

House bill to be entitled An Act for the relief of Stephen Hollingsworth,

Was read a first time, and ordered for a second reading on to-morrow.

On Motion, the Senate adjourned till to-morrow morning, 10 o'clock.

SATURDAY, January 8, 1853.

The Senate met pursuant to adjournment. The Rev. Mr. Asay officiated as chaplain.

A quorum being present, the journal of yesterday's proceedings were read and approved.

Mr. Finley made the following report :

The Committee on Engrossed Bills report as correctly engrossed :

An Act to allow John Chain to practice law.

Respectfully submitted,

J. J. FINLEY, Chairman.

Which was read and the bill placed among the orders of the day.

On motion, the 20th rule of the Senate was rescinded.

On motion of Mr. Baldwin,

A committee consisting of Messrs. Baldwin, Kilcrease and Johnson, were appointed to wait upon the House and ask the return of the joint resolution to adjourn *sine die* on the 8th day of January.

The Committee returned and reported the duty had been performed, and asked to be discharged.

ORDERS OF THE DAY.

A bill to be entitled An Act to allow John Chain to practice law, Was read a third time, and upon the question of its passage the vote was :

YEAS—Messrs. Finley, Forsyth, Gillis, Johnson, Kilcrease, Snell and Wynn—7.

NAYS—Mr. President, Messrs. Buddington, Provence and Smith—4.

So the bill passed. On the question of the title, Mr. Finley moved to amend the same, by inserting after the words John Chain, the following, "and the rest of mankind."

Which amendment was adopted,

Ordered, That the same be certified to the House of Representatives.

Mr. Long, from the Committee on Enrolled bills, made the following report :

The Committee on Enrolled bills have examined the following enrolled bills and resolutions, and find them correctly enrolled :

An Act for the relief of the southwestern portion of Gadsden county ;

An Act authorizing the institution of suits in certain cases against corporations by publication ;

An Act to authorize Wm. H. Chase and Jasper Strong to cut a Canal, connecting the waters of the Perdido river and Grand Lagoon ;

An Act to amend an act entitled an act to provide for the election of Electors of President and Vice President of the United States, approved January 6, 1847 ;

An Act for the relief of John Clarke ;

An Act to repeal an act in relation to pilotage for the port of Key West ;

An Act for the relief of William Crawford ;

An Act to repeal an act to provide for the removal of the Indians now remaining in Florida, beyond the limits of the State, approved January 20th, 1851 ;

Resolution requesting the Governor of this State, to cause the State Engineer to examine and report the cost and practicability of connecting the St. Johns and Indian rivers by a navigable canal ;

An Act to repeal an act to declare Spring Creek, commonly known as Robinson's Spring Creek, in Jackson county, a navigable stream, approved February 13th, 1831 ;

Preamble and resolution relative to Yellow river.

Respectfully submitted,

M. A. LONG, Chairman

Committee on Enrolled Bills.

Which was read.

The following communication was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, }
January 7, 1853. }

Honorable President of the Senate :

SIR,—The House have passed the following bills and resolutions, viz :

Bill to be entitled An Act for the relief of purchasers of State lands ;

Preamble and Resolution relative to Shoal river ;

Senate bill to be entitled An Act for the relief of purchasers of State lands, was lost in the House.

Which was read and the bill placed among the orders of the day.

Respectfully,

JOHN DICK,

Clerk House of Representatives.

Also the following :

HOUSE OF REPRESENTATIVES, }
January 8, 1853. }

Hon. President of the Senate :

Sir,—The House have passed a Resolution for the purpose of enabling Military schools to obtain arms from the State ;

Senate bill to be entitled An Act the more effectually to quiet and protect the possession of personal property, and to prevent taking possession by fraud and violence, was indefinitely postponed.

Respectfully,

JOHN DICK,

Clerk of House of Representatives.

tee on the part of the Senate, to take into consideration the Special Message of the Governor in relation to international exchanges of books and other works of art; and also to confer with the Governor in relation to providing the means to receive the standard weights and measures from the United States Government.

Very Respectfully,

JOHN DICK,
Clerk House of Representatives.

Which was read.

Mr. Buddington, from the Committee on Propositions and Grievances, made the following report:

The Committee on Propositions and Grievances, to whom was referred a bill to be entitled An Act for the relief of Stephen Hollingsworth, have considered the same, and do herewith, by their Chairman, report:

That they feel satisfied that the relief ought to be granted in the premises, and recommend the passage of the bill, as amended.

