

struction 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, on motion of Mr. Moseley, made the special order for Wednesday next.

House resolution, asking from Congress a grant of a quarter section of land for Holmes county,

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

Ordered to be certified to the House.

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. Floyd, read the second time by its title, and ordered to a second reading to-morrow.

House bills to be entitled, respectively, An act concerning the records of Leon county; and

An act for the relief of James M. Bates,

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

House bill to be entitled, An act to repeal an act to amend the several acts to raise a Revenue for this State,

Was read the second time, and on motion, referred to a Select Committee, consisting of Messrs. Floyd, Avery and Sanderson.

House resolution relative to a contemplated Mail Route in the county of St. Lucie,

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

Ordered to be certified to the House.

House bill to be entitled, An act to amend an act concerning Roads and Highways, passed at the adjourned session of 1845,

Was read the second time, and on motion of Mr. Floyd, referred to the Committee on Internal Improvements, with instructions to report any amendments they may deem necessary in the law as it now exists relative to said subject.

House bill to be entitled, An act for the relief of occupying claimants,

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

Bill to be entitled, An act to provide for the increase, investment, safe keeping and disbursement of the Common School Fund;

On motion of Mr. Floyd, the Senate resolved itself into a Committee of the Whole on said bill, Mr. Burritt in the Chair.

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

Which was granted.

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

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

A bill entitled, An act to re-establish the Records of the county of Jackson, and for other purposes.

A bill entitled, An act to grant Pre-emption rights to settlers on State lands.

LOUIS ALDRICH, Chairman.

On motion of Mr. Burritt, the vote had this day on House bill to be entitled, An act to provide for the payment of services rendered by Overseers of Public Roads,

Was reconsidered—and upon the reconsideration thereof, said bill was referred by unanimous consent to the Committee on Internal Improvements.

The House returned the following Senate bills as passed by the House without amendments, viz:

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;

Bill to be entitled, An act to amend an act entitled an act to prevent the circulation of Change Bills, approved 15th March, 1844;

Bill to be entitled, An act to declare East River in Walton county a navigable stream;

Bill to be entitled, An act to repeal the road laws in and for the county of Franklin.

Ordered to be enrolled.

On motion of Mr. Floyd, the Senate adjourned pursuant to the resolution adopted this day.

WEDNESDAY, December 27, 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 the Journal was dispensed with.

On motion of Mr. Tweed, the rule was waived, and he allowed to introduce a bill to be entitled, An act relating to Manufacturing Companies.

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

On motion of Mr. Burritt, the rule was waived, and he allowed to introduce a bill to be entitled, An act to provide for Seals for the Circuit Courts of this State.

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

The following communication was transmitted to his Excellency the Governor:

SENATE CHAMBER, December 27, 1848.

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

SIR:—I have the honor to transmit for the approval of your Excellency, the following bills, entitled respectively,

An act to re-establish the records of the County of Jackson, and for other purposes;

Also, An act to grant pre-emption rights to settlers on State lands, passed by both Houses of the General Assembly, and signed by the presiding officers thereof.

Respectfully,

C. W. DOWNING, Secretary Senate.

Mr. Sanderson, from the Committee on the State of the Commonwealth, introduced a bill to be entitled, An act amendatory of the several acts relating to Jurors and State Witnesses.

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

The following message from his Excellency the Governor was read:

EXECUTIVE OFFICE, }  
Tallahassee, Dec. 27, 1848. }

Gentlemen of the Senate  
and of the House of Representatives:

Herewith I transmit to you a communication from the Register of Public Lands, the subject matter of which I commend to your attention.

Very Respectfully,  
W. D. MOSELEY.

OFFICE OF REGISTER OF PUBLIC LANDS, }  
December 27, 1848. }

To Governor MOSELEY:

SIR:—By existing laws, no provision is made for the auditing of any of the accounts of this office, except those for the Register's salary and travelling expenses, which are payable at the Treasury.

It seems to me that, both for the public security and for the protection of the Register against the contingency of future but undue responsibility, some specific and conclusive method of auditing all his accounts should be prescribed by law.

Very respectfully, your obedient servant,

(Signed,) JOHN BEARD, Register of Public Lands.

On motion of Mr. Avery, said message and accompanying document were referred to the Committee on the Judiciary.

Pursuant to previous notice, Mr. Floyd introduced a bill to be entitled, An act to authorize the construction of the Magnetic Telegraph, and providing for the protection of the same.

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

Pursuant to previous notice, Mr. Floyd introduced a bill to be entitled, 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."

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

On motion of Mr. Forward, the bill to be entitled, An act relating

to crimes and misdemeanors, and requiring a prosecutor in certain cases, was taken from the table, and placed among the orders.

Mr. Forward presented the petition of certain citizens of the counties of Marion, Alachua, and St. Johns, praying the establishment of a new County.

Which was referred to a select committee, consisting of Messrs. Forward, Sandersen, and Aldrich.

Mr. Avery offered the following, which was adopted:

*Resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That the election of Judges for the several Circuits, shall be held on Wednesday the 3d day of January, 1849.

