

supplementary to and extending the provisions of an act assenting to the purchase by the United States, and ceding to the same jurisdiction of certain lands on the island of Key West, for the purposes designated in said act, approved July 8, 1845,

Was read the second time, and ordered to be engrossed for a third reading to-morrow.

House bill to be entitled, An act prescribing time for which lands seized for taxes shall be advertised for sale,

Was read the second time and ordered to a third reading to-morrow.

House bill to be entitled, An act to authorize the Circuit Court of Washington county to be held at Massy Hill Meeting House,

Was read the second time, and on motion of Mr. D. J. Smith, laid upon the table.

House bill to be entitled, An act to alter and change the names of certain persons therein named,

Was read the first time and ordered to a second reading to-morrow.

House bill to be entitled, An act to amend an act for the protection of the Fisheries on the coast of Florida,

Was read the first time and ordered to a second reading to-morrow.

House bill to be entitled, An act to provide for the payment of services rendered by Overseers of Public Roads,

Was read the first time and ordered to a second reading to-morrow.

House Resolution asking from Congress the grant of a quarter section of land for the county site of Calhoun county,

Was read the first time, the rule waived, read a second and third time by its title and passed.

Ordered that the same be certified to the House.

House resolution urging upon Congress the passage of a law granting a quarter section of land to the county of Washington for the purpose of locating a county site therein,

Was read the first time, the rule waived, read a second and third time by its title and passed.

Ordered that the same be certified to the House.

On motion of Mr. Floyd, the rule was waived, and he allowed to give notice that he would at some future day ask leave to introduce a bill to be entitled, An act to repeal the Revenue law so far as relates to a poll tax in this State.

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

Tuesday, December 19, 1846.

The Senate met pursuant to adjournment.

Rev. Mr. Choice officiated as Chaplain.

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

Pursuant to previous notice, Mr. D. J. Smith introduced a bill to be entitled, An act to permanently locate the county site of Washington county, and for other purposes therein contained.

Which was read the first time, and ordered to a second reading to-morrow.

On motion of Mr. Avery, the bills to be entitled, respectively, An act relating to fines, forfeitures, costs, and other moneys adjudged to the State, and

A bill to be entitled, An act relating to the duties of Tax Assessors and Tax Collectors, and for other purposes,

Were taken from the table and placed among the orders.

On motion of Mr. Sanderson, the vote had on yesterday upon the preamble and resolutions relative to Seminaries of Learning, was reconsidered, and upon the reconsideration thereof, were, on motion, laid upon the table.

Pursuant to previous notice, Mr. Floyd introduced a bill to be entitled, An act to repeal an act in part entitled an act to raise a Revenue for the State of Florida.

Which was read the first time, and ordered to a second reading to-morrow.

Mr. J. M. Smith presented the petition of Craven G. Fife, which was referred to the Committee on Claims and Accounts.

Mr. Moseley, from the Committee on Internal Improvements, presented the following report:

The Committee on Internal Improvements herewith report a bill authorizing any company, or association of men, who may desire to avail themselves of the privileges of said bill, to construct a Railroad from Read's Bluff on the St. Mary's River, to the city of Pensacola, and recommend its adoption by the Senate. The committee take this occasion to urge upon the Senate the serious and deliberate consideration of the object of this bill. That the road, which is contemplated to be constructed, would prove one of incalculable advantage to the citizens of East, Middle, and West Florida, there cannot possibly be a doubt. If completed, it would bring a market, for the produce of the three sections spoken of, within thirty miles of each citizen's house living in either of the sections, and to a majority of the citizens it would bring a market within from five to ten miles. The peculiar shape of the country in no slight degree recommends the practicability of the route. There is scarcely another State in the Union whose geographical position is such that a Railroad running nearly in a direct line from one end of the State to the other, would be so convenient for nearly the whole body of its citizens.

