was read.

EXECUTIVE DEPARTMENT, January 8, 1849.

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

I hereby nominate the following persons as Auctioneers for the Counties in which they respectively reside, to wit :

William S. Campbell and James McKay, for Hillsborough county; John L. Phillips and Burroughs E. Carr, for St. Johns county; Ira Swift, for Madison county; John Branch, for Calhoun county; Timothy Green, for Holmes county; and, Ira Green, Ebenezer Skipper, John Bird, and Henry Pope, for Jackson county; also, John Porter and John P. Baldwin, as Port Wardens for the Port of Key West, to which your advice and consent is respectfully solicited.

Very respectfully, W. D. MOSELEY.

Said nominations were advised and consented to.

The following message from the House was read :

HOUSE REPRESENTATIVES, January 10, 1849.

*Honorable President of the Senate :*

SIR:—The House has passed Senate bill to be entitled, An act to authorize the Register of the Land Office to appoint a Deputy, and for other purposes, with enclosed amendment.

In which the concurrence of the Senate is respectfully requested.

Respectfully, W. B. LANCASTER,  
Clerk House Representatives.

On motion to insist upon the original bill of the Senate, the yeas and nays were called for by Messrs. Avery and Floyd, and were :

Yeas—Mr. President, Messrs. Austin, Avery, Brown, Burritt, Forward, Ghent, Lorimer, Tweed—9.

Nays—Messrs. Costin, Crawford, Floyd, Mosely, D. J. Smith, J. M. Smith, Tweed—7.

The Senate insisted.

The following message from the House was read :

HOUSE REPRESENTATIVES, January 11, 1849.

*Honorable President of the Senate :*

SIR:—The House has concurred in Senate amendment to House resolution relative to William H. Sever.

Respectfully, W. B. LANCASTER,  
Clerk House Representatives.

The House returned Senate bills entitled, An act to prevent trespass on School, Seminary, and Internal Improvement Lands, and to recover damages for the use and occupation of the same ;

An act to provide for the payment of the salary, travelling, and other expenses of the Register of Public Lands out of the public moneys in his hands ;

And Senate resolution entitled, Resolution asking from Congress the grant of one hundred and sixty acres of land, &c. ;

Preamble and resolution in relation to a Light House at or near the mouth of the Suwannee River ;

As passed by the House without amendment.

Ordered to be enrolled.

#### ORDERS OF THE DAY.

Resolutions in relation to the office of the Governor, were made the special order for to-morrow.

On motion of Mr. Tweed, the rule was waived and he allowed to introduce a preamble and resolution relative to Washington Bartlett, which was read the first time, the rule waived, read a second and third time by its title and passed. Ordered to be certified to the House.

Engrossed bill to be entitled, An act for the benefit of the scrip holders of the late Territory of Florida, was read the third time, and on the question of its passage the yeas and nays were :

Yeas—Mr. President, Messrs. Austin, Burritt, Lorimer, Tweed—5.

Nays—Messrs. Aldrich, Avery, Brown, Crawford, Forward, Moseley, D. J. Smith, J. M. Smith, Watts—9.

Said bill was lost.

House resolution relative to the question in controversy between the North and the South, was read the third time.

Mr. Burritt offered the following amendment, which was unanimously adopted, viz :

Strike out all between the word "same", in the 4th line, and the word "recognize" in the 8th line in the 2d resolution, and substitute the following :

This General Assembly, therefore, believing that Congress possesses, under the Constitution, no power to pass such a measure, adopting similar language to that of the Legislature of Virginia, hereby declare it as their opinion, that under no circumstances will the people of this State be willing to—

Said resolution as amended was passed.

House bill to be entitled, An act to alter and change the time of holding the Circuit Courts in the Middle District, was, on motion of Mr. Moseley, indefinitely postponed.

House bill to be entitled, An act to abolish the allowance of tare or gross weight on bales of unmanufactured Cotton, was, on motion of Mr. J. M. Smith, indefinitely postponed.

House preamble and resolution urging upon Congress the payment of the claim of the estate of John W. Levinus, was read the first time, the rule waived, read a second and third time by its title and passed. Ordered to be certified to the House.

