

The rule was waived, and he permitted to make the following minority report :

The undersigned, one of the Committee to whom was referred the Petition of J. A. Pillans for relief, asks leave to make a minority report.

My understanding of the case referred, was somewhat different from the report made by the Chairman of the Committee. Mr. Pillans was found peddling without a license by the Sheriff of Columbia County, as was my understanding, for which the law requires a penalty of double tax—the Sheriff did so collect such tax. Therefore, as Mr. Pillans was transgressing the law, and the amount paid was only such amount as the law requires should be paid, although collected summarily, yet no more, it seems to me, was collected from him than the law requires. I beg leave to dissent from the views of the majority reporting a bill for his relief.

Respectfully,

JAMES W. SMITH,

From the Committee on Claims and Accounts.

Which was received and read.

A bill to be entitled An Act to provide for the funding and payment of the audited scrips of the late territory of Florida, and for other purposes,

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

A bill to be entitled 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,

Was read a second time and ordered to be engrossed.

House bill to be entitled An Act to define more particularly the County lines of Calhoun County, came up,

Senate went into Committee of the Whole, Mr. Snell in the Chair.

After some time spent therein, the Committee rose, and through their Chairman, reported the bill back to the Senate, as amended, and asked to be discharged from the further consideration thereof.

A bill to be entitled An Act to equalize taxation in this State,

Came up on its second reading ;

The Senate went into Committee of the Whole upon said bill, Mr. Smith in the Chair,

And after some time spent therein, the Committee rose, and through their Chairman, reported progress and asked leave to sit again.

House bill to be entitled An Act to prevent negroes from being taken out of the State from the present Indian country, without notice,

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

House bill to be entitled An Act relating to the assessment of taxes in the county of Jackson,

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

House bill to be entitled An Act requiring the Register of Public Lands for this State, to procure and keep a seal of office,

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

House bill to be entitled An Act to require the Register of State lands, to furnish clerks of the Circuit Courts with a list of all lands, subject to private entry, in this State, where any of said lands lie and for other purposes,

Was read a first time by its title, rule waived, and ordered for a second reading on to-morrow.

A bill to be entitled An Act concerning pre-emptions, on sixteenth sections and lands selected in lieu thereof,

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

A bill to be entitled An Act for the relief of Thomas B. Wynn,

Was read a second time and ordered to be engrossed.

A bill to be entitled An Act repealing certain existing rules of descent,

Was read a first time, rule waived, read a second time and referred to the Committee on Judiciary.

An Act to amend the laws relating to executors and administrators,

Was read a first time, rule waived, read a second time by its title, and referred to the Committee on Judiciary.

A bill to be entitled An Act amendatory to an act to establish and organize a Mayor's Court in the city of Apalachicola,

Was read a first time, rule waived, read a second time, and referred to the Committee on the Judiciary.

The Senate then adjourned until to-morrow morning, 10 o'clock.

FRIDAY, December 24, 1852.

The Senate met pursuant to adjournment. Rev. Mr. Zealey officiated as Chaplain. A quorum being present, the journal of yesterday's proceedings was read, amended and approved.

Mr. Johnson moved that the Committee on the Militia be instructed to examine the condition of the public arms and to report by bill or otherwise, the propriety of building an Armory, or distributing the said arms ;

Which was adopted.

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

The Committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Jackson county, requesting the repeal of An Act declaring Robinson's Spring Creek, in said county a navigable stream, have had the same under consideration, and ask leave to report :

That they believe the prayer of petitioners reasonable, they being the best Judges of what is for their own benefit, and report a bill for their relief.

Respectfully,
O. BUDDINGTON,
Chairman.

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

A bill to be entitled An Act to incorporate the Pensacola and Georgia Railroad,

Came up on its third reading, and on motion, was made the special order of the day for Wednesday.