Your committee are induced to believe, from the best information

in their power, that Read's Bluff on the St. Mary's, would be the best terminus for one end of the road, from the fact that the port is a large and capacious one, and admitting vessels over the bar drawing thirteen feet water at lowest tide, and some twenty-three or four feet water at high tide. At no other point upon the Atlantic side do they believe they could find the same advantages; and the sole question to be solved is the best point for the other terminus of the road. The route from the St. Marys to Cedar Keys, has been surveyed and spoken of as the proper one for the road to run, chiefly because it is shorter than any other route, and would consequently cost less money, and be completed in a much shorter time. But do the Keys, from their particular location, afford a good terminus for a road? Can vessels of sufficient draught of water, for all practical purposes, approach the Keys at all seasons? Would the road, running in a direct line, benefit any portion of the citizens of Florida, except those living directly on the route? That is to say, would it benefit thereby half as much as it would, provided the terminus was at some point in the West? Would the State, in any view of the case, derive as much benefit from it? In a National point of view, would it be the proper route? The answers to these questions will, in some degree, settle the question. In answer to the first, every one must admit that the nearest Key to the mainland which any thing like an ordinary size vessel could approach at an ordinary time, is some four miles. Could, then, a railroad be constructed through a marsh and the gulf for that distance, with any prospect for its standing any length of time? Is it not rather a chimerical idea, the quitting of land and taking to water with a railroad? And if the information which your committee relies on is correct, vessels drawing exceeding ten or twelve feet of water cannot approach the Key with anything like certainty or safety themselves. Running in a direct line from the Keys to Read's Bluff, the road must necessarily pass over very little else than a barren country the whole way, and consequently would benefit but a small portion of the citizens of even East Florida, and would scarcely at all benefit the citizens of any other section of country. The whole of the West and most of the middle Floridians do and would still continue to send their produce to points upon the gulf West of the Keys, and the expenses of storage, shipping, unshipping, the freight upon the road, and again the re-shipping at the other end of the road, would amount to such a sum, that the most of them would find it more convenient, and less expensive to send their produce the way they now do—but if the road should run through the whole breadth of the country, the great expense of shipping and unshipping is avoided. The transit is much speedier—time and money are both saved, and the articles which we are compelled to have will be afforded to us at a much cheaper rate. In regard to the interest which the State may have as to what route the road should run—she certainly would be most benefited by having the road to run over the greatest number of sections of public land, for Congress will doubtless, if asked, grant to the

State alternate sections of land over which the route may pass, and although the road, in running from St. Marys to Pensacola, would pass through large tracts of now pine desert, the road, being completed and in operation, would render these now worthless pine forests equal if not superior to our finest oak lands in the State. The article of Turpentine alone, which could be obtained in the largest quantities, would render almost an acre of pine land within five miles of either side of the road, which would not now sell for 12½ cents, quite as valuable as the very best acre of hammock. In a pecuniary point of view, then, if the foregoing reasoning be correct, the State would be vastly more benefited by the route recommended by this committee. If the State then should sell these alternate sections of land, as also her Internal Improvement fund, and purchase an interest in said road to the amount of these funds, your committee cannot doubt that the State's share of the profits arising from said road, when in full operation, would quite defray the whole expenses of the government, and it would not then be necessary to tax our citizens a single cent.

In a National point of view, it would certainly be the commencement of a route the most important of any that could be undertaken. If it ever be proper for the General Government to engage in a work of internal improvement, it would certainly be for it to engage in the building or continuing of this very route to the Mississippi River. Then if we should ever be unfortunate enough to get into a war with any foreign nation, and should meet with the misfortune to have our whole navy destroyed, upon the Atlantic, Gulf and Pacific, still our internal communications would not in the slightest degree be interrupted, for with the road, we could pass up the Mississippi and its branches to the great Lakes, and thence down the Hudson to New York, thence by inland navigation, and railroads already completed, to almost every part of the United States; and in years to come, if the United States should find the trade with China of growing importance, to say nothing of the importance of the trade with the territories lately acquired from Mexico, a railroad constructed from the head of navigation upon the Red River to some point on the Pacific, would make the very road here commenced the great thoroughfare of the world and its products. Indeed, looking at the matter in any point of view, your committee are thoroughly convinced that the route here recommended would not only prove the most profitable one in the end to the company who may associate themselves together for the purpose of constructing it, but would be decidedly more beneficial to the great body of the citizens, and the State generally, and that keeping the interest of the State prominent before their eyes, this body should never give their assent to a law which would authorize the formation of a company or companies to construct a railroad on any other route, until the one here recommended had been fully tried, and found not available.