All of which is herewith respectfully submitted.

OZIAS BUDDINGTON,
Chairman.

Which was read and the bill placed among the orders of the day.

Mr. Long, from the Committee on Enrolled Bills, made the following report:

The Committee on Enrolled Bills have examined and find correctly enrolled the following:

An Act to change the name of Oliver Price to that of Oliver Delk, and for other purposes,

An Act to incorporate a company to construct a rail road across the peninsula of Florida, under the style of the Florida Rail Road Company.

An Act to change and modify the penal statutes in reference to Gaming.

An Act to amend the several general laws for the incorporation of all such churches and religious and other societies as may accept thereof, now in force in this State.

An Act to provide for contesting the validity of wills in the Circuit Courts of this State.

Also, An Act to provide for the payment *pro rata* of the debts of Insolvent Estates.

Respectfully submitted,
M. A. LONG,

Chairman Committee on Enrolled Bills.

Which was read.

House resolution for the relief of R. A. Shine, Quartermaster General, and for other purposes,

Was read a third time, when the further consideration of said resolution was postponed till 8 o'clock, this evening.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, }
January 8, 1853. }

Hon. President of the Senate:

Sir:—The House have passed, without amendment, Senate resolution for the relief of Azor Umstead.

JOHN DICK,
Clerk House of Representatives.

Which was read and the resolution ordered to be enrolled.

Also the following:

HOUSE OF REPRESENTATIVES, }
January 8, 1853. }

Hon. President of the Senate:

Sir:—The House have passed, without amendment, Senate bill to be entitled An Act to change the name of Terrence Levy to Terrence Wimberly, and for other purposes.

Respectfully,

JOHN DICK,
Clerk House of Representatives.

Which was read and the bill ordered to be enrolled.

The following message was received from His Excellency, the Governor:

EXECUTIVE CHAMBER, }
January 8, 1853. }

The Hon. R. J. FLOYD,

President of the Senate, &c.:

Sir:—I nominate John Conrad and William L. Campbell for Auctioneers for the County of Hillsborough.

THOMAS BROWN.

Which was read, and the nominations therein contained were advised and consented to.

Also the following:

EXECUTIVE CHAMBER, }
January 8, 1853. }

To the Hon. R. J. FLOYD,

President of the Senate:

Sir,—I have approved and signed the following bills, viz:

An Act to authorize the business of banking.

An Act for the relief of John Clarke.

An Act giving to the Alabama and Florida Rail Road Company the right to extend their road into the State of Florida and construct branch roads, with chartered privileges.

An act authorizing the institution of suits in certain cases against corporations, by publication.

An Act to repeal an act entitled an act in relation to Pilotage for the Port of Key West.

An Act to repeal an act to declare Spring Creek, commonly known as Robinson's Spring Creek, in Jackson county, a navigable stream, approved February 13th, 1831.

An act for the relief of William Campbell.

An act to amend an act entitled an act to provide for the election of Electors of President and Vice President of the United States, approved January 6, 1847.

An Act to authorize William H. Chase and Jasper Strong to cut a Canal connecting the waters of the Perdido river and Grand Lagoon.

An Act to incorporate the Pensacola and Mobile Bay Rail Road Company.

An Act to permanently fix the election precincts in the county of Columbia, and to repeal certain acts therein named.

An Act in relation to the permanent location of the Seat of Government of this State.

An Act to amend the several acts concerning licenses to retail spirituous liquors.

An Act to provide for the employment of a clerk in the office of the Comptroller of this State.

An Act to regulate quarantine laws in this State.

An Act for the relief of James Brown and William Gainer, Sen.

An Act for the relief of Dr. J. W. Bozeman.

An Act to change the names of various persons therein specified.

An Act concerning the records of the Court of Appeals and Superior Courts of the Territory of Florida.

An Act for the relief of William R. Hayward.

An Act to amend an act entitled an act in relation to rafted lumber adrift, and for other purposes.

Also, the following resolutions :

Resolution to authorize the Comptroller to purchase maps of the United States.

Preamble and resolutions relative to Yellow river.

Resolution requesting the Governor of this State to cause the State Engineer to examine and report the cost and practicability of connecting the St. Johns and Indian rivers, by a navigable Canal.

Resolution asking Congress the passage of a mail route to the States bordering on the Pacific, across the Isthmus of Tehuantepec.

Resolution urging upon Congress the sale of reserved lands in this State.

