

TUESDAY, November 28, 1848.

The Senate met pursuant to adjournment, Mr. Sanderson in the chair. The roll being called, there appeared a quorum present.

Mr. O. M. Avery, Senator from the First District, presented his certificate, and was duly sworn by John W. Cowart, Esq., Justice of the Peace.

On motion of Mr. White, ordered that the Senate open by prayer. Rev. Mr. Choice officiated.

Messrs. Burritt from the Fourteenth District, Costin, from the Nineteenth District, and Tracey, from the Sixteenth District, appeared and took their seats. *Elid Oct. 6 1847*

On motion of Mr. Burritt, the Senate proceeded to the election of a President.

Mr. Lorimer nominated Mr. Tracey, of Nassau. Mr. Tracey was unanimously elected.

On motion, a committee, consisting of Messrs. Floyd, Costin, and Avery, were appointed to conduct the President elect to the Chair. Which duty being performed, the President, in an appropriate address, expressed his thanks for the honor conferred upon him.

On motion, the Senate proceeded to the election of a Chief Secretary.

Mr. White nominated Mr. Charles W. Downing, who was unanimously elected.

On motion of Mr. D. J. Smith, the Senate proceeded to the election of Assistant Secretary.

Mr. White nominated Mr. William C. Bryan, who was unanimously elected.

On motion of Mr. White, the Senate proceeded to the election of Engrossing and Enrolling Clerk.

Mr. Austin nominated Samuel Love, who was unanimously elected.

On motion of Mr. Lorimer, the Senate proceeded to the election of Sergeant-at-Arms.

Mr. Lorimer nominated Waller Taylor.

Mr. Moseley nominated Robert Potts.

Mr. Forward nominated Samuel B. Foster.

The vote was as follows:

For Taylor—Messrs. Austin, Avery, Burritt, Crawford, Lorimer, Sanderson, D. J. Smith, Watts, White—9.

For Potts—Mr. President, Messrs. Floyd, Moseley—3.

For Foster—Messrs. Aldrich, Brown, Costin, Forward—4.

Mr. Taylor was declared duly elected.

On motion of Mr. Crawford, the Senate proceeded to the election of Messenger.

Mr. Crawford nominated Nathaniel A. Jameson, who was unanimously elected.

Messrs. Downing, Love, Taylor, and Jameson were then duly sworn by John W. Cowart, Justice of the Peace.

On motion of Mr. Avery, the rules of the last Senate were adopted as the rules of the present Senate until other rules be adopted.

Mr. John Ghent, Senator from the Third District, presented his certificate; and was duly sworn.

On motion of Mr. Lorimer, a committee was appointed to select and invite a clergyman to officiate as Chaplain to the Senate during the present session.

Messrs. Lorimer, Avery, and Floyd were appointed said committee.

On motion, the Senate took a recess until 11½ o'clock.

11½ o'clock.

The Senate resumed its session.

On motion of Mr. Burritt, a committee was appointed to inform the House of Representatives that the Senate was now organized and ready to proceed to business.

Messrs. Burritt, Austin and Forward were appointed said committee—who reported that that duty had been performed.

On motion of Mr. Mosely, a committee of three, to act with a similar committee on the part of the House, was appointed to wait upon and inform his Excellency the Governor that the General Assembly was now organized and ready to proceed to business.

Messrs. Mosely, Avery and Watts were appointed said committee.

On motion, Messrs. Avery, Sanderson and Floyd were appointed a committee to draft rules for the government of the Senate during the present session.

A committee from the House informed the Senate that the House was now organized and ready to proceed to business.

The following message from the House was received and read:

HOUSE OF REPRESENTATIVES, Nov. 28, 1848.

To the Honorable President of the Senate:

SIR: The House has constituted a committee of three, consisting of Messrs. Coleman, Maxwell and Ellis, to act with a similar committee on the part of the Senate, to wait upon his Excellency the Governor and inform him of the organization of the General Assembly, the House having received a message from the Senate to the effect of their appointment of such committee.

Respectfully,

WM. B. LANCASTER,

Clerk Ho. Reps.