W. P. MOSELEY, Chairman.

On motion of Mr. Floyd, the bill accompanying the same, to be

entitled, An act to encourage and facilitate the construction of a Rail Road from Read's Bluff on the St. Mary's River to Pensacola, and to authorize and regulate partnerships for that purpose, was read the first time by its title, and 75 copies ordered to be printed.

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

The Committee on the Judiciary, to whom was referred a bill entitled, An act amendatory of the several acts of limitation in force in this State, have had the same under consideration, and instructed me to report the same without amendment.

S. L. BURRITT, Chairman.

Mr. White, from the Committee on Claims and Accounts, presented the following report:

The Committee on Claims and Accounts, to whom was referred the petition of William Wilson, administrator of P. A. Hayward, deceased, asking the examination and settlement of two accounts to which objections have been made by the Comptroller to some of the charges in said accounts, ask leave to report:

That they have carefully examined into the merits of said claims, it appears that the account (marked B,) amounting to \$68 63, was made with the said P. A. Hayward during his life time for record books, stationery, &c., for the use of the Circuit Court for Leon county. To this account, your committee find attached a memorandum made by the Comptroller, shewing reasons why *certain* articles charged in said accounts should not be allowed. No deduction, however, has been made by him from said account, and as the same has been examined and allowed by Judge Douglass, they are therefore disposed to allow the full amount of said account.

The other account (marked A) amounting to \$103 63 was for articles furnished for the use of the Supreme Court. The articles charged in said account up to 16th December, 1847, were also sold and delivered during the life time of the said P. A. Hayward; subsequently to that time the articles charged were sold and delivered by the said Wm. Wilson as administrator as aforesaid. From this account the Comptroller has deducted the sum of \$26 38, as per memorandum, to wit: for three knives, \$6 00; one ream letter paper, \$7 50; one do. cap paper, \$6 50; quarto post paper, \$5 50; bundle envelopes 88 cents, amounting to the above sum of \$26 38.

Your committee are of opinion that the article of knives, objected to by the Comptroller, is not a proper charge against the State; yet, as the account appears to have been examined and allowed by the Court, they are disposed to allow the charge. The charge for stationery, &c., is high, and had not the accounts have been examined and allowed as aforesaid, the committee would be disposed to reduce the price of many charges. The committee feel there is a duty they owe to the Comptroller to state that they are fully satisfied that, in suspending payment for a portion of said account, he was moved by a strict sense of duty. As there seems to be no settled principle by which the officers of the Courts are governed in the purchase of ar-

ticles necessary for the use of the Courts, the committee have therefore thought proper to report a bill to be entitled, An act in relation to the contingent expenses of the Supreme and Circuit Courts of this State, and of the Executive offices; also, a bill to be entitled, An act for the relief of William Wilson, administrator of P. A. Hayward, deceased, and ask to be discharged.

THOMAS M. WHITE, Chairman.

The bills therein reported, were read the first time, and ordered to a second reading to-morrow.

Mr. Forward, from the Committee on Engrossed Bills, presented the following report:

The Committee on Engrossed Bills, beg leave to report as correctly engrossed, the following bills, viz:

A bill to be entitled, An act to empower William Newsom to assume the management of his own estate;

A bill to be entitled, An act supplementary to, and extending the provisions of, an act assenting to the purchase by the United States, and ceding to the same jurisdiction of certain lands on the island of Key West, for the purpose designated in said act, approved July 8, 1845, and

An act 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.

WILLIAM A. FORWARD, Chairman.

#### ORDERS OF THE DAY.

Engrossed 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.,

Was read the third time.

Mr. Tweed moved to strike out the proviso in the 10th section.

Which motion unanimously prevailed.

Mr. Sanderson moved to strike out the words, "three hundred," in 2d line of section 11, and insert in lieu thereof, the words, "one hundred and fifty."

Which motion was lost.

On the question of the passage of said bill, the yeas and nays were: Yeas—Messrs. Aldrich, Austin, Avery, Brown, Burritt, Costin, Crawford, Floyd, Forward, Ghent, Lorimer, Moseley, J. M. Smith, Tweed—14.

Nays—Messrs. Sanderson, D. J. Smith, Watts, White—4.

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

Engrossed bill to be entitled, An act to empower William Newsom to assume the management of his own estate,

Was read the third time.