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

The Judiciary Committee, to whom was referred a bill to be entitled An Act to change and modify the penal statutes in relation to gaming, have considered the same. The proposed amendment, the Committee think calculated to promote the ends of justice, and to reduce the costs now paid by the State. As the law now stands, the penalty for gaming of the lowest grade, is in all cases fine and imprisonment, and the amendment proposes to change it so as to be fine or imprisonment. The Committee believe that acquittals of guilty defendants often result from the supposed severity of the punishment. The Committee recommend the passage of the bill.

All of which is respectfully submitted.

M. A. LONG,
Chairman Judiciary Committee.

Which was received, and the bill placed among the orders of the day.

Also the following report :

The Judiciary Committee to whom was referred a bill to be entitled An Act for the relief of the Southern portion of Gadsden county, perceive no valid objection to the passage of said law. It appears from the evidence before the Committee, that it is burdensome to those citizens residing in the Southern portion of Gadsden county, to attend as jurors and witnesses at Quincy, and that as the county is populous the exemption of those persons from the discharge of those duties, will work no public inconvenience. Therefore, the Committee recommend that said bill do pass.

Respectfully Submitted,
M. A. LONG,
Chairman Judiciary Committee.

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

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

EXECUTIVE CHAMBER, }
December, 24, 1852. }

The HON. R. J. FLOYD, President Senate :

Sir,—By a joint resolution of the General Assembly, approved 13th January, 1849, it was made the duty of the Governor of this State to correspond with M. Vattemare, of Paris, in regard to his "System of International Exchange of specimens of Natural History and works of Science and Art, between the different nations of the World ; and adopt such measures as he may deem most expedient to carry out the object in view, and report to the next session of the Legislature."

I have the honor, now to report to the General Assembly, that I have performed that duty. That some time ago, I received a case of rare and valuable books, which were deposited in the State Library ; and recently, I received the accompanying highly interesting letter from M. Vattemare, on the subject of his system of international exchanges, and a pamphlet published by order of the Legislature of New Hampshire, containing an address delivered by M. Vattemare, before the Legislature of that State, in June, 1849, with instructions in regard to his system.

It will be seen that many of our most distinguished statesmen have expressed opinions favorable to this noble enterprise. It will be sufficient, however, to quote the opinion of one of them.

From the Hon. Franklin Pierce.

"That which was formerly only a figure of speech, will now be a substantial reality, and the scientific and literary union of Nations, which your efforts have effected, will consolidate the republic of letters."

The Congress of the United States, and many of the States of the Union, have made liberal donations to the support of this system : and I would respectfully recommend to the General Assembly, a small annual appropriation for the same object—say \$200, and the appointment of M. Vattemare, the Central Agent for this State at Paris, and also the appointment of an agent or committee here, to superintend exchanges on the part of this State.

I would respectfully request that M. Vattemare's letter may be spread upon the Journal, and that the subject be referred to a joint committee of the two Houses of the General Assembly.

I have the honor to be,

Your most obedient Servant, &c.
THOMAS BROWN.

PARIS, October 13th, 1852.

To His Excellency, THOMAS BROWN,

Governor of the State of Florida :

Sir—Receiving no acknowledgments for the books forwarded by me from New York, in 1852, or for the letters I have had the honor of addressing to your Excellency from New York, Washington and

Paris, in answer to a communication from the Honorable Secretary of State, and supposing that they never reached their destination, allow me to repeat that it was with a very great gratification, that I received, a few days before leaving America's hospitable shores to return to France a letter written at your request, dated October 4th, 1850, by the Honorable Secretary of State, containing, with the expression of your Excellency's good will, a copy of a joint resolution of the two Houses of the General Assembly of Florida, approved, January, 1849, most favorable to our system of International Exchanges.

It is well understood 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 results of centuries of civilization and experience. Yet the wonderful rapidity with which the inexhaustible resources of your blessed country are developed, by the energy and noble patriotism of its citizens, will soon rank Florida among the most civilized States of the earth. Even now you have enough to offer in exchange for any work on the Sciences, Literature or the fine Arts of the Old World.