The committee appointed to inform his Excellency the Governor of the organization of the General Assembly, reported that they had performed that duty.

The following message from his Excellency the Governor was received and read:

Gentlemen of the Senate

and of the House of Representatives:

The duty devolved upon me by the Constitution of addressing you on subjects of interest and importance to the State, furnishes me an

opportunity to congratulate you, and through you the people whom you represent, upon the continued favors of Providence in behalf of our common country; and it becomes us to return our hearty thanks that, of these favors, our State has received a most liberal share.— The fine health which, for the most part, it has been permitted to our common constituents to enjoy—the abundant harvests given their fields as the reward of their honest and patient toil and industry, and the many evidences of plenty and comfort which surround them, are favors and blessings not to be lightly esteemed, and for which our grateful hearts should make a suitable response to the beneficent giver of such goodly boons. Rightly to acknowledge, as well as rightly to appreciate them, will be our best guarantee of their future continuance.

This being the last annual message I shall have the honor to make to the General Assembly, permit me, with the advantage of additional observation and experience of the few years during which I have filled the Executive office, to renew my assurances of confidence in the capacity of the people for self-government, and to express my increased admiration of the beautiful and harmonious system of institutions under which we live. In Florida we have not had the full benefit of that system until recently. While we were a territorial appendage of the United States, we only half enjoyed its advantages, and the present year has been the first in which we have had the opportunity to exercise the double privilege of citizens of the United States, and also of one of its coequal sovereignties. We have now fully entered upon the career of a free sovereign State, and by our participating in choosing rulers of the general confederacy, have consummated and sealed the ties, by which our destiny is closely bound up, with the common destiny of all its members. The interest manifested by the people on account of this new political relation, and the quiet and orderly manner in which they have discharged the duty growing out of it, show that they highly appreciate the enlarged sphere of their action, and the responsibilities connected therewith. This, together with the successful working of our more immediate domestic government, gives me fresh cause to trust abidingly in the sufficiency of the people for their own government. Not doubting that you also entertain the sentiments here expressed, and that, as their representatives, you will feel the importance of such action, in the sphere of your department of the Government, as will satisfy their wishes, and conduce to their prosperity and welfare; I may be permitted to state, that the Executive, so far as his duty goes in the accomplishment of these objects, will be prepared to co-operate with you in the discharge of the high responsibilities we owe to our common constituency.

I avail myself of the present occasion, as an appropriate one, to glance briefly at the financial history of the Government since its administration was entrusted to my hands, before I proceed to comment on its present condition. The experiment of taxing a people for the support of a State Government, (who, from the relation in which they stood to the General Assembly for many years, had been

hitherto exempt from taxation,) was regarded by many as of doubtful result. It was urged by the opponents of a State Government, with much plausibility, that the sparseness of our population would necessarily make the burden of taxation more onerous, and that the mistakes and inexperience inevitable in a newly organized Government, would greatly increase the evil and aggravate the popular discontent. As it was impossible to estimate, with precision, in advance, the necessary expenses of the Government, when first put in operation, it was reasonably apprehended that distrust and dissatisfaction would result from the anticipated deficiency in the first revenue laws, and that remonstrance would await any proposal for repairing the evil by adding to the public burdens. The expected insufficiency of the first revenue laws was realized, and the utmost economy of the Executive officers was inadequate to the task of keeping the necessary public disbursements within the limits of the public income. The inevitable result was a necessity for increasing the taxes, not only to an extent sufficient to provide for the current expenses, but to liquidate the existing debt. This necessity was met by your predecessors with firmness, and the consequent increase of taxation, so far from provoking discontent, was demanded by a wholesome public opinion. An avoidance of unnecessary expenditure, by a prudent system of economy and a rigid application of the revenues to their proper objects, on the part of the officers of the Government, has been met by a generous confidence on the part of the people, and a cheerful acquiescence in the necessity of increased taxation. No murmurs or dissatisfaction have ensued, and I infer, from the regularity of the returns of the collecting officers, that no inconvenience has hitherto been felt by the people in paying their assessments.