Which was, on motion of Mr. Avery, referred to the Committee on the Judiciary, with instructions to report at an early day respecting the propriety of electing Judges at the present session of the General Assembly.

Mr. Sanderson offered the following, which was adopted:

*Resolved by the Senate,* That his Excellency the Governor be requested to inform the Senate, whether the State of Florida has ever received any thing from the distribution of the proceeds arising from the sale of the Public Lands? Whether she is, or not entitled to any portion of the said fund? If any, how much, and what effort has been made to collect the same from the U. S. Government.

Mr. Forward offered the following resolutions:

*Resolutions remonstrating against the removal of the Military Munitions, Ordnance, Stores and Small Arms, from the garrison in the city of St. Augustine, and asking for further protection to the Eastern Frontier of the Peninsula of Florida.*

WHEREAS, It is rumored that the Military Munitions, Ordnance Stores and Small Arms, now deposited in the city of St. Augustine, are about to be removed to Charleston, in the State of South Carolina; Therefore,

1. *Be it Resolved by the Senate and House of Representatives of the State of Florida, in General Assembly convened,* That we most earnestly and respectfully remonstrate against the removal of said Military Munitions and Small Arms, inasmuch as by such a proceeding the inhabitants of said city of St. Augustine, as well as of the surrounding country, who are still in the vicinity of the remaining bands of Seminole Indians, would be left without the means of defence, either from foreign enemies, or internal foes.

2d. *Be it further Resolved,* That the National interest, as well as justice to the people of Florida, imperatively demand that the Eastern Frontier of the Peninsula should be strengthened and placed in a better state of protection than it at present is; and instead of denuding that section of the country of all military defence, their peculiar situation and exigencies require among other means, an arsenal, provided with at least one thousand stand of arms, with a force sufficient to guard and take care of it.

3d. *Be it further Resolved,* That although extensive fortifications

are being erected at Key West and Tortugas, and by their commanding positions, may govern and direct the transit through the Keys of the Gulf, yet between them and St. Augustine there is a sea coast of upwards of three hundred miles, parallel with a portion of which, and within twelve hours sail, lie the Bahama Islands, where the British military establishments are always in a state of preparation; contiguous to which is also the Island of Cuba; and between the Bahamas and Cuba, and the Bahamas and Florida, the enemy in time of war could throw in a line of battle ships sufficient to cut off all communication between the Atlantic and said fortifications, and land therefrom, upon the banks of the Indian river, a force sufficient, in connection with the Seminole Indians now located there, to make a prompt and effective impression on any point of our extensive and exposed sea border, or in the interior of our State. To obviate which, an inland water communication can be made at a small expense, (as will be seen by reference to the map of Florida,) by connecting the inland rivers running along the coast from Cape Florida to St. Augustine, thus uniting the fortifications in St. Augustine with the Forts at Key West and Tortugas, and making perfect a great national work.

4th. *Be it further Resolved,* That the Governor transmitt forthwith a copy of these resolutions to the President of the United States, Secretary of War, Secretary of the Navy, and to our Representative and Senators in Congress, and that our said Representative and Senators be, and are hereby requested to exert themselves in resisting the removal of said Military Munitions, as also to procure the further protection of the Eastern Frontier of the Peninsula of Florida.

Which were read the first time, the rule waived, read the second and third time by the title, and passed.

Ordered to be certified to the House.

Mr. Tweed offered the following resolution, which was read the first time, and ordered to a second reading to-morrow:

*Resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That his Excellency the Governor be authorized to employ a proper person to copy the laws passed at this session, for such compensation as may be hereafter allowed by the General Assembly.

Mr. Forward, from a Select Committee, presented the following report:

The Select Committee, to whom was referred a House bill to be entitled, An act relating to the mode of appointment and duties of Auctioneers, beg leave to

#### REPORT:

That they have had the same under consideration, and find that it proposes to change the mode of appointment of those officers—the time and manner of making reports and returns—the mode of paying over to the State the Auction tax, and the amount of the tax.

As the law now stands, Auctioneers are “*appointed and commissioned, by the Governor and General Assembly of this State.*”

The evils complained of in this mode of appointment, are:

1st.—That the time of the Legislature is taken up, and expense incurred in other ways, for no good.

2d.—A great number of persons are named to the Governor for appointments, who *do not want* the office. Commissions are issued to them—accounts are opened at the Comptroller’s office—the Comptroller put to great trouble in getting reports, and seeking out the men appointed—and only in the end to find, they never acted, and, perhaps, never knew they had been appointed.

And 3d.—That the bestowing of this office has become a patronage of the Legislature.

The new law proposes to remedy these evils, by providing that the Governor shall appoint and commission such “*applicants as shall produce to him a certificate, in writing, from the Board of County Commissioners, that the said applicant is capable and trustworthy, and recommending that he be appointed to said office.*”

As the law now stands, Auctioneers are required to make *quarterly* returns to the Comptroller, and to pay the taxes into the State Treasury.

The evils complained of under these provisions are:

1st.—That for some counties quarterly returns are to often, and for others not often enough.

2d.—That accounts have to be kept at the Comptroller’s office with each Auctioneer in the State—many are very small, but the labor of the Comptroller is great, nevertheless.

