

WEDNESDAY, January 12, 1853.

The Senate met pursuant to adjournment. A quorum being present, the journal of yesterday's proceedings were read and corrected.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, }
January 11, 1853. }

Honorable President of the Senate :

Sir—The House have passed the following bills, viz :

Bill to be entitled An Act to authorize Richard H. Randolph of Gadsden County, to assume the management of his own Estate ;

Bill to be entitled An Act to change the dividing line between the Counties of Walton and Santa Rosa ;

Also, without amendment :

Senate bill to be entitled An Act to prevent obstructions to the navigation of the river and harbor of St. Marks and Tampa.

Respectfully,

JOHN DICK,

Clerk House of Representatives.

Which was read, and the House bills placed among the orders of the day, Senate bill was ordered to be enrolled.

ORDERS OF THE DAY.

House bill to be entitled An Act to define the dividing line, between the counties of Santa Rosa and Walton,

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

YEAS—Mr. President, Messrs. Baldwin, Finley, Forsyth, Gillis, Johnson, Long, Moseley, Provence, Smith and Snell—11.

NAYS—None.

So the bill passed, title as stated,

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

House bill to be entitled An Act to authorize Richard H. Randolph of Gadsden County, to assume the management of his own estate,

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

YEAS—Messrs. Finley, Forsyth, Gillis, Johnson, Long, Provence, Smith, Snell and Wynn—9.

NAYS—Mr. President and Moseley—2.

So the bill passed, title as stated.

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

A Committee from the House informed the Senate, that the House had concurred in the amendments made by the Senate to House bill to be entitled An Act to provide for the final removal of the Indians of this State.

On motion, the rules were waived, so as to allow Mr. Wynn to introduce a bill to be entitled An Act to repeal an act for the relief of Doct. J. W. Bozeman ;

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

YEAS—Mr. President, Messrs. Baldwin, Finley, Forsyth, Gillis, Johnson, Long, Moseley, Provence, Smith, Snell and Wynn—12.

NAYS—0.

So the bill passed—title as stated.

Ordered, That the same be certified to the House.

On motion, the Senate took a recess till 12 o'clock, M.

TWELVE O'CLOCK.

The Senate met pursuant to adjournment. There being no business, the Senate took a recess till half past two o'clock.

HALF PAST TWO O'CLOCK.

The Senate met pursuant to adjournment.

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

EXECUTIVE CHAMBER, FLORIDA, }
January 12th, 1853. }

To the Hon. R. J. FLOYD,

President of the Senate, &c.:

Sir—I return to the Senate, without my approval, "An Act to repeal an act to provide for the removal of the Indians now remaining in Florida beyond the limits of this State," approved, 20th January, 1851.

I deem it inexpedient at this time to repeal that Act. On account of the information which I officially received from the *Special Agent* of the United States, and promptly communicated to the General Assembly, that the Seminole Indians had refused to emigrate ; and also the information that the people inhabiting the frontier settlements, had serious cause of alarm from their faithless neighbors, I considered it my duty to comply with the provision of that Act, which required the Governor to raise a regiment of mounted volunteers, when occasion should, in his opinion, require it, and accordingly I have ordered into service, for the protection of the people on the frontier, a regiment of mounted volunteers, and have appointed and commissioned Benjamin Hopkins, of East Florida, to command the same, by authority of this Act, and have reported the same to the President of the United States.

The expenses of the forces which have been in service during the last year, for the protection of the frontier settlements, were paid out of the appropriation made by that Act, and the balance of the appropriation which has not been exhausted will be required to supply the

Volunteers now ordered into service, until the General Assembly or Congress shall make further provision. Therefore, considering that the public interest would not be promoted by the repeal of that Act, I respectfully return it with my *veto*.

I have the honor to be,

Your most obedient servant,

THOMAS BROWN.

Which was read, and on motion, the message and the bill were laid on the table until 10 o'clock to-morrow.

Mr. Floyd offered the following resolution :

Resolved, That the Secretary of State inform the General Assembly of the several dates of commissions, issued to Col. Benjamin Hopkins, a Major General under the militia laws of this State, and whether any other commissions have been so issued, and their respective dates.

Which was read and adopted.

Ordered, That the same be transmitted forthwith to the Hon. Secretary of State.

The following communication was received from the Secretary of State :

OFFICE OF SECRETARY OF STATE, }
Capitol—January 12, 1853. }

HON. R. J. FLOYD,

President of the Senate :

Sir—In reply to a resolution of the Senate, (of this date,) transmitted to me by the Secretary of that body, calling upon "the Secretary of State to inform the General Assembly of the several dates of the Commissions issued to Colonel Benjamin Hopkins, a Major General under the Militia laws of this State, and whether any other commissions have been so issued, and their respective dates," I have to reply, that a Commission was this day issued to Benjamin Hopkins, in pursuance of an order from His Excellency, the Governor, of which, I annex a copy.