Which I have caused to be deposited in the office of the Secretary of State.

THOMAS BROWN.

Which was read.

Mr. Long, from the Committee on Enrolled Bills, made the following report :

The Committee on Enrolled bills have examined and find correctly enrolled :

An act to change the name of Terrence Levy to Terrence Wimberly, and for other purposes.

Also, a resolution for the relief of Azor Umstead.

Respectfully submitted,

M. A. LONG,

Chairman Committee on Enrolled Bills.

Which was received and read.

On motion, the Senate took a recess till 7 o'clock, P. M.

SEVEN O'CLOCK, P. M.

The Senate met pursuant to adjournment, and proceeded with the business.

A committee was received from the House of Representatives, who returned a bill to be entitled An Act to fix permanently the county site of Wakulla county, said bill having been improperly sent to the House ;

The bill was read a third time, and upon the question of its passage the vote was :

YEAS—Mr. President, Messrs. Buddington, Finley, Gillis, Johnson, Kilcrease, Long, Provence and Smith—9.

NAYS—Messrs. Blackburn, Snell and Wynn—3.

So the bill passed as amended.

Ordered, That the same be certified to the House of Representatives.

Mr Long, from the Joint Select Committee, made the following report :

The joint Select Committee of the two branches of the General Assembly, to whom was referred the special message of his Excellency the Governor, with the accompanying documents, in relation to a system of international exchanges of books, maps, and other works of science, art and literature, have had the same under consideration and beg leave to report :

The Committee believe the object in view to be laudable in a high degree, and our infant State may be peculiarly benefitted by the proposed system of exchanges. It appears from the interesting letter of Mr. Alexander Vattemare, accompanying the message of his Excellency, that " it is not expected from a State so newly incorporated as Florida, any of those large and important scientific works, which are only the result of centuries of civilization and experience ;" but that in addition to our laws, reports, journals and other public documents, of especial interest to foreign countries, we have many objects of natural history and the productions of our soil and climate are regarded as of inestimable value to the people of Europe, who are ready, willing, and anxious to receive them in exchange for works of science and art of great value to our people.

The Committee believe that the citizens of this State may be induced to collect and forward to the Governor, many objects of value, which may be exchanged to great advantage, for such books, maps, prints and other works of science and art, of which we are in great want. Therefore, the joint Select Committee have prepared and ask the passage of the following resolutions, which contemplate a small annual appropriation, similar in amount to the sum appropriated by the smaller States of this Union for the same purpose. The Committee also recommend that the letter of Mr. Vattermare be published for the information of the people.

Respectfully submitted,

M. A. LONG,
Chairman of Committee on part of Senate,
PHILIP DELL,
Chairman of Committee on part of House.

Which was read.

The following communication was received from the House :
HOUSE OF REPRESENTATIVES, }
January 8th, 1853. }

Hon. R. J. Floyd, President of the Senate.

Sir,—The House have passed the following Resolution, viz :
Joint Resolution authorizing the Comptroller to audit and pay B. Hopkins and others for their services in defending the frontier in the year 1852, without amendment.

Respectfully,

JOHN DICK,
Clerk House of Representatives.

Which was read.

The following Message was received from His Excellency, the Governor :

EXECUTIVE CHAMBER, }
January, 8th, 1853. }

Hon. R. J. FLOYD, President, of the Senate.

Sir,—I have approved and signed the following Acts, viz :

An Act to provide for the payment *pro rata* of the debts of insolvent estates ;

An Act to incorporate a company to construct a Railroad across the Peninsula of Florida, under the style of the Florida Railroad Company ;

An Act to change the name of Oliver Price to that of Oliver Delk, and for other purposes ;

An Act to amend the several general laws for the incorporation of all such churches and religious and other societies as may accept thereof, now in force in this State ;

An Act to provide for contesting the validity of Wills, in the Circuit Courts of this State ;

An Act to change and modify the penal statutes in reference to gaming.

Which I have caused to be deposited in the office of the Secretary of State.

THOS. BROWN.

Which was read.

On motion, the rule was waived, when Mr. Kilcrease offered the following resolution :

Resolution asking Congress to allow the Public arms of Florida to be kept and preserved in the United States Arsenal, located in Gadsden County, Florida.

Resolved by the Senate and the House of Representatives of the State of Florida in General Assembly convened, That our Senators in Congress be instructed, and our Representative requested to use their exertions to procure from the United States, the privilege of depositing and preserving the Public Arms of this State in the Arsenal belonging to the United States, located in Gadsden County, near the junction of the Chattahoochee and Flint rivers.