Mr. Lorimer moved that the words "and all other acts whatever done and performed," in section second, be stricken out.

Which motion unanimously prevailed.

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

Yeas—Mr. President, Messrs. Aldrich, Austin, Crawford, Floyd, Ghent, Lorimer, Tweed, Watts, White—10.

Nays—Messrs. Avery, Costin, Moseley, Sanderson, D. J. Smith—5.

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

Engrossed bill to be entitled, An act to repeal the 2d section of an act supplementary to and extending the provisions of an act assenting to the purchase by the U. States, and ceding to the same, jurisdiction of certain lands on the Island of Key West, for the purpose designated in said act, approved July 8, 1845,

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

Yeas—Messrs. Aldrich, Brown, Burritt, Costin, Crawford, Floyd, Forward, Ghent, Lorimer, Mosely, Sanderson, J. M. Smith, Tweed—13.

Nays—Messrs. Austin, Avery, D. J. Smith and Watts—4.

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

Bill to be entitled, An Act to provide for the sale of the Sixteenth Sections granted by Congress to the State for the support of Public Schools, and for consolidating the School Fund ;

On motion of Mr. Avery, the Senate resolved itself into a Committee of the Whole on said bill, Mr. Sanderson 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.

On motion of Mr. Avery, the bill was read a second time by its title.

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

3 O'CLOCK, P. M.

The Senate resumed its session.

Bill to be entitled, An act to provide for the sale of the Sixteenth Sections granted by Congress to the State for the support of Public Schools, and for consolidating the School Fund,

Was read the second time.

Mr. White offered the following amendment, viz :

Add to end of section 2d the following, viz : " And the nett proceeds of the sales of the Sixteenth Sections in each township shall be held for the separate use of the inhabitants thereof."

On which the yeas and nays were called for by Messrs. Floyd and Ghent, and were as follows :

Yeas—Messrs. Aldrich, Crawford, Forward, Lorimer, J. M. Smith and White—6.

Nays—Mr. President, Messrs. Avery, Brown, Burritt, Costin, Floyd, Ghent, Mosely, D. J. Smith—9.

Said motion was lost. Ordered, that said bill be engrossed for a third reading to-morrow.

On motion, the rule was waived, and Mr. Avery allowed to introduce a bill to be entitled, An act to provide for the increase, investment, safe-keeping and disbursement of the Common School Fund,

Which was, on motion of Mr. Floyd, read the first time by its title, and 75 copies ordered to be printed.

On motion, the rule was waived, and Mr. Burritt allowed to move that 500 copies of the minority Report of the Committee on Schools and Colleges be printed ;

Which motion prevailed.

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

Was read the second time.

Mr. Burritt offered the following amendment, viz :

" SEC. 2. *Be it further enacted*, That upon the death of any person against whom any debt, claim or obligation, may exist, and against which any statute of limitation of this State may run or be running, such statute shall, as to such debt, claim or obligation, be suspended, and shall cease to run, until some person shall be duly qualified as a representative of the estate of such deceased person."

Which motion prevailed. Ordered, that said bill be engrossed for a third reading to-morrow.

Bill to be entitled, An act relating to Fines, Forfeitures, Costs and other moneys adjudged to the State,

Was read the second time, and ordered to be engrossed for a third reading to-morrow.

Bill to be entitled, An act relating to the duties of Tax Assessors and Tax Collectors, and for other purposes,

Was read the second time, and on motion of Mr. Forward, referred to the Committee on Taxation and Revenue.

House bill to be entitled, An act prescribing time for which lands seized for taxes shall be advertised for sale,

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

Yeas—Messrs. Floyd, Ghent and White—3.

Nays—Mr. President, Messrs. Aldrich, Austin, Avery, Brown, Burritt, Costin, Crawford, Forward, Lorimer, Mosely, Sanderson, D. J. Smith, J. M. Smith, Tweed and Watts—16.

Said bill was lost. Ordered to be certified to the House.

House bill to be entitled, An act to alter and change the names of certain persons therein named,

Was read the second time, and ordered to a third reading to-morrow.

House bill to be entitled, An act to amend an act for the protection of the Fisheries on the Coast of Florida,

Was read the second time, and on motion of Mr. Sanderson, laid upon the table.