3d.—That there is no check upon Auctioneers returns.

And 4thly.—That each Auctioneer is put to the trouble and risk of sending the money to the Treasurer, and great confusion and bother in that way.

The new law proposes to remedy these evils by requiring returns to be made, and taxes paid, in some counties therein mentioned, monthly, to the Tax Assessor and Collector of such counties, and in other counties twice a year, making it the duty of the Tax Assessor and Collector to look after and examine the returns of the Auctioneers, and to collect taxes of them.

Under the law as it now is, Auctioneers are required to collect *two per cent.* State tax upon the gross amount of all sales, and raw or unspun cotton is exempted.

It is stated that this tax is too high, and that by reducing it, the revenue would be increased.

The act which we have had before us, provides: *That the State tax upon Auction Sales shall hereafter be one per cent. upon the gross amount of sales, except on sales of Cotton not damaged, on which there shall be a tax of one quarter of one per cent.*”

Your Committee having thus presented the law as it is, the evils complained of, and the remedy proposed, ask leave to be discharged from the further consideration of the subject.

WILLIAM A. FORWARD, Chairman.

Mr. Tweed, from a Select Committee, presented the following report:

The Select Committee appointed to consider the petition of certain citizens of the town of Milton, praying this General Assembly to accept a surrender of the charter of said town, and the protest of certain other citizens of said town against said surrender, ask leave to report:

That they have carefully considered the subject referred to them, and deem it most proper to refer the matter in controversy to those most interested in the subject matter of said petition and protest. Your committee therefore recommend the accompanying bill as most likely to meet the wishes of the memorialists, and ask leave to be discharged from further consideration of the subject.

C. A. TWEED, Chairman.

The following message from the House was read:

HOUSE REPRESENTATIVES, December 15, 1848.

*Honorable President of the Senate:*

SIR:—The House has passed Senate bill to be entitled, An act to incorporate St. Johns Lodge, No. 12, in the city of St. Augustine, with the following amendments: In the second section, 6th line, strike out the word "and," and insert "in." In the second section, 8th line, strike out the word "and," and insert "in." Strike out the third section.

In which the concurrence of the Senate is respectfully requested.

Respectfully,

W. B. LANCASTER,

Clerk House Representatives.

The amendments therein contained were concurred in by the Senate, and said bill ordered to be enrolled.

The House returned Senate bills to be entitled respectively, An act to provide for compensation of Physicians for professional attendance on Coroner's Inquests; and, An act to exempt from taxation for five years, certain property in the city of Pensacola;

As lost in the House.

On motion of Mr. Lorimer, the Senate took a recess until 4 o'clock, P. M.

4 O'CLOCK, P. M.

The Senate resumed its session.

A call of the Senate being demanded by Messrs. Forward and Lorimer, the following Senators answered to their names, viz:

Mr. President, Messrs. Avery, Austin, Brown, Crawford, Forward, Lorimer, D. J. Smith—8.

No quorum being present, on motion of Mr. Forward, the Senate adjourned until to-morrow, 10 o'clock, A. M.

THURSDAY, December 28, 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 the Journal was dispensed with.

On motion, Messrs. Avery, Tweed, and Aldrich were appointed a committee, to act with a similar committee on the part of the House, to examine and report upon the condition of the office of the Register of Public Lands.

On motion of Mr. Avery, the rule was waived, and he allowed to introduce a bill to be entitled, An act relative to the examination of the office of Register of Public Lands.

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

The following message from his Excellency the Governor, was read:

EXECUTIVE OFFICE, }  
Tallahassee, Dec. 27, 1848. }

*Gentlemen of the Senate*

*and of the House of Representatives:*

I have the honor herewith to transmit the annual statement of the condition of the Union Bank, by John G. Gamble, Esq., President thereof, accompanied by the documents referred to by him in his letter to the Executive, dated 19th December, 1848.

Very respectfully, W. D. MOSELEY.

Mr. Forward moved that the accompanying documents be laid upon the table.

Upon which the yeas and nays were called for by Messrs. Forward and Moseley, and were:

Yeas—Mr. President, Messrs. Forward, Ghent, Moseley, D. J. Smith, J. M. Smith—6.

Nays—Messrs. Aldrich, Austin, Avery, Brown, Burritt, Crawford, Floyd, Lorimer, Sanderson, Tweed—10.

Said motion was lost.

Mr. Sanderson moved that the said accompanying documents be referred to the Committee on Corporations.

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

Yeas—Mr. President, Messrs. Aldrich, Austin, Avery, Brown, Burritt, Crawford, Floyd, Lorimer, Sanderson, Tweed—11.

Nays—Messrs. Forward, Ghent, Moseley, D. J. Smith, J. M. Smith—5.

Said motion prevailed.

The following message from his Excellency the Governor was also read:

EXECUTIVE OFFICE, }  
Tallahassee, Dec. 27, 1848. }

*To the Hon. President of the Senate:*

SIR—In reply to a resolution adopted by the Senate, to wit:—That His Excellency the Governor be requested to inform the Senate whether the State of Florida has ever received any thing from the distribution of the proceeds of the sale of public lands; whether