Which was read and adopted.

Ordered, That the same be certified to the House of Representatives.

House bill to be entitled An Act for the relief of Stephen Hollingsworth,

Was read a second time the rule was waived, read third time and upon the question of its passage, the vote was :

YEAS—Messrs. Baldwin, Buddington, Finley, Forsyth, Gillis, Johnson, Long, Provence, Smith, Snell and Wynn—11.

NAYS—Mr. President, Messrs. Blackburn and Kilcrease—3.

So the bill passed—title as stated.

Ordered, That the same be certified to the House of Representatives.

The following message was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, }
January 8, 1853. }

HON. PRESIDENT OF THE SENATE :

Sir,—The House have passed joint resolution authorizing and providing for exchange of Legislative Documents, and for other purposes.

Respectfully,

JOHN DICK,
Clerk House of Representatives.

Which was received, and the resolution read and adopted.

Mr. Baldwin, from the Joint Select Committee, made the following report :

The Joint Select Committee, to whom was referred, a bill to be entitled An Act to amend an act to secure the swamp and overflowed lands, after a free conference, recommend the following amendment, viz :

Strike out in the 10th line of section first, the words "appointed

by the Governor with the consent of," and insert in lieu thereof, the word "elected."

J. P. BALDWIN, Chairman Senate Committee.

PHILIP DELL, Chairman House Committee.

Which report was read, and the amendments concurred in.

Ordered to be certified to the House.

Mr. Long, from the Committee on Enrolled bills, made the following report:

The Committee on Enrolled bills, have examined and find correctly enrolled:

A Joint resolution authorizing the Comptroller to audit and pay B. Hopkins and others, for their services in defending the frontier in the year 1852.

Also An Act to incorporate the town of Marianna.

Also An Act to authorize the Judges of the Circuit Courts of this State, to appoint and hold adjourned terms in certain cases.

Respectfully Submitted,

M. A. LONG,

Chairman.

Which was read.

The following communication was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, }
January 8, 1853. }

Hon. President of the Senate:

Sir—The House has passed Senate bill to be entitled An Act to authorize the Judges of the Circuit Courts of this State to appoint and hold adjourned terms in certain cases, with certain amendments in which the concurrence of the Senate is respectfully asked.

Respectfully,

JOHN DICK,

Clerk House Representatives.

Which was read, and the amendments made by the House concurred in.

Ordered, That the same be certified to the House of Representatives.

The following message was received from His Excellency, the Governor:

EXECUTIVE CHAMBER, }
January 8, 1853. }

To the Hon. R. J. FLOYD,

President of the Senate:

Sir—I have approved and signed An Act to change the name of Terrence Levy to Terrence Wimberly, and for other purposes.

Which I have caused to be deposited in the office of Secretary of State.

THOS. BROWN.

Which was read.

On motion, the rules were waived, so as to allow Mr. Floyd to introduce the following resolution:

WHEREAS, There is positive evidence before the people of Florida that solemn treaties hath heretofore been entered into between the Seminole Indians and the Federal Government, and whereas the people of Florida hath waited with patience and forbearance, daily and monthly expecting the removal of said Indians, and whereas said Indians are still occupying the best and fairest portion of our State, defying all powers, and refusing to comply with their solemn treaty obligations, thus obstructing the growth and prosperity of the State, and whereas the lives and property of the citizens on the frontier are daily subject to be destroyed by these desperate and lawless Indians, and whereas, in the opinion of the present Legislature assembled, forbearance ceases to be a virtue,

Be it therefore resolved by the Senate and House of Representatives of the State of Florida, in General Assembly convened, That upon the recommendation of the Governor and consent of the General Assembly, a committee of two be elected to carry in person to the President of the United States the above preamble and resolution, and that said committee inform the present President of the United States and also President Pierce immediately after his inauguration, that Florida is bound in justice to her people as a sovereign State to enforce her rights by expelling the Seminole Indians by force after the fourth day of May, 1853.

Which was read a first time, the rule waived, read a second time, and referred to a Select Committee, consisting of Messrs. Johnson and Snell.

The following communication was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, }
January, 8th, 1853. }

Hon. President of the Senate,

Sir,—The House have passed without amendment, Senate Resolution to allow the public arms of Florida to be kept and preserved in the United States Arsenal, located in Gadsden County, Florida;

The House have concurred in Senate amendments to House Bill to be entitled An Act amendatory of the several acts now in force in this State in relation to trading with negroes;

The House has also concurred in Senate amendments to House bill to entitled An Act for the relief of Stephen Hollingsworth.