For a thorough and satisfactory statement of the present condition of the finances of the State, your attention is respectfully invited to the very able and interesting reports of the Comptroller and Treasurer, herewith submitted. It may not be improper here to suggest, that the increasing and highly arduous and responsible duties required of the Comptroller, would seem to demand additional assistance in the discharge of them, either by allowing him a Clerk or an increased salary, to be used for that purpose. This is a matter however, entirely within the control of the General Assembly. My conviction of the necessity of such additional aid, has prompted me to assume the responsibility of recommending it to you.

By reference to the details of those reports, it will be perceived that the revenues of the State arising from the existing laws, with some slight modifications, are adequate to the discharge of the current and ordinary expenses of the State Government, and will hereafter afford a surplus to be applied to the liquidation of the obligations of the State, which grew out of the extraordinary expenses incident to the first establishment of our Government. It is believed that, at the close of the present fiscal year, if our resources are properly husbanded, and be not directed, by imprudent legislation, from their legitimate application, our young State will have paid all her valid liabilities.

ties; and she will then present to the world an example of integrity of purpose which will be salutary to others and a source of honest exultation to ourselves. This happy and honorable result must in a great measure be attributed to the firmness and patriotism of your predecessors, already alluded to, in a gradual increase of the taxes, till they were commensurate to the wants of the Government and to the integrity of their constituents, who submitted without complaint to a burden, which was the necessary price of an unblemished national character. I trust that I may be permitted to use this opportunity to urge upon you a determined perseverance in this wise and elevated policy. When we have once discharged the public debt, and have only to provide for the annual expenses of the Government, an adherence to this policy will be as easy to us as it will be creditable. But, if we are once tempted by temporizing considerations—by the fear of giving offence to the disaffected, or by the threats of disorganizing demagogues—to cut down the public revenues below the standard of the necessary supplies of the Government, we shall soon become involved in perplexities, in subterfuges, in embarrassments, that must bring discredit, and may bring disgrace, upon the State; and which, after all, can only be removed by an assumption of the very burdens we had sought to escape. It would be doing injustice to my own sentiments, as well as to the people of Florida, not to avow my confident and mature belief, that in the policy which I have indicated, you would be sustained, by the cordial concurrence of your constituents. A legislator cannot adopt a standard of political integrity too high, to be approved by the people; and that man is most secure of their approbation, as a public servant, whose motives and purposes are the most honest. To believe otherwise, would be to cast reproach upon the popular institutions under which we live, and would be at variance with the observations and experience of my whole life.

As the population of the State increases, and the resources with which a beneficent Providence has blessed us are developed, the burden of taxation, which even now is far from being onerous, will be more and more alleviated, and when the public debt is discharged, you will have it in your power, with little, if any, additional taxation, to provide for some measures of public policy—the want of which is felt and acknowledged by all—though a just and laudable desire to extinguish the State liabilities, before incurring new expenses, has made us hitherto consent to submit to the continued privation of them.

Among the many more immediately pressing wants of the people of the State, seems to me to be a separate Supreme Court and a separate Chancery Court. The tribunal, whose province it is to settle fundamentally the laws under which we live, should be so constituted as to ensure the highest degree of ability and efficiency which the means at our command will enable us to give to it. The “twenty years lucubrations” which, two centuries past, were necessary to make a good lawyer, are not less necessary now, when the

science of jurisprudence has become complicated and extended by the labors and decisions of an infinite number of writers and Judges; and it is not doing justice to the Judges of our highest appellate Court, nor to ourselves, not to afford them that leisure, which is an essential element of success in their effort to discharge their responsible duties. I need not enlarge upon the obvious truth, that the Judges who have to ride the extensive and laborious Circuits of this State, cannot have the leisure which is necessary to enable them to discharge satisfactorily the duties required of them as appellate Judges; nor, upon the disadvantages which the appellate Court, as now constituted, is subjected, from having to hasten through their labors within a stated time, in order to release its members, that they may resume their Circuit labors. It has been found in practice, too, that the constitutional provision which disqualifies a Circuit Judge from sitting on an appeal where he had made the final decision in the Court below, is often inconvenient, and sometimes operates as a total denial of justice.