A few series from the beginning, if possible, of the journals, proceedings and reports printed by order of the Legislature, the Laws and Digest of the same, the literary productions of the native genius of Florida, and, when these resources will have been exhausted, you will find in the splendid natural productions of your soil, more than enough to provide your scientific repositories with the intellectual productions of the earth; for there is not a nation, having museums of natural history, that would not be happy to exchange copies of their scientific productions for specimens of the natural history of Florida.

You may expect Casts of the Venus of Medicis, engravings or copies of the master pieces of Arts, in exchange for your tortoises, your rattle-snakes and alligators. The immense variety of the woods of your forests, the fishes and shells of your shores, your birds, quadrupeds, reptiles and insects are the most, valuable cash to be used in that new scientific commerce.

Allow me to repeat that the principal aim of the system is to establish between Nations a new and fraternal link, so much the more lasting, that it is based upon the exchange of every thing calculated to the promotion of faith, morality, love and good will towards each other. The motto of our system of intellectual union is: "*give with joy and receive with gratitude.*" A mere pamphlet we do not possess is far preferable to a work in fifty volumes, of which we may have a great number of duplicate copies, taking useful room on the shelves of a Library.

I shall not, for the present, enter into any details upon the importance of our system and its progress in Europe, nor of the incalculable advantages to be expected from its universal adoption. They will strike at once every intelligent mind. Yet the movement of the ex-

change among the Nations having already adopted the principle of the system, will be the subject of the first official report I shall have the honor of addressing your Excellency, as the Agent of Florida, if the Legislature think proper to bestow upon me this honorable title.

Meanwhile, relying upon the kind disposition of the Legislature and Executive, so eloquently expressed in Mr. DOWNING's letter, I have the honor of informing your Excellency, that I have prepared a series of valuable and useful works relative to Sciences, Arts, Legislation, Agriculture, Industry, &c., from France, Belgium, Holland, &c., already packed up and ready to be forwarded the moment I shall have received your orders in relation to their transmission, so as to secure the safe arrival of the case containing them.

I take the liberty of addressing to your, Excellency, at the same time, a copy of a pamphlet published by order of the Legislature of the State of New Hampshire, containing with my address to the legislature, a series of instructions, prepared by the Professors of the Museum of Natural History, on the best mode of collecting, preserving and transporting objects of natural history. These instructions have been republished by almost all the Northern States of the Union, and widely circulated in the country and public schools, where they have produced a very good effect, having created among the people a taste for the study of natural history and co-operators to the system of exchanges, many of them having collected objects of natural history, the merits of which had never attracted their attention before, and which are placed by them at the disposal of the Executive for exchange with Europe. Perhaps the legislature will judge it useful to have these instructions republished for the use of the people of the State.

Allow me, sir, to close this letter by the following remarks contained in my letter dated from Washington, October, 1852.

"Most of the States have either adopted the plan of intellectual intercourse with the nations of the Old World, and contributed liberally towards its support, or have indicated a desire to do so. Those that have engaged in the system and have reaped its first fruits, have been satisfied with its results in enriching their libraries with the productions of European genius. My object, in the present letter, is to urge upon such States the importance of securing its permanence by the adoption of measures calculated to place its support beyond the reach of political contingencies. To this end, I would beg leave respectfully, to make the following suggestions.

1. The appropriation made by each State should be quite small, so small as not to offer a mark for retrenchment, and to be in the neighborhood of the pecuniary value of the objects received; and a portion of the sum should be retained to pay the home expenses of the system. In making this suggestion, I do not wish to be understood as recognizing the pecuniary value as a just measure of acts of national comity and good-will. But I wish to put the system of ex-

change beyond the reach of the cavils of those who recognize no other mode of estimation.