Respectfully,

JOHN DICK,

Clerk House of Representatives.

Which was read.

Mr. Forsyth moved the rule be waived, and the bill making appropriations, &c., be read a third time and put upon its passage;

Upon which motion, the yeas and nays were called for by Messrs. Forsyth and Blackburn, and were:

YEAS—Messrs. Finley, Forsyth and Smith—3.

NAYS—Mr. President, Messrs. Baldwin, Blackburn, Gillis, Johnson, Kilcrease, Long, Provence, Snell and Wynn—10.

So the rule was not waived.

A committee from the House informed the Senate, that the House had rescinded the resolution to adjourn *sine die* on the 8th day of January, 1853.

The following communication was received from His Excellency, the Governor:

EXECUTIVE CHAMBER, }
January 8, 1853. }

The Hon. R. J. FLOYD,

President of the Senate:

Sir:—I have approved and signed

An act to incorporate the town of Marianna.

An Act to authorize the Judge of the Southern Judicial Circuit of this State to appoint and hold adjourned terms in certain cases.

Also, Joint Resolutions authorizing the Comptroller to audit and pay B. Hopkins and others for their services in defending the frontier, in 1852.

Resolution for the relief of Azor Umstead.

Resolution asking Congress to allow the public arms of Florida to be kept and preserved in the United States Arsenal located in Gadsden county, Florida.

Which I have caused to be deposited in the office of the Secretary
THOMAS BROWN.

The hour of 12, P. M., having been announced, Mr. Baldwin moved the Senate adjourn till 12 o'clock, M., on Monday next;

Upon which motion, the yeas and nays were called for by Messrs. Baldwin and Provence, and were:

YEAS—Mr. President, Messrs. Baldwin, Johnson, Kilcrease, Long, Provence, Smith, Snell and Wynn—9.

NAYS—Messrs. Finley, Forsyth and Gillis—3.

So the motion was carried, and the Senate adjourned till 12 o'clock on Monday next.

MONDAY, January 10, 1853.

The Senate met pursuant to adjournment. The Rev. Mr. Asay officiated as chaplain.

There not being a quorum present, the Senate took a recess until one o'clock, P. M.

At which time the Senate again met—a quorum being present, proceeded with the business. The journal of Saturday's proceedings were read and approved.

On motion of Mr. Johnson,

A committee consisting of Messrs. Finley, Johnson and Baldwin were appointed to wait upon the House of Representatives, and ask the return of a bill to be entitled An Act to provide for the final removal of the Indians of this State and for other purposes.

The committee returned and reported the duty assigned them as having been performed.

A committee was received from the House of Representatives, who returned to the Senate a bill to be entitled An Act to provide for the final removal of the Indians of this State, and for other purposes,

Which was taken up, when Mr. Johnson moved the reconsideration of the vote had on the passage of said bill on the 7th inst:

Upon which motion the yeas and nays were called for by Messrs. Finley and Johnson, and were:

YEAS—Mr. President, Messrs. Baldwin, Finley, Forsyth, Gillis, Johnson, Kilcrease, Long, Snell and Wynn—10.

NAYS—Mr. Provence—1.

So the motion to reconsider was carried.

On motion, the bill was placed as on its second reading.

Mr. Johnson moved that the bill be referred to a joint select committee of five from each House;

Which motion was carried.

The following Committee was appointed on the part of the Senate to act with a similar committee on the part of the House, as a Committee of Conference, on a bill to be entitled An Act for the final removal of the Indians of this State, and for other purposes, viz:

Messrs. Johnson, Baldwin, Finley, Forsyth and Kilcrease.

Mr. Long, from the Committee on Enrolled bills, made the following report:

The Committee on Enrolled bills report as correctly enrolled:

An Act to amend the seventeenth clause of the fifth article of the Constitution of this State; Also,

An Act to amend the eleventh clause of the fifth article of the Constitution of this State, and also to amend An Act amendatory of the twelfth clause of the fifth article of the Constitution of this State, and adopted by the third and fourth General Assemblies, so as to give the election of Judges to the people.

Respectfully Submitted,

M. A. LONG, Chairman

Committee on Enrolled Bills.

Which was read.

On motion,

The Senate took a recess till 3 o'clock, P. M.