

Mr. Sanderson moved to amend by striking out the words "to be located in Florida," at the end of the first resolution;

Which motion prevailed:

Ordered, That the said Resolutions, as amended, be engrossed for a third reading to-morrow.

Bill to be entitled, An Act to grant Pre-emption rights to settlers on State Lands.

Was, on motion of Mr. Sanderson, read a second time by its title, and referred to the Committee on Internal Improvements.

The following from His Excellency the Governor was received and read:

EXECUTIVE DEPARTMENT, }
Tallahassee, Dec. 7, 1848. }

Gentlemen of the Senate

and of the House of Representatives:

I have the honor herewith to transmit copies of the following correspondence, and will take pleasure in having carried into execution the wishes of the General Assembly, in regard to the ultimate disposition of this testimonial of respect, from the Board of Managers of the Washington National Monument.

Respectfully,

W. D. MOSELEY.

(COPY.)

MONTICELLO, Florida, Dec. 4th, 1848.

His Excellency W. D. Moseley:

SIR: At the late celebration of the 4th of July, in Washington city, sundry persons from the several parts of Florida, formed into procession as the representatives of Florida, having prepared a banner for the occasion. After the celebration, the banner was presented to the Society for the building of the Washington Monument, to be deposited in the Monument, and the President, in behalf of the Society, presented to the Florida Delegation, a piece of the corner stone of the Monument, to be delivered to the State of Florida. The stone has been prepared in a suitable manner by the Delegation, incased in a box of Live Oak, formerly a part of the United States frigate Constitution, celebrated in the Naval History of the United States. And I am instructed by the delegation to turn the box and its contents over to you, as Governor of the State, to be disposed of according to the direction of the proper authorities.— This duty I beg leave to discharge through the polite attention of Mr. Papy.

(Signed)

Yours, respectfully,

J. McCANTS.

(COPY.)

EXECUTIVE DEPARTMENT, }
Tallahassee, Dec. 7, 1848. }

To Hon. J. McCants:

I have had the honor to receive your note of the 4th instant, with a piece of the "Corner Stone of the Washington National Monu-

ment," presented by yourself and other citizens of Florida, to the Governor, to be disposed of according to the direction of the proper authorities.

This token of respect for the memory of "The Father of his country," I have caused to be deposited in the office of the Secretary of State, to be disposed of ultimately as the General Assembly, now in session, may direct.

Be pleased to receive for yourself, and those of the citizens of this State, who were associated with you on that memorable occasion; "the laying of the Corner Stone of the Washington National Monument," assurances of my esteem and regard.

(Signed)

W. D. MOSELEY.

On motion of Mr. Sanderson, referred to the Committee on the Executive Department.

A report on the subject of International Exchanges, by Alexander Vattermere,

Was received, and on motion, referred to the Committee on Federal Relations.

House resolution relative to the claims of Captain George E. McClellan,

Was read the first time; on motion of Mr. Sanderson, the rule was waived, read a second and third time by its title, and passed.

Ordered that the same be certified to the House.

Mr. Burritt, from the Committee on the Judiciary, presented the following report, which was concurred in:

The Committee on the Judiciary, to whom was referred "a bill to re-establish the records of the County of Jackson, and for other purposes," have had the same under consideration, and beg leave to report the accompanying substitute.

S. L. BURRITT, Chairman.

On motion of Mr. White, ordered that said bill lie upon the table, and 75 copies be printed.

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

SATURDAY, December 9, 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.

Pursuant to previous notice, Mr. Avery introduced a bill to be entitled, An Act requiring Solicitors to make reports of the state and progress of cases, civil or criminal, in which the State is a party;

Which was read the first time, and ordered to a second reading on Monday.

On motion of Mr. Sanderson, the House resolution relative to the Election of United States Senator on Monday next, which was on

yesterday laid upon the table, was taken therefrom, and placed among the Orders of the Day.

Mr. Sanderson presented the following, which was read, and on motion of Mr. Avery, referred to the Committee on the State of the Commonwealth :

NEWNANSVILLE, Dec. 3d, 1848.

Dear Sir : An idea has occurred to me, which I take the liberty of sending you, relative to the selection of suitable lands for the State, which, if it prove worthy of your consideration, I would advise some action on the part of the Legislature during this session.