House bill to be entitled, An act for the purpose of keeping the Indians within their boundary, was read the third time, and on the question of its passage the yeas and nays were :

Yeas—Mr. President, Messrs. Aldrich, Austin, Avery, Brown, Burritt, Costin, Crawford, Floyd, Forward, Ghent, Lorimer, J. M. Smith, Watts—14.

Nays—Messrs. D. J. Smith, Tweed—2.

Said bill passed. Title as stated. Ordered to be certified to the House.

House preamble and resolution asking Congress to take some action to keep the Indians of Florida within their prescribed boundary, was read the third time, and passed.

Ordered to be certified to the House.

Substituted bill to be entitled, An act to authorize Botanical Physicians to sue for their accounts, was read the third time, and on the question of its passage, the yeas and nays were :

Yeas—Mr. President, Messrs. Aldrich, Austin, Avery, Brown, Costin, Floyd, Forward, Ghent, J. M. Smith, Tweed, Watts, White—13.

Nays—Messrs. Burritt, Crawford, Lorimer, D. J. Smith—4.

Said bill passed—title as stated. Ordered to be certified to the House.

Mr. Moseley moved that the rule be waived, and he be allowed to make a motion.

Lost.

On motion of Mr. Burritt the vote had this day on the bill to be entitled, An act for the purpose of keeping the Indians within their boundary, was reconsidered and referred to a select Committee consisting of Messrs. Burritt, Floyd, and Brown.

On motion of Mr. Aldrich the rule was waived, and he allowed to introduce a bill to be entitled, An act supplemental to, and explanatory of, an act to incorporate the Atlantic and Gulf Rail Road Company and the other acts passed at the present sessions, contemplating or authorizing the construction of a Rail Road, which was read the first time, the rule waived, read a second and third time by its title, and on the question of its passage the yeas and nays were :

Yeas—Mr. President, Messrs. Aldrich, Austin, Avery, Brown, Burritt, Costin, Crawford, Floyd, Forward, Ghent, Sanderson, D. J. Smith, Tweed, Watts, White—16.

Nays—None.

Said bill passed; title as stated; ordered to be certified to the House.

On motion of Mr. Sanderson the vote just had referring House bill to be entitled, An act for the purpose of keeping the Indians within their boundary, to a select Committee, was reconsidered, and said bill put upon its passage, the yeas and nays were :

Yeas—Mr. President, Messrs. Aldrich, Austin, Avery, Brown, Costin, Crawford, Floyd, Forward, Ghent, Moseley, Sanderson—12.

Nays—Mr. D. J. Smith—1.

Said bill passed. Title as stated. Ordered to be certified to the House.

House bill to be entitled, An act for the protection of old and infirm slaves,

Was read the third time, and on the question of its passage, the yeas and nays were :

Yeas—Mr. President, Messrs. Austin, Avery, Burritt, Floyd, Forward, Ghent, Lorimer, Moseley and D. J. Smith—11.

Nays—Mr. Crawford—1.

Said bill passed. Title as stated. Ordered to be certified to the House.

House bill to be entitled, An act to amend the laws now in force establishing a tariff of fees,

Was read the third time, and on the question of its passage the yeas and nays were :

Yeas—Mr. President, Messrs. Aldrich, Austin, Avery, Brown, Burritt, Crawford, Floyd, Forward, Ghent, Lorimer, Moseley, D. J. Smith, Tweed and White—15.

Nays—None.

Said bill passed.

On motion of Mr. White, the title of said bill was amended by adding the words "relating to the county of Jackson."

Ordered to be certified to the House.

House bill to be entitled, An act to amend an act entitled an act to amend an act regulating the mode of proceeding on attachments,

Was read the second time as amended. Ordered to a third reading to-morrow.

House bill to be entitled, An act to define and settle the boundary line between the counties of Walton and Santa Rosa,

Was read the first time.

Mr. Ghent moved that said bill be indefinitely postponed.

On which the yeas and nays were called for by Messrs. Tweed and Forward, and were:

Yeas—Mr. President, Messrs. Aldrich, Brown, Costin, Crawford, Floyd, Forward, Ghent, Lorimer, Moseley, Sanderson, D. J. Smith, J. M. Smith, White—15.

Nays—Messrs. Avery, Tweed—2.

Said motion prevailed.