I know of no other commission issued under said Act.

Very Respectfully,

Your obedient servant,

C. W. DOWNING,

Secretary of State.

[COPY.]

EXECUTIVE CHAMBER, }
January 11, 1853. }

I have appointed Benjamin Hopkins Colonel, under the provisions of "An Act to provide for the final removal of the Indians now remaining in Florida, beyond the limits of this State," approved, 20th January, 1851. You will accordingly issue a commission for the

same, to continue so long as such service may be rendered necessary.

THOS. BROWN.

To the Hon. C. W. DOWNING,

Secretary of State.

Which was read.

Mr. Provence offered the following resolution :

WHEREAS, The Senate has received information through a communication of His Excellency, Governor Brown, that Gen'l. B. Hopkins, has, on this, the 12th day of January, 1853, been ordered and commissioned to raise a regiment of mounted men, under An Act of the General Assembly of 1850 and 1851, and whereas the Senate has reason to believe that the said orders and commission have not been dispatched, but are yet in the possession of the Governor, and whereas the General Assembly repealed, on the 3d instant, the Act of 1850 and 1851, under which the said regiment is to be organized, and the said Colonel appointed, and whereas the General Assembly have passed An Act providing for the speedy removal of the Indians,

Therefore be it resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened, That His Excellency, the Governor, be requested to retain the orders which he is about dispatching to General Hopkins, as well as the said commission.

Which was read, and upon the adoption of which, the yeas and nays were called for by Messrs. Finley and Gillis, and were :

YEAS—Mr. President, Messrs. Baldwin, Johnson, Moseley, Provence, Snell and Wynn—7.

NAYS—Messrs. Finley, Forsyth, Gillis and Smith—4.

So the resolution was adopted.

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

The following communication was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, }
January 12, 1853, }

Hon. President of the Senate :

Sir—The House has indefinitely postponed Senate bill to be entitled An Act to put into liquidation all defaulting banks of this State.

Respectfully,

JOHN DICK,

Clerk House of Representatives.

Which was read.

Also the following :

HOUSE OF REPRESENTATIVES, }
January 12, 1853. }

Hon. President of the Senate :

Sir—The House have passed the following bills and resolution :

Bill to be entitled An Act to authorize Joseph Robles to build a bidge across the Hillsboro' river, and for other purposes ;

Also, without amendment :

Senate bill to be entitled An Act supplementary to a bill to be entitled An Act for the relief of Dr. J. W. Bozeman, approved January 8th, 1853 ;

Senate resolution relative to the Seminole Indians.

Respectfully,

JOHN DICK,

Clerk House of Representatives.

Which was read and the House bills placed among the orders of the day :

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

The Committee on Enrolled Bills, report as correctly enrolled, An Act to prevent obstructions to the navigation of the river and the harbor of St. Marks and Tampa.

Respectfully submitted,

M. A. LONG,

Chairman Committee on Enrolled Bills.

Which was read.

House bill to be entitled An Act to authorize Joseph Robles to build a bridge across the Hillsborough river, and for other purposes, Was read a first time, the rule waived, read a second and third time, and upon the question of its passage, the vote was :

YEAS—Mr. President, Messrs. Baldwin, Blackburn, Finley, Forsyth, Gillis, Johnson, Long, Moseley, Provence, Smith, Snell and Wynn—13.

NAYS—Mr. Kilcrease—1.

So the bill passed, title as stated.

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

On motion, the rules were waived, so as to allow Mr. Long, to introduce without previous notice,

A bill to be entitled An Act for the relief of George W. Philips, Which was read a first time, rule waived, read a second and third time, and upon the question of its passage, the vote was :

YEAS—Mr. President, Messrs. Baldwin, Blackburn, Finley, Forsyth, Gillis, Johnson, Kilcrease, Long, Moseley, Provence, Smith and Snell—13.

NAYS—0.

So the bill passed—title as stated.

Ordered to be certified to the House.

On motion, the rule was waived, so as to allow Mr. Forsyth to introduce without previous notice,

A bill to be entitled An Act amendatory of an act entitled an act to provide for the payment of Coroner's Juries, and for other purposes, approved January 24, 1851.

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

YEAS—Mr. President, Messrs. Baldwin, Blackburn, Finley, Forsyth, Gillis, Johnson, Kilcrease, Long, Moseley, Provence, Smith, Snell and Wynn—14.