2. The appropriation should be certain. Some of the States, in a spirit of liberality, have made appropriations larger than would be necessary if all contributed their proportion to the support of the system, and remitted the amount appropriated with promptitude and regularity. The efficient conduct of the system depends upon the certainty and permanence of the appropriations, more than upon their amount. Clerk-hire, office-rent, transportation, travelling expenses, &c., demand a constant and certain income, and without the means of meeting these expenses, the system could not exist a single year. In the first years of its existence my own purse supplied the means of realizing a favorite and long cherished idea; but having now presented it fairly to the world, I cannot doubt that, being found to repay an hundred fold the comparatively trifling cost of its maintenance, it will be liberally supported.

3. A standing committee or permanent agent, should be appointed by each State, to be charged with the business of exchange. It should be the duty of the committee or agent, to communicate to the central agency a statement, at certain intervals, of the intellectual wants of the State, the books, maps, works of art, &c., which are most needed, and of the objects which are in possession to be given in exchange. For want of such a system, I have been obliged, in most cases, to rely entirely upon my own judgment, and may often have erred by sending to a State what it already possessed.

The great questions in these exchanges are, what do you want, and what have you got to give in return for the supply of your wants? The whole efficiency and usefulness of the plan rests upon an intelligent reply to these questions. I beg leave to ask particular attention to the indispensableness of a provision of this kind.

Should these three points be attended to by the States adopting the plan, I shall have no fears for its permanent establishment and complete success.

There is another idea which I have long cherished, which I wish to place in a prominent light before the American people, and in which I hope to secure their unanimous co-operation. It is the establishment of an American Library in the City of Paris. Much progress has already been made in the realization of this idea; nearly ten thousand volumes of works, exclusively American, have already been collected, and now form the nucleus of an American Library, under the special and exclusive direction of the city authorities of Paris. It is their intention to arrange the works belonging to the several States in separate alcoves, inscribed with the names and arms of the various members of the Confederacy from which they come; and to collect there the busts and portraits of the celebrated men of your country, and the production of her artists in every kind.

To accomplish a plan so eminently calculated to place America in her first position before the eyes of Europe, I make my appeal to the patriotism of the citizens of the States.

I hope that the authors and publishers of America will respond to the proposition, by contributing to that Library specimens of the productions of American learning and genius. Would not your Excellency take some measures to bring this subject to the attention of the people of your State, in order that they may be faithfully represented? The contributions made for this purpose should have their destination distinctly indicated, and should pass through the State agency.

Among the most prominent elements of usefulness in this Library would be a complete series of the State laws. Questions arising before foreign consuls and ministers, render these works of the utmost value for reference. I need not, I am sure, point out to your Excellency, the value and importance of such an establishment in the heart of Europe. They will at once suggest themselves. In such a library every thing American would find an appropriate place. Pamphlets maps and engravings, as well as books, would there possess an interest perhaps unsurpassed at home, where they are apt to be under-valued, or over-looked, or thought to possess a merely local interest.

I have the honor to be with great respect, sir,

Your Excellency's very humble,

and obedient servant,

ALEXANDER VATTEMARE.

N. B. May I beg respectfully of your Excellency, to inform me as soon as convenient, whether the series of works transmitted in 1850, and among which was a copy in five volumes of "*La Maison Rustique*," the most valuable agricultural work ever published in France, [were received]. In case the case containing these works were not received, I will try to add another copy of "*La Maison Rustique*" to the collection prepared for Florida.

Anything destined for International Exchange, may be directed free of freight, care of Edgar Irving, Sample Office, Custom House, New York. The cases must be directed "*International Exchange, a M. A. VATTEMARE, Central Agency, Paris.*"

Which together with the accompanying documents were referred to a Select Committee, to act with a like committee from the House of Representatives.

Mr. Finley from the Committee on Engrossed bills made the following report:

The Committee on Engrossed Bills report as correctly engrossed, An Act to define the boundary line between Jackson and Calhoun counties.

An Act for the relief of Thomas B. Wynn.