It is well known to you that many of the Islands bordering our Coast on the Atlantic and Gulf sides, are eminently calculated for Fisheries, and are now made use of by large number of persons for that purpose. These Islands will soon be surveyed by the Coast Surveying Department, under the direction of Professor Bache, their position identified, and their content ascertained.

I would therefore advise the selection of the most eligible Islands for Fisheries to be secured, for the benefit of the State, under the law which allows the selection of half a million of acres for Seminary Lands—these Fisheries would eventually yield a large income to the State—and even at the present time are used to great advantage by Fishermen, who come out annually from the North, and have a gratuitous use of them.

I think it a pity that the State should forego the right they can have to these Fisheries.

I would therefore recommend a suspension of at least 100,000 acres, and to select these Islands after they have been surveyed.

These Fisheries could be let to the highest bidder, and thus an important revenue be derived for the benefit of the State.

These Islands are within the limits of Florida, and I know of no law by which the State could be deprived of them.

It is unnecessary to dwell further upon this subject, as I have no doubt you will see with me its importance.

Very respectfully, your obedient servant,

A. H. JONES.

To Hon. BENJ. A. PUTNAM, Tallahassee.

Mr. Lorimer presented the petition of William Wilson, administrator of the Estate of P. A. Hayward, which was read and referred to the Committee on Claims and Accounts.

The following communication from the Comptroller was read :

COMPTROLLER'S OFFICE, Dec. 8, 1848.

Honorable President of the Senate :

SIR:—I have the honor to enclose, herewith, in answer to the order of 4th inst., a statement, shewing the amounts paid for the "contingent expenses" of the Circuit Courts, at the last two terms in the respective counties.

I have included in this statement, for the information of the Hon. Senate, the amounts paid to clerks and sheriffs for items not coming under the head of "contingent expenses," as the law uses that term.

They are charges for services connected with the business and progress of the Court *generally*, as distinguished from those pertaining to a particular "case." So far as the clerk's charges of this kind are concerned, many of them are, as I conceive, entirely unprovided for by law. I have, however, deemed it right they should be paid, and have allowed such rates as I thought fair.

I venture to remark that there are a great many items of service performed by the clerks, for which they are not, and, indeed, cannot well be paid. At best, their pay is but a meagre one; so far at least as the amount paid them by the State is concerned. A general mode of compensating them for the general services spoken of—as, for instance, a *per diem* during the session of the Court—would be no more than just.

I am, &c., very respectfully,

SIMON TOWLE.

On motion of Mr. Sanderson, ordered that 75 copies of the document accompanying the same be printed.

Mr. Sanderson offered the following resolutions, which were read the first time and ordered to a second reading on Monday next.

Resolved by the General Assembly of the State of Florida, That four Commissioners be appointed by the Governor, by and with the advice and consent of the Senate, to enquire into the expediency and propriety of removing the Seat of Government, and in the event said Commissioners shall deem it advisable to change its location, to select a suitable site for the permanent location of the Seat of Government, and report the result of their examinations and proceedings to the next General Assembly.

Resolved, That the said Commissioners be selected as follows, to wit: One from West Florida, one from Middle Florida, one from East Florida, and one from South Florida; and in the event said Commissioners do not agree, they are hereby authorized to choose an umpire.

Mr. Moseley, from the Committee on Internal Improvements, presented the following report—which was concurred in :

The Committee to whom was referred a bill to be entitled, "An act to grant pre-emption rights to settlers on State Lands," have had the same under consideration, and beg leave to submit the same with the following amendments, viz: By filling up the blank acres in the first section, 11th line, with one hundred and sixty acres, by inserting in same section and line the words, in this State, and in the 4th section, fifth line, between the words "of" and "acres," the words, more than one hundred and sixty acres, also by an additional 8th section. They recommended the passage of the bill with the above amendments, and beg leave to be discharged from the further consideration thereof.

WM. P. MOSELEY, Chairman.

Mr. Burritt, from the Committee on the Judiciary, presented the following report, which was concurred in :

The Committee on the Judiciary, to whom was referred a bill to

be entitled, An Act relating to Capital Punishments, have had the same under consideration, and have instructed me to REPORT the same back to the Senate, with the following amendments.