In my last annual message I gave my views at length on the subject of a separate Court of Chancery. I do not propose repeating them here, further than to say, that they remain unchanged—or rather have become more clear and decided from subsequent observation and reflection. The greater practical acquaintance of some of the members of the General Assembly with this subject than I possess, may suggest some plan by which an appellate Court and a Chancery Court may be united in the same individuals, without essentially impairing the value and efficiency of either tribunal, and thereby diminishing the expense.

I cannot leave this subject without respectfully, but more firmly, avowing my unalterable conviction, that it is just and right to restore to the people the privilege of selecting, by a direct popular vote, all their Judicial officers. I would not be deemed guilty of undue importunity, nor do I design enlarging upon this topic, but I could not, in consistency suffer this last opportunity to pass, without making another effort to excite public attention to this striking anomaly in our institutions—this humiliating admission of the incapacity of the people for self-government. We are justly proud of the privilege of selecting those who make the laws under which we live, and yet, with a strange inconsistency, we fear to trust ourselves with the selection of those who interpret and administer those laws.

I trust the General Assembly, if they deem it proper to reorganize our Judicial system by adopting the suggestions I have made on the subjects of a Supreme and a Chancery Court, or by the adoption of some better devised system, will not lose sight of the inconsistency to which I have adverted, but will do justice to the people and to the principles which we profess.

The attention of the General Assembly has heretofore been given with much fidelity to the interests of education, and to the proper means of securing and preserving the fund which the munificence of the General Government has furnished us for that purpose. In re-

gard to information in connection with that fund, as well as that of Internal Improvement, I refer you to the highly interesting report of the Register, herewith submitted. It will not, I am confident, fail to commend itself to the attentive consideration of the people's representatives. Of all the grants, or donations, made by the Federal Government to Florida, I deem that the most important, in reference to its object, which was intended for Common Schools. But let it not be inferred from this remark, that I undervalue Internal Improvements, which one of those donations was designed to promote, or the highest grades of scholastic education, which were contemplated by the grant for "two Universities" or "Seminaries of Learning."

It is unnecessary to argue the paramount importance of education, especially in a country where the people are sovereign. The stability of free institutions, and fidelity and purity in the administration of government, depend upon general enlightenment. It is neither possible or necessary to qualify, by any system of education, all men equally, to discharge the duties of statesmen; but it is practicable, and it is vitally important, to diffuse among the great mass of the people such a degree of intelligence as may enable them to discriminate between aspirants for high offices—to make their selections with judgment—to discern and appreciate ability, skill and faithfulness, and to detect imbecility, imposture and corruption. Hence, and for other obvious reasons, "Common Schools," which are designed to bring instruction to every man's door, are considered of more importance than one or two Universities or "Seminaries of Learning," which would be accessible but to, comparatively, a very few. And hence, I again earnestly commend to the deliberations of the General Assembly, the whole subject of education—embracing not only such measures as may be deemed expedient to render available the means already within the control of the State, but likewise such as may seem calculated to enlarge those means, and to accomplish the great purpose to its highest practicable extent. The assiduity with which the last General Assembly attempted to digest a system of Common Schools, is an earnest of the deep interest that is felt, and which will, it is hoped, result in some definite and judicious action in regard to this subject. To the collective intelligence and patriotism of your bodies, I must leave this branch of a matter, involved in so many difficulties, that I confess my inability to make any suggestions which my judgment could entirely approve.

But in regard to the disposition of the lands granted for Common Schools, and to the mode of appropriating the proceeds, should they be sold, (which I again recommend, if Congress will consent,) I will venture to propose, for your consideration, the expediency of consolidating them—not according to the arbitrary boundaries of townships, but according to the wants of the people—under some judicious rule of apportionment, to be modified from time to time, to suit the changing condition of the population. For, unless some such rule be adopted, it is evident that the beneficent intention of the donors will be, in a great measure, defeated. As whilst it happens, from

the nature of the country, that in some townships there are valuable sixteenth sections and but very few inhabitants, there are other townships with a numerous population, where the same sections are utterly worthless.