House bill to be entitled, An act to amend an act to regulate the times and places for holding the Circuit Courts for the Western Circuit, was read the first time, the rule waived, read a second time by its title and referred to a select committee consisting of Messrs. Floyd, Tweed and Avery.

House resolution asking of Congress appropriation for the building of a Light House at the Bar of Indian River, was read the first time, the rule waived, read a second and third time by its title, and passed. Ordered to be certified to the House.

House bill to be entitled, An act relating to the commissions of certain officers in this State, was read the first time, the rule waived, read a second time by its title, and referred to the Judiciary Committee.

On motion of Mr. Floyd; the rule was waived, and Mr. Moseley allowed to move that the vote had on this day on House bill to be entitled, An act to alter and change the time of holding the Circuit Courts in the Middle District, be reconsidered.

Which motion was lost.

On motion of Mr. Tweed, the rule was waived and he allowed to introduce a bill to be entitled, An act in relation to the issuing of commissions to certain public officers, which was read the first time, the rule waived, and said bill read a second time. Mr. Floyd moved that said bill be referred to the Judiciary Committee. Said motion was lost.

On motion, the rule was waived, said bill read a third time, and on the question of its passage the yeas and nays were:

Yeas—Mr. President, Messrs. Aldrich, Avery, Costin, Crawford, Forward, Lorimer, Moseley, Sanderson, J. M. Smith, Tweed, White—12.

Nays—Messrs. Austin, Floyd, D. J. Smith—3.

Said bill passed—title as stated. Ordered to be certified to the House.

Mr. White moved that the rule be waived and he allowed to introduce a bill without previous notice. Said motion was lost.

House bill to be entitled An act in relation to the organization of Probate Courts in Marion county, was read the first time, the rule

waived, read the second and third time by its title, and on the question of its passage the yeas and nays were:

Yeas—Mr. President, Messrs. Aldrich, Avery, Brown, Costin, Crawford, Floyd, Forward, Lorimer, Moseley, Sanderson, D. J. Smith, J. M. Smith, Tweed, White—15.

Nays—None.

Said bill passed. Title as stated. Ordered to be certified to the House.

House resolution relative to the safe keeping of the Public Arms, was read the first time, and ordered to a second reading to-morrow.

House bill to be entitled, An act to be entitled an act to amend the several acts now in force in relation to the officers of Courts, was read the first time, and ordered to a second reading to-morrow.

Resolutions relative to International Exchange, were read the second time, and ordered to be engrossed for a third reading to-morrow.

The House returned Senate bill to be entitled, An act supplemental to an act entitled an act to grant pre-emption rights to settlers on State lands, passed at the present session, as passed by the House without amendment. Ordered to be enrolled.

Mr. Aldrich from the Committee on Enrolled Bills, presented the following reports:

The Committee on enrolled bills beg leave to report as correctly enrolled, bills entitled as follows:

An act amendatory of the several acts of force in this State relative to trading with slaves,

An act for the benefit of Craven G. Fife and James R. Tucker.

An act providing for the purchase on the part of the State of lands offered for sale for taxes.

An act supplemental to an act entitled, An act to grant pre-emption right to settlers on State lands, passed at the present session.

An act to provide for the payment of the salary, travelling, and other expenses of the Register of Public Lands, out of the public moneys in his hands.

LOUIS ALDRICH, Chairman.

The Committee on Enrolled Bills beg leave to report as correctly enrolled the bills, entitled as follows, viz:

An act to incorporate the Atlantic and Gulf Raid Road Company;

An act to amend an act, approved January 4, 1847, giving a lien to steamboat men and others navigating the bay and river of Apalachicola;

An act to encourage and facilitate the construction of a Rail Road from some point on the St. Mary's River, or waters adjacent thereto, to Pensacola, and to authorize and regulate partnerships for that purpose;

An act to provide for the election of a keeper of Public Archives in the cities of St. Augustine and Pensacola.

With respect to the last act, the committee remark, that, although

the same appears to be correctly enrolled as passed, there appear to be inaccuracies in the phraseology of the 5th and 6th sections.

LOUIS ALDRICH, Chairman.

The following communications were transmitted to His Excellency the Governor:

SENATE CHAMBER, January 11, 1849.