And your Committee ask the concurrence of the Senate therein.

S. L. BURRITT, Chairman.

The following message from the House was received and read:
HOUSE OF REPRESENTATIVES, Dec. 8, 1848.

Honorable President of the Senate:

SIR—The House have this day ordered to be printed 75 copies of the following bills, to wit:

A bill to be entitled, An Act to provide for the establishment of Common Schools in this State, and for other purposes;

A bill to be entitled, An Act prescribing the mode of taking out Licenses, and for other purposes; And

A bill to be entitled, An Act imposing a tax upon, and requiring a license to be taken out by certain persons and subjects therein mentioned;

Also, a bill to be entitled, An Act relating to the mode of appointment, and duties of Auctioneers.

Respectfully,

W. B. LANCASTER,
Clerk House Representatives.

ORDERS OF THE DAY.

Engrossed resolution, urging upon Congress the passage of a law granting land to the officers and soldiers who served in the Indian war in Florida,

Was read the third time and passed.

Ordered, that the same be certified to the House.

Bill to be entitled, An Act amendatory of the several acts of Limitation in force in this State,

Was read the second time, and on motion of Mr. Aldrich, referred to the Committee on the Judiciary.

House resolution relative to the election of a United States Senator on Monday next, was read.

Mr. Avery moved that it be laid upon the table;

Which motion was lost.

The question being put upon its adoption, the resolution was carried.

Ordered, that the same be certified to the House.

Bill to be entitled, An Act to grant Pre-emption rights to settlers on Public Lands;

On motion of Mr. Forward, the Senate resolved itself into a Committee of the Whole on said bill, Mr. Lorimer in the Chair;

After some time spent therein, the Committee rose, and by their Chairman reported the bill back to the Senate, with amendments, and asked leave to be discharged from the further consideration thereof;

Which report was concurred in.

On motion of Mr. Sanderson, the reading of the bill was dispensed with, and 75 copies, as amended, ordered to be printed.

Bill to be entitled, An Act relating to Capital Punishments;

On motion of Mr. Forward, the Senate resolved itself into a Committee of the Whole on said bill, Mr. White in the Chair;

After some time spent therein, the Committee rose, and by their Chairman reported progress, and asked leave to sit again;

Which motion was concurred in.

On motion of Mr. Sanderson, the Senate took a recess until 3 o'clock.

3 O'CLOCK, P. M.

The Senate, in Committee of the Whole, Mr. White in the Chair, resumed the consideration of the bill to be entitled, An Act relating to Capital Punishments;

After some time spent therein, the Committee rose, and by their Chairman reported the bill back to the Senate, with amendments, and asked leave to be discharged from the further consideration thereof;

Which report was concurred in.

Said bill was then read a second time, and ordered to be engrossed for a third reading on Monday.

House bill entitled, An Act to amend the 12th clause of the fifth clause of the Constitution of this State, so that the Judges of the Circuit Court shall hold their offices for a term of eight years, instead of during good behaviour,

Was read the first time, and on motion of Mr. Sanderson, read the second and third time by its title, as of the first reading, and ordered to a second reading on Monday.

House bill entitled, An Act to repeal an act entitled an act to prohibit the circulation of Notes of Foreign Banks of a less denomination than five dollars, approved February the fourteenth, eighteen hundred and thirty-five,

Was read the first time, and ordered to a second reading on Monday.

House bill entitled, An Act to locate the county site of Benton county,

Was read the first time, and ordered to a second reading on Monday.

House bill entitled, An Act to empower Green R. Farmer and Wm. T. Pebbles to assume the management of their Estates,

Was read the first time, and ordered to a second reading on Monday.

The following communication from the Secretary of State, was read:

OFFICE OF THE SECRETARY OF STATE,
Capitol, Tallahassee, Dec. 9, 1848. }

To the Honorable President of the Senate:

SIR:—I have the honor herewith to enclose for the use of the

Senate, a statement of the Census of the children in this State, between 6 and 18 years of age; also a statement of the condition of the 16th sections, called for by resolution of the 1st inst.