In my last annual message I recommended that provision should be made, by a pre-emption law, for the relief of settlers on State lands. At that time my sole object, as expressed, was to prevent detriment to settlers who were unapprized at the time of their settling to whom the land belonged, and who made locations with the hope of holding them under the Act of Congress. The General Assembly passed a law, in accordance with my recommendation, and I am highly gratified to learn from the State Register, that the act not only fulfilled its immediate design, but by its operations enabled the State to secure much land that might otherwise have been unattainable, and to find a ready sale for some of it. It will be seen, that the Register in his report, recommends a more liberal law of pre-emption; in whose views upon this, as well as upon the other subjects therein suggested, I entirely and most heartily concur.

In conformity with a resolution of the last General Assembly, the Senators and Representatives of Florida in Congress, made an effort to procure from the United States the cession of a large tract of country, situate in the Southern end of the Peninsula, and including that portion of it known as the "Everglades." I transmit herewith a document showing what action was had on this subject by Congress, and embodying the opinions of a number of gentlemen of distinction in regard to the practicability of draining that region, (now useless,) and converting it into fertile fields adapted to the growth of tropical fruits and plants. Without intending to express an opinion upon the policy of embarking in this undertaking, with the limited resources of the State, I submit it to the intelligence and patriotism of the General Assembly, with the conviction that you will give it the consideration it so eminently demands.

You have herewith submitted, also, an interesting communication from the Surveyor General, (Col. Butler,) for such consideration as its importance may seem to demand. It is the project of a rail road from Lake George, near the head of the St. John's river, in East Florida, to the Gulf of Mexico, at a terminus therein designated.

I herewith transmit the reports of the Attorney General as well as those of the Adjutant and Quarter Master Generals. These several reports are made and submitted in conformity to our laws, and are highly interesting and valuable public documents. They are presented for examination, as containing the most accurate information in regard to the condition of the departments to which they respectfully relate.

Upon the subject of the Northern Boundary line of this State, I have the pleasure to inform you that the agreement between the Commissioners of Alabama and Florida, which was ratified on our part by act of the last General Assembly, approved January 6th, 1848, has also been ratified by the State of Alabama; and that, upon being

furnished with the evidence of such ratification, I caused the proclamation, giving notice of the final settlement of the question and of the line established by the parties, required in the third section of the act referred to, to be made in all the newspapers of the State. Thus the question of boundary between this State and her respected sister, Alabama, is finally determined. The line is fixed, and will be henceforth known without difficulty. The amicable spirit with which we were met in the negotiation of this long-pending question, and its adjustment upon fair and satisfactory terms, have given me a high degree of pleasure, which I have taken occasion to express to his Excellency the Governor of Alabama, and in which, I doubt not, your own feelings will fully participate. It is matter of congratulation to our common constituency, especially to that portion in the Western part of the State, that they will not longer be troubled with the inconvenience and vexations of an undefined and uncertain boundary, as between Alabama and Florida.

But it is to be regretted that I cannot report the same favorable result in reference to the line between this State and Georgia. In my last annual message, the matter was submitted to the General Assembly for its consideration and action, but nothing was done or advised in relation to it. Under these circumstances, I have not felt authorized to make, or accede to any proposition upon the subject. It is again respectfully brought to your notice, and with the earnest desire that such steps may be taken or advised, as will enable the parties to arrive at some speedy and satisfactory settlement of the dispute. The importance and necessity of such a settlement, are so apparent, and will be so readily seen by you, that I need not enumerate the urgent reasons which require that some definite action should be had.