His Excellency W. D. MOSELEY, Governor, &c.

SIR: I have the honor herewith to transmit for the approval of your Excellency the following bills, viz:

An act to amend an act approved January 4, 1847, giving a lien to steam boat men and others, navigating the bay and river of Apalachicola;

An act to encourage and facilitate the construction of a Rail Road at some point on the St. Mary's rivers, or waters adjacent thereto, to Pensacola, and to authorize and regulate partnerships for that purpose;

An act to incorporate the Atlantic and Gulf Rail Road Company;

An act to provide for the election of a keeper of Public Archives in the cities of St. Augustine and Pensacola;

An act amendatory of the several acts of force in this State relating to trading with slaves;

An act for the benefit of Craven G. Fife and James R. Tucker;

An act providing for the purchase on the part of the State of lands offered for sale for taxes.

Passed by both Houses of the General Assembly, and signed by the presiding officers thereof.

Respectfully,

C. W. DOWNING,  
Secretary Senate.

The following message from the House was read:

HOUSE OF REPRESENTATIVES, Jan. 11, 1849.

Honorable President of the Senate:

Sir—The House has adhered to its disagreement to Senate amendments to House resolution authorizing the Register of Public Lands to invest the moneys in his hands in the purchase of State Certificates, and has appointed Messrs. Bryant, McClellan and Coleman a committee of conference on the part of the House, to act with a similar committee from the Senate upon said disagreement.

Respectfully,

W. B. LANCASTER,  
Clerk House Representatives.

On motion of Mr. J. M. Smith, the Senate adjourned until to-morrow 10 o'clock, A. M.

FRIDAY, January 12, 1849.

The Senate met pursuant to adjournment.

Rev. Mr. Choice officiated as Chaplain.

A quorum being present; on motion of Mr. Crawford, the reading of the journal was dispensed with.

On motion of Mr. Floyd, leave of absence was granted to Mr. Moseley for the remainder of the session.

On motion, a committee, consisting of Messrs. Crawford, White and Tweed, have been appointed, to confer with the committee on the part of the House, relative to the investment, by the Register, of the money in his hands in State script.

Mr. Tweed offered the following:

Resolved, the House concurring, That the General Assembly will proceed to the election of Judges of the several circuits of this State, to-morrow morning, at 10 o'clock.

The President decided it out of order.

Mr. Sanderson offered the following:

Resolved, That the General Assembly has the right, under the Constitution, to go into the election of Circuit Judges at its present session.

Mr. Avery offered the following as a substitute:

Resolved by the Senate and House of Representatives of the State of Florida, in General Assembly convened, That in the opinion of this General Assembly, it will be expedient for the Governor to call an extra session of the Legislature, in time to elect Judges of the Circuit Courts, in accordance with that provision of the Constitution, which requires the next regular election of Judges to take place at the expiration of five years, from the first election.

Mr. Forward moved that said substitute be indefinitely postponed.

On which the yeas and nays were called for by Messrs. Forward and White, and were:

Yeas—Messrs. Aldrich, Austin, Brown, Costin, Crawford, Forward, Ghent, Lorimer, Sanderson, D. J. Smith, J. M. Smith and White—12.

Nays—Mr. President, Messrs. Avery, Burritt, Floyd, Moseley, Tweed and Watts—7.

Said motion prevailed.

Mr. Forward moved that the original resolution offered by Mr. Sanderson be indefinitely postponed;

On which the yeas and nays were called for by Messrs. Forward and Sanderson, and were:

Yeas—Messrs. Aldrich, Avery, Brown, Burritt, Costin, Floyd, Forward, Ghent, Moseley and J. M. Smith—10.

Nays—Mr. President, Messrs. Austin, Crawford, Lorimer, Sanderson, D. J. Smith, Tweed, Watts and White—9.

Said motion prevailed.

On motion of Mr. Forward, the rule was waived, and he allowed to introduce a bill to be entitled, An act supplementary to an act, passed at this session, relating to the mode of appointment and duties of Auctioneers.

Which was read the first time, the rule waived, read a second and third time by its title, and on the question of its passage, the yeas and nays were:

Yeas—Mr. President, Messrs. Austin, Avery, Brown, Burritt, Cos-