Very respectfully,

A. E. MAXWELL,
Sec'y State.

On motion of Mr. Sanderson, ordered that 250 copies of the accompanying documents, be printed.

Mr. Sanderson moved to adjourn until Monday, 10 o'clock.

Mr. White moved to insert 11 o'clock in the place of 10 o'clock.

Which motion prevailed.

The Senate adjourned until Monday morning, 11 o'clock.

MONDAY, December 11, 1848.

The Senate met pursuant to adjournment.

Rev. Mr. Choice officiated as Chaplain.

A quorum being present, on motion of Mr. Avery the reading of Saturday's Journal was dispensed with.

Mr. White moved that the bill to be entitled, An Act to re-establish the records of the county of Jackson, and for other purposes, be taken from the table, and placed among the Orders of the Day;

Which motion prevailed.

Mr. Ghent gave notice that he would, at some future day, ask leave to introduce a bill to be entitled, An Act declaring East River a navigable stream.

Mr. D. J. Smith gave notice that he would, at some future time, ask leave to introduce a bill to be entitled, An Act for the relief of owners and captains of boats and barges on the Choctanhachee river and Holmes Creek, in West Florida.

Mr. Avery presented the memorial of certain inhabitants of the City of Pensacola, praying to be relieved from taxes, &c.;

Which was read, and on motion of Mr. Avery, referred to the Committee on Propositions and Grievances; with instructions to report a bill favoring the object of the petitioners.

The following communication from the Treasurer was read, and on motion of Mr. Sanderson, 75 copies of the accompanying document ordered to be printed:

TREASURER'S OFFICE, Dec. 11, 1848.

Hon. President of the Senate:

SIR—In compliance with resolution of the 4th inst., I have the honor to enclose herewith "a statement of the amount of Jury and Witness certificates, each, taken up at the Treasury, as cash, from the respective Tax collectors; in whose favor the accounts were certified, and the Term of the Court the same were rendered in the respective counties in the State, since the passage of the law providing for the payment of Jurors and Witnesses."

Very respectfully, &c.

WM. R. HAYWARD, Treasurer.

Mr. White presented the memorial of Hiram W. Brooks, praying relief, which was read, and referred to the Committee on the Judiciary.

Mr. Floyd presented the memorial of certain citizens of Apalachicola, praying for a modification or repeal of a law therein mentioned, which was read, and referred to the Committee on Corporations.

Mr. Floyd presented the memorial of William D. Moseley, praying relief, &c. Which was read and on motion of Mr. Avery referred to the committee on Claims and Accounts.

The following message from the House was read:

HOUSE OF REPRESENTATIVES, Dec. 11, 1848.

Hon. President of the Senate:

SIR:—The House has concurred in Senate "Resolution relative to the mode of Electing a U. S. Senator," with the following amendments: Strike out the word "concurred" and insert "joint." Strike out the words "a quorum of both Houses" and insert "all the members elected to the General Assembly."

In which amendments the concurrence of the Senate is requested.

Respectfully,

W. B. LANCASTER,
Clerk House Representatives.

On motion of Mr. Floyd, the Senate concurred in the amendments of the House.

ORDERS OF THE DAY.

Engrossed bill to be entitled, An act relating to Capital punishment, was read the third time.

On motion of Mr. Sanderson, Mr. Aldrich was excused from voting.

On the question of the passage of said bill the yeas and nays were:

Yeas—Mr. President, Messrs. Avery, Brown, Burritt, Costin, Crawford, Forward, Mosely, Sanderson, D. J. Smith, J. M. Smith, Tweed, Watts, White—14.

Nays—None.

The bill passed—title as above.

Ordered that the same be certified to the House.

House bill to be entitled, An act to empower Green R. Farmer and Wm. S. Pebbles to assume the management of their estates.

Which was read the second time, and on motion of Mr. Austin, laid upon the table until to-morrow.

House bill to be entitled, An act to locate the county site of Benton county, was read the second time and ordered to a third reading to-morrow.

A committee from the House informed the Senate that the House had taken a recess of 15 minutes, at the expiration of which time the House would be ready to receive the Senate in order to proceed to the election of U. S. Senator.

House bill to be entitled, An act entitled an act to prohibit the cir-