A brief statement of the position of the question may be of service to you. It stands thus:—By authority of an act of the General Assembly, I appointed Commissioners in 1846, to act on behalf of this State, with similar Commissioners on the part of Georgia, in negotiating and settling the proper line. These Commissioners met, but were unable to effect anything. From the correspondence that passed between them, (which will be furnished to you if desired,) it seems that Georgia is unwilling to admit that the line has been designated and fixed, according to the terms of the treaty of 1795, between the United States and Spain; whereas Florida claims that it was so fixed by the proper authorities, and that all which now remains to be done, is to mark the line from one terminus to the other. Georgia desires that the head of the St. Mary's river be first ascertained, and that then the line be run from that point to the point agreed upon in the West; whereas Florida contends that Ellicott, Commissioner for the United States, and Minor, Commissioner for Spain, by virtue of their appointment under the treaty above mentioned, fixed the Eastern terminus at a point North 45 deg. East 640 perches from the mound, (B.) known as Ellicott's Mound, and that by their agreement and its confirmation by all who were interested in its location, the

true line runs from that point straight to the junction of the Flint and Chattahoochee rivers. There were propositions made by Georgia, in an effort to compromise the matter, which somewhat varied this case, but, not having been accepted, they were withdrawn, and need not here be stated.

In this state of the case, (the negotiation having been closed without effecting the desired result, and nothing further having been done or proposed on our part,) the last General Assembly of Georgia adopted a report and resolution, which I herewith transmit, accompanied by a letter on that subject from his Excellency the Governor of that State, in which it is proposed, (upon certain agreed terms,) to submit the question to the Supreme Court of the United States. Not deeming myself authorized to act further in the premises, I submit the proposition to your consideration, simply remarking, that I know of no better method to settle this controversy than that which is there suggested, and that if you approve the course proposed, it would be well to vest the Executive with such discretion in the matter as will enable him to conduct the case with good reasonable certainty of its speedy determination.

In assenting to the expediency of the proposed tribunal for settling this controversy, I do not design to be understood as concurring with the report referred to, as to any precise questions therein mentioned, to be submitted. That is a matter for your direction, or else for the future consideration of the Executive, under the discretion you may allow him.

Your attention is particularly requested to the boundary question, and it is hoped that your action will open the way for its final adjustment, upon terms satisfactory to both parties, and in a time and way which will be for their mutual benefit.

Among the variety of subjects which suggest themselves to me, our Indian relations are not the least material; and I respectfully present them to the consideration of the General Assembly. On the 9th of May, 1832, Col. Gadsden concluded a treaty at Payne's Landing, with several of the head Chiefs of the Seminole nation, by which they agreed to remove West of the Mississippi river. In that treaty there were several conditions preliminary to removal, which were subsequently complied with by a Commissioner appointed on the part of the United States and a delegation of the Chiefs of the Seminoles. But after much delay and many abortive attempts to effect their removal, the Indians finally took up arms in 1835, and continued a guerrilla war until 1842, when Col. Worth succeeded in obtaining a cessation of hostilities. The stipulations of the treaty remain to be complied with by the Seminoles; and by the General Order of Col. Worth, declaring hostilities to have ceased, they were assigned planting and hunting grounds "temporarily" merely. From this position of the case, it is presumed the General Government designs to enforce the provisions of the treaty—"peaceably if it can, forcibly if it must."

To obtain a speedy as well as peaceable removal of this remnant

of that once powerful tribe, is doubtless the anxious desire of the people of this State; and you are called upon to determine as to the means most likely to effect results so desirable. They have not—at least all of them have not—confined themselves within their prescribed limits. Their frequent excursions into the neighboring country, sometimes a hundred miles within the settlements, occasion much fear and suspicion among the whites. And the occasional disappearance of stock belonging to the latter, is immediately, and may be properly, attributed to roving bands of Indians. If such be facts, unless they are removed or restrained within their appointed precincts, we have no guaranty that another bloody war may not be begun at any moment. We have abundant reason to fear that through some indiscretion of one party or the other, hostilities may be renewed. These, in my judgment, are urgent reasons for calling the prompt attention of the authorities at Washington to the subject, and would seem to be sufficient motives to impel them to act upon it without delay.

Any measure, however, which shall be adopted with the view of inducing the Indians to migrate, may terminate in war; and hence, before any steps are taken towards negotiation, a large and efficient military force should be thrown upon the line, dividing the white settlements and the Indian reservation. This should be a force adequate to the protection of our citizens, and to the intimidation of the savages so far, if possible, as to secure their peaceable removal. And should the General Government not immediately attend to our urgent request for their removal, it is believed such a force is now demanded to restrain the Indians within their prescribed boundary and from all acts of violence, and to afford quiet to the alarms of our citizens and security to their property.

Information has been recently received at this department, from a reliable source, of the number of Indians still remaining in our State. There are supposed to be as many as nine hundred of all conditions, ages and sexes. Of this number, one hundred and fifty, at least, are capable of bearing arms and doing efficient service. Although this is a small band, as to numbers, the Indian mode of warfare invests it with adequate power to desolate our frontier settlements. For, it will be remembered, much of the damage of the late bloody war, even in the heart of the country, and when our forces were actively engaged in the field, was done by marauding parties of twenty-five or thirty Indians. And this fact may be taken as conclusive evidence of the entire defencelessness of the sparse white population adjacent to the "Indian Reservation."

At the late session of the General Assembly, your immediate predecessors, acting in Convention, proposed and adopted sundry amendments to the Constitution, in connection with the Judiciary of the Circuit Courts. If the amendments, thus adopted, shall have been published in conformity to the provisions of the Constitution and a Resolution of the last General Assembly, it will be incumbent

upon you, to amend, reject or adopt them; in which last event they become the fundamental law of the land.

A communication from the Hon. D. L. Yulee, accompanied by an extract of a letter from the Hon. R. M. Saunders, our resident Minister at the Court of Madrid, has been received by me; and as it relates to a subject of interest to the people of this State, I have thought it my duty to lay it before you. There can be no doubt that the information which General Saunders offers to be the medium of procuring, will be valuable and interesting; but whether the State is at present in a condition to encounter the necessary expense, can be better determined by you than by me.

Since the last meeting of the General Assembly, the blessings of peace have been restored to our beloved country by an honorable and advantageous treaty with Mexico. A war into which we had been driven for the protection of our national honor; and which, after much forbearance on the part of our Government, had been precipitated by the actual hostile invasion of our territory, was conducted, for two years, with a degree of skill and success unparalleled in our history, and rarely equalled in the annals of the world.—Many battles were fought within that period, almost all of them within the heart of the enemy's country, and all with a vast numerical inferiority on our part. The uniform triumph in every conflict, and the final result, which placed Mexico at our feet, have established the character of the American soldier as equal to the accomplishment of any duty which the honor and interest of our country may demand. Hitherto, our form of Government has been regarded as adequate to the promotion of our national welfare in times of peace, but fears have been entertained, even by its friends, that it would prove inefficient and defective in the more trying exigencies of war; but all such apprehensions are now forever dissipated, and our national character has been vastly elevated in the opinion of the world. The acquisition of New Mexico and California has added a new Empire to our territorial limits, and enlarged, to a vast extent, the area destined to share with us in the blessings of liberty and civilization.

The pursuits of peace were not suffered to languish at home, while our arms were thus triumphant abroad. At no former period have our finances been preserved in a more prosperous condition; and all over our favored country the efforts of labor and enterprise have been crowned with the most abundant success. While carrying on with vigor and success the war with Mexico, so overflowing was our domestic prosperity, that the starving millions of Europe were fed out of our abundance; and so lofty is the elevation which our national character and condition have attained, that the regenerated nations of the old world, having broken their fetters, turn to us as their best guide to the enjoyment of rational and enlightened liberty. Without intending to doubt the sincerity of those who entertain different views, I may be permitted to say, I believe all these gratifying results (under the direction of Providence,) to be the legitimate fruits of the principles upon which the present national administration came

into power; and of the firm, intelligent and patriotic adherence to those principles, which has so eminently distinguished the present Executive of our proud Republic.