House bill to be entitled, An act to provide for the payment of services rendered by Overseers of Public Roads,

Was read the second time, and on motion of Mr. Forward, referred to the Committee on Internal Improvement.

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

WEDNESDAY, December 20, 1848.

The Senate met pursuant to adjournment.

Rev. Mr. Choice officiated as Chaplain.

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

On motion of Mr. Floyd, House bill to be entitled, An act for the protection of the Fisheries on the Coast of Florida,

Was taken from the table, and placed among the orders.

Mr. Aldrich gave notice that he would, at some future day, ask leave to introduce a bill to be entitled, An act to incorporate the Atlantic and Gulf Rail Road and Canal Company.

Mr. Forward gave notice that he would, at some future day, ask leave to introduce a bill to be entitled, An act relating to crimes and misdemeanors, and requiring a prosecutor in certain cases.

Mr. D. J. Smith gave notice that he would, at some future day, ask leave to introduce a bill to be entitled, An act to repeal an act to amend the several acts regulating judicial proceedings, approved January 3, 1848.

Mr. Aldrich, from the Committee on Elections, presented the following report:

The Committee on Elections, to whom was referred a bill to be entitled, "An act to amend and alter the Election Law in force in this State," have had the same under consideration, and beg leave to

#### REPORT,

That the bill proposes to make material alterations in the election law in this State, particularly with regard to the manner of conducting elections. The intention of the bill is no doubt to simplify, in some respect, the forms now required to be observed by the existing law. Your committee do not deem the inconvenience of the existing law of sufficient importance to justify the change proposed. The election law of this State is now to be found in a Digest of the laws of the State, prepared at great expense and for public convenience. A large number of the copies of that Digest have been distributed through the State, and the law is now accessible to all. Your committee believe that the informalities which have occurred in the returns of election, are not so much attributable to the intricacies of the law, as to the frequent changes made therein, and to the fact that the same have not been generally distributed.

This law, of all others, is one which should not be subject to frequent changes. Every man comes in direct contact with it. Every one is liable to be called on to administer it, and it should be certain and accessible to all. Your committee report the bill back to the Senate without amendment, and ask to be discharged, &c.

LOUIS ALDRICH, Chairman.

#### ORDERS OF THE DAY.

Bill to be entitled, An act to repeal an act in part entitled an act to raise a Revenue for the State of Florida;

Was read the second time, and on the question of engrossing said bill for a third reading to-morrow, the yeas and nays were called for by Messrs. Floyd and Tweed, and were:

Yeas—Messrs. Aldrich, Austin, Brown, Burritt, Costin, Floyd, Forward, Ghent, Lorimer, Moseley, J. M. Smith—11.

Nays—Mr. President, Messrs. Avery, Crawford, Sanderson, D. J. Smith, Tweed, Watts, White—8.

Said bill was ordered to be engrossed for a third reading to-morrow.

Mr. Forward, from the Committee on Engrossed Bills, presented the following report:

The Committee on Engrossed Bills beg leave to report as correctly engrossed the following bills, viz:

A bill to be entitled, An act relating to fines, forfeitures, costs, and other moneys adjudged to the State.

A bill to be entitled, An act to provide for the sale of Sixteenth Sections granted by Congress to the State for the support of Public Schools, and for consolidating the School Fund—and

An act amendatory of the several acts of limitation in force in this State.

WILLIAM A. FORWARD, Chair'n.

Engrossed bill to be entitled, An act to provide for the sale of the Sixteenth Sections granted by Congress to the State for the support of Public Schools, and for consolidating the School Fund;

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

Yeas—Mr. President, Messrs. Avery, Brown, Burritt, Costin, Floyd, Ghent, Moseley, Sanderson, D. J. Smith, Tweed, Watts—12.

Nays—Messrs. Aldrich, Austin, Crawford, Forward, Lorimer, J. M. Smith, White—7.

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

Engrossed bill to be entitled, An act relating to fines, forfeitures, costs, and other moneys adjudged to the State;

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

Yeas—Messrs. Aldrich, Austin, Avery, Burritt, Costin, Crawford, Forward, Ghent, Lorimer, Moseley, Sanderson, D. J. Smith, J. M. Smith, Tweed, Watts, White—16.