NAYS—0.

So the bill passed—title as stated.

Ordered to be certified to the House.

On motion of Mr. Baldwin, the veto message and bill accompanying the same, were taken from the table for the purpose of acting thereon ;

Pending which, the Senate took a recess till half past seven o'clock.

HALF PAST SEVEN O'CLOCK.

The Senate met pursuant to adjournment ;

When the consideration of the bill and veto of the Governor was again resumed.

Upon the question of its passage over the veto of the Governor, the vote was as follows :

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

NAYS—Messrs. Finley, Forsyth, Gillis and Smith—4.

The bill having received a Constitutional majority was declared duly passed.

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

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

Resolution relative to the commission and orders of Gen. B. Hopkins.

WHEREAS the Senate has received information through a communication, of his Excellency, Governor Brown, that General B. Hopkins, has on this the 12th day of January, 1853, been ordered and commissioned to raise a regiment of mounted men, under An Act of the General Assembly of 1850 and '51 : *And Whereas*, the Senate has reason to believe that the said order and commission have not been dispatched, but are yet in the possession of the Governor or Secretary of State: *And Whereas*, the General Assembly repealed, on the 3d instant, the Act of 1850 and '51, under which the said regiment is to be organized, and the said Colonel appointed: *And Whereas*, the General Assembly has passed An Act providing for the speedy removal of the Indians,

Therefore, be it resolved by the Senate, That his Excellency the Governor and Secretary of State, be requested to retain the orders which are about to be dispatched to General Hopkins, as well as said commission.

Which was read, and upon the adoption of which the yeas and nays were called for by Messrs. Smith and Finley, and were :

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

NAYS—Messrs. Finley, Forsyth, Gillis and Smith—4.

So the resolution was adopted.

Ordered, That certified copies thereof, be forwarded to His Excellency, Governor Brown, and also to the Secretary of State.

On motion, a Committee consisting of Messrs. Snell, Kilcrease and Forsyth, were appointed to convey the above resolution to His Excellency, Governor Brown.

The Committee returned and reported that they had visited the Executive office but found it closed.

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

THURSDAY, January 13th, 1853.

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

A quorum being present, the reading of the journal was dispensed with.

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

EXECUTIVE CHAMBER, }
January 13, 1853. }

HON. R. J. FLOYD,

President of the Senate :

SIR—I have approved and signed An Act to prevent obstructions to the navigation of the River and Harbor of St. Marks and Tampa.

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

THOS. BROWN.

Which was read.

The following message was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, }
January 12, 1853. }

Hon. President of the Senate :

SIR—The House have passed a bill to be entitled An Act to prevent the carrying of concealed weapons outside the clothes, and for other purposes.

Respectfully,

JOHN DICK,

Clerk House Representatives.

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

The following message was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, }
January 12, 1853. }

Hon. President of the Senate :

SIR—The House have passed Senate resolution in relation to the commission and orders of General B. Hopkins, without amendment.

Respectfully,

JOHN DICK,

Clerk House Representatives.

Which was read.

ORDERS OF THE DAY.

House bill to be entitled An Act to prevent the carrying of concealed weapons outside of the clothes, and for other purposes,

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

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

Resolution for the relief of William W. J. Kelly.

Resolved by the Senate and House of Representatives of the State of Florida, in General Assembly convened, That William W. J. Kelly, be and he is hereby exempted from all liability to pay to the State of Florida, the sum of two hundred and fifty dollars, which he received from the contingent fund on the 16th day of February, 1847, while acting as Captain of a company of Volunteers, raised by order of the Governor of this State to garrison the post of Pensacola, for which sum said Kelly executed his note to the Governor of this State, the money having been furnished to defray the expenses of transporting said company to Pensacola from Tallahassee ; for which purpose the Treasurer of this State is duly authorized to cancel said note, and deliver the same to said Kelly.

Which was read a first time, rule waived, read a second and third time and passed.

Ordered, That the same be certified to the House.

A Committee from the House informed the Senate, that the House was now ready to proceed with the election of a board of Internal Improvement.

On motion, the rule was waived so as to allow Mr. Johnson to introduce without previous notice,

A bill to be entitled, An Act to provide for carrying into effect a resolution approved 8th January, 1853, in favor of B. Hopkins and others, for their services in defending the frontier in the year 1852.

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

YEAS—Mr. President, Messrs. Baldwin, Blackburn, Forsyth, Johnson, Long, Moseley, Smith, Snell and Wynn—10.

NAYS—None.

So the bill passed—title as stated.

Ordered, to be certified to the House of Representatives.