But amid the congratulations which I could not repress as to the prosperous condition of our beloved country, I cannot consider my duty as wholly performed, if I were to omit an allusion to the threatening aspect of the clouds now lowering over our Southern horizon, enveloping in darkness the future destiny of our glorious confederacy. The omens are portentous that a systematic and incendiary assault upon the peculiar institutions of the South will soon be made, with a determination and strength which can no longer be regarded with contempt. A party is arrayed at the North as the "free-soil" party, formidable for its numbers and the ability of its leaders. The objects and designs of this party are boldly avowed, and will doubtless be prosecuted with zealous industry. I have no fears that when the issue is distinctly presented, the South will be united in its resistance to this wanton aggression on its rights; and that all the differences of opinion, upon questions of less vital importance, will be merged in its determination not to submit to an outrage, (which, from the nature of our relations, as co-equal members of the same great family of States,) is as insulting as it was unprovoked. But the time is, perhaps, at hand, when it becomes us, as a State, deeply interested in the preservation of the rights of the slaveholder, to announce our opinions and feelings upon this momentous subject.

The adoption by Congress of the so called "Wilmot proviso," as a general rule for all newly acquired territory, and the submission to it by the Southern States, would reduce us to a condition of political inequality with the Northern States, wholly inconsistent with the objects of the Federal Union, as well as with our rights as one of the sovereign parties to that compact. Inequality of political rights implies inferiority, and can never be submitted to as long as we retain the power to be free, and that rightful appreciation of liberty, which is "the richest jewel in our heritage as Americans."

To preserve the Union, so dear to us, the South has hitherto submitted to much; and, I doubt not, is ready to submit to much more, when the sacrifice involves anything short of national degradation. But every American, who appreciates as he ought his privileges and duties as such, cherishes in the deepest recesses of his heart, an undying devotion to something dearer to him even than the Union, which he so much loves.

I shall have no opportunity of again addressing, thus formally, the representatives of the people of Florida, before my retirement into private life, upon the expiration of the term for which I was elected. I therefore embrace this occasion, to renew my grateful acknowledgments to my fellow-citizens, for that confidence which called me to the Executive Chair, and for the uniform and generous support which has sustained me in the arduous and responsible duties of my office.

I am conscious of many imperfections, but want of integrity of purpose, and of a sincere and ardent devotion to the best interests of

the people of Florida, are not among them. To the extent of my humble abilities, I have labored to promote their welfare; and I am devoutly grateful that the indications of general prosperity which I see around me, and the obviously improved condition of the State for the last four years, prove that our efforts have not been altogether in vain.

I shall return to the walks of private life with renewed devotion to my adopted State, and with fervent prayers, that the liberties and blessings, which a kind Providence has so lavishly bestowed upon us, may be perpetual.

W. D. MOSELEY.

Executive Department, November 24, 1848.

On motion of Mr. Sanderson,

Ordered, That 250 copies of the Governor's message, and accompanying documents be printed for the use of the Senate.

The following was received and read, and, on motion of Mr. Lorimer, ordered, to be spread upon the Journal:

PRESBYTERIAN CHURCH, }

Tallahassee, 28th November, 1848. }

To the Honorable President

and Senators of Florida:

GENTLEMEN: The Pastor and Session of this Church inform your honorable body that their House will be open for public worship on Thanksgiving day, and on Sunday mornings and evenings through the winter, with ample accommodation for strangers, and respectfully invite you to unite with them.

JNO. H. RICE, Pastor.

J. G. GAMBLE, }

J. J. MAXWELL, }

B. F. WHITNER, } Session.

J. B. BULL, }

D. C. WILSON, }

Mr. Forward gave notice that he would, at some future day, ask leave to introduce a bill to be entitled, An Act to provide for the election of a keeper of Public Archives in the cities of St. Augustine and Pensacola, and to prescribe their duties, &c.

Mr. Aldrich gave notice that he would, at some future day, ask leave to introduce a bill to be entitled, An Act to grant pre-emption rights to settlers on State Lands.

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

WEDNESDAY, November 29, 1848.

The Senate met pursuant to adjournment. Rev. Mr. Choice officiated as Chaplain. A quorum being present, the proceedings of yesterday were read and approved.