

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

she is, or is not entitled to any portion of said fund; if any, how much; and what effort was made to collect the same from the U. S. Government."—I have the honor to inform you that the State of Florida has never received any thing from the distribution of the proceeds arising from the sale of public lands.

As to the second interrogatory, whether or not she is entitled to any portion of said fund, I refer you to the copy of a letter from the Secretary of the Treasury, herewith transmitted, dated July 7, 1846, marked F.

As to the third interrogatory, how much, if any, is due, and what effort has been made to collect the same from the U. S. government, you are referred to my communication to the Secretary of the Treasury, dated 14th Oct. 1845, marked G, and the reply of the Third Auditor to the same, dated 15th April, 1846, marked H. Also, to a correspondence with the Hon. D. L. Yulee on the same subject, copies of which are herewith transmitted, marked I and K.

You are also referred to that portion of my message of the 20th November, 1846, relating to the same subject on page 8, of the House Journals of that year, herewith transmitted.

Very respectfully, W. D. MOSELEY.

On motion, the accompanying documents were referred to a select committee, consisting of Messrs. Sanderson, Burritt, and Forward.

Mr. Floyd gave notice that he would, at some future day, ask leave to introduce a bill to be entitled, An act to incorporate the Florida Medical Society.

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

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

A bill entitled, An act to declare East River, in Walton County, a navigable stream.

A bill entitled, An act to repeal the road laws in and for the County of Franklin.

A bill 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.

A bill entitled, An act to amend an act entitled an act to prevent the circulation of change bills, approved 15th March, 1844.

A bill entitled, An act to incorporate St. Johns' Lodge, No. 12, in the city of St. Augustine.

LOUIS ALDRICH, Chairman.

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

The Committee to whom was referred a bill to be entitled, An act to provide for the payment of services rendered by Overseers of Public Roads, beg leave to

REPORT:

That they have had the same under consideration, and after an

examination of the law passed at the session of 1845, are of the opinion that there is no necessity for any such bill. Therefore recommend that it do not pass, and beg to be discharged from the further consideration thereof.

W. P. MOSELEY, Chairman.

The President having decided that the question of concurring in a report of a committee, when presented, should not be put, his decision was appealed from by Mr. Burritt, and upon the question being put, "shall the decision of the Chair be sustained?" the yeas and nays were called for by Messrs. Forward and Sanderson, and were:

Yeas—Messrs. Aldrich, Austin, Avery, Brown, Crawford, Floyd, Forward, Ghent, Lorimer, D. J. Smith, J. M. Smith, Tweed—12.

Nays—Messrs. Burritt and Sanderson—2.

The decision of the Chair was sustained.

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

The Committee to whom was referred a bill to be entitled, An Act to amend an act concerning Roads and Highways, passed at the adjourned session of 1845, beg leave to

REPORT:

That they have had the same under consideration, and that they are in favor of the passage of said bill. From the fact that the law makes it the duty of the Road Commissioners and a Justice of the Peace to meet four times a year for the purpose of trying defaulters, in some counties it is almost impossible to get a majority of Road Commissioners, and a Justice of the Peace to meet, consequently there are but few fines collected.

The Committee therefore recommend the passage of the bill, and beg to be discharged from the further consideration thereof.

W. P. MOSELEY, Chairman.

The following communication was transmitted to His Excellency the Governor:

SENATE CHAMBER, Dec. 28, 1848.

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

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

An act to declare East River, in Walton county, a navigable stream.

An act to repeal the road laws in and for the county of Franklin.

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

An act to amend an act entitled an act to prevent the circulation of Change bills.

And—An act to incorporate St. John's Lodge, No. 12, in the city of St. Augustine.

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

Respectfully,

C. W. DOWNING,
Secretary Senate.

Mr. Forward, one of the Committee on Taxation and Revenue, reported a bill to be entitled, An Act to amend the Revenue Law of this State as regards Hawkers, Pedlars and Itinerant Traders;

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

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

The Select Committee, to whom was referred the petition of sundry citizens of Leon county, "praying for a change in the Southern boundary of said county," have had the subject matter under consideration, and ask leave to

REPORT:

That they are authentically informed that every citizen whose residence will be turned into Wakulla county by the change of the said boundary, with one single exception, are exceedingly solicitous that the alteration should be made. The boundaries of Wakulla county were plainly chalked out in the acts of 1845, but they were not surveyed, and a goodly number of your petitioners, confidently believing that they were citizens of Wakulla, have discharged every public duty, military and civil, incumbent upon them as citizens of said county. The Committee have a correct and thorough knowledge of the section of country in which your petitioners reside; they are widely and irreparably detached from every neighborhood in Leon county, by a broad scope of barren lands which subjects them to many very serious inconveniences in the discharge of their public duties, and if their just expectations are disregarded, they will be unable to see or appreciate the wisdom or justice of the deliberations of your honorable body.

To accomplish the object of your petitioners, the Committee recommend to the Senate the passage of the bill herewith submitted.

JNO. L. CRAWFORD,
Chairman Select Committee.

ORDERS OF THE DAY.

House bill to be entitled, An act to require licenses to be taken out by persons and subjects not hitherto taxed;

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 without amendment, and asked to be discharged from the further consideration thereof;

On motion of Mr. D. J. Smith, said bill was referred to the Committee on Taxation and Revenue.

Engrossed bill to be entitled, An act prescribing a general method for the issuing of licenses, and the payment of the tax thereon,

Was read the third time.

On motion of Mr. Burritt, said bill was laid upon the table.

Bill 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:

On motion of Mr. Moseley, the Senate resolved itself into a Committee of the Whole on said bill, Mr. Forward 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 to be discharged from the further consideration thereof.

Said bill was, on motion of Mr. Sanderson, placed at the bottom of the orders.

On motion of Mr. Floyd, the rule was waived, and he allowed to introduce a bill to be entitled, An act to incorporate the Medical Board of Florida.

Which was, on motion of Mr. Sanderson, placed at the bottom of the orders.

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

3 O'CLOCK, P. M.

The Senate resumed its session.

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.

The Senate refused to order said bill to a third reading.

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 ordered to a third reading to-morrow.

Bill to be entitled, An act to incorporate the Atlantic and Gulf Rail Road and Canal Company,

On motion of Mr. Avery, the Senate resolved itself into a Committee of the Whole on said bill, Mr. Crawford 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 to be discharged from the further consideration thereof.

Mr. Forward offered the following amendment, viz: Strike out all after the words "Rail Road" in 1st line of 2d section, and insert in lieu thereof the words, "from any point on any navigable stream or water course in East Florida, emptying in or connecting with the Atlantic Ocean, and any point on the Gulf of Mexico."

Which amendment was adopted.

On motion of Mr. Aldrich, said bill was laid over until to-morrow.

House bill to be entitled, An act to provide for the establishment of Common Schools in this State,

Was, on motion of Mr. Avery, read the first time, and ordered to a second reading to-morrow.

Mr. Floyd moved that the Senate adjourn until to-morrow, 10 o'clock, A. M. ;

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

Yeas—Messrs. Brown, Floyd, Ghent and Lorimer—4.

Nays—Mr. President, Messrs. Aldrich, Austin, Avery, Crawford, Forward, Moseley, Sanderson, D. J. Smith, J. M. Smith, Tweed and White—12.

Said motion was lost.

Bill to be entitled, An act relating to Crimes and Misdemeanors, and requiring a Prosecutor in certain cases.

On motion of Mr. Sanderson, 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 the bill back to the Senate with amendments, and asked to be discharged from the further consideration thereof.

On motion of Mr. Tweed, said bill was laid upon the table, and 75 copies ordered to be printed.

Mr. White moved that the Senate adjourn until to-morrow, 10 o'clock, A. M.

On which the yeas and nays were called for by Messrs. Floyd and Moseley, and were :

Yeas—Mr. President, Messrs. Aldrich, Brown, Costin, Crawford, Forward, Lorimer, D. J. Smith, Tweed and White—10.

Nays—Messrs. Austin, Avery, Floyd, Ghent, Moseley, Sanderson and J. M. Smith—7.

The Senate adjourned until to-morrow, 10 o'clock, A. M.

FRIDAY, December 29, 1848.

The Senate met pursuant to adjournment.

Rev. Mr. Choice officiated as Chaplain.

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

Mr. Ghent presented the memorial of certain citizens of Walton county, praying a change of the county site of said county.

Which was referred to a select committee consisting of Messrs. Floyd, Ghent, and Crawford.

Mr. Avery offered the following preamble and resolutions, which were read, and on motion of Mr. Avery, referred to the Committee on the Executive Department, with instructions to report thereon at an early day :

WHEREAS, A difference of opinion prevails with regard to the period when the term of office of the present Governor will expire ;

and also with regard to the time when the Governor elect should take the oath prescribed by the Constitution : Therefore,

1. *Resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That, in the opinion of this General Assembly, the term of office of Governor Wm. D. Moseley, will expire on the first Monday in October, 1849.

2. *Resolved,* That it is expedient and proper for the Governor elect to take the oath of office prescribed by the Constitution, in presence of both Houses of the present General Assembly.

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

The Committee on the Judiciary, to whom was referred a bill to be entitled, An act for the relief of Occupying Claimants, have had the same under consideration, and have instructed me to report it back to the Senate without amendment.

S. L. BURRITT, Chairman.

Also the following :

The Committee on the Judiciary, to whom was referred a bill to be entitled, An act to repeal an act to amend the several acts regulating judicial proceedings, approved January 3, 1848, have had the same under consideration, and have instructed me to report the same back to the Senate without amendment, and to recommend its passage.

S. L. BURRITT, Chairman.

On motion of Mr. Ghent, the rule was waived, and he allowed to introduce a bill to be entitled, An act to remove the county site of Walton county.

Which was read the first time, the rule again waived, and the bill read a second time by its title, and referred to a select committee consisting of Messrs. Floyd, Ghent, and Crawford.

Mr. Sanderson presented the following report :

The Committee on the State of the Commonwealth, to whom was referred "so much of the Governor's Message and documents accompanying the same, as relate to the boundary line between this State and the State of Georgia"—also, "Senate Resolutions upon the same subject," respectfully

REPORT :

That in discharge of the duty assigned them, your Committee have, with care, examined the several papers submitted, having reference to this important controversy. While with pleasure they respond to the kind and liberal sentiments expressed in the communications received from the authorities of Georgia, and desire that the friendly relations now subsisting between these two States, whose interests, in other respects, are so closely allied, may continue uninterrupted, your Committee cordially concur in the language and spirit of His Excellency, Governor Moseley, when he says, "Florida does not urge a claim to any of the territory in dispute, because she thinks it *necessary* to her." Florida, believing that the line has long since been designated and fixed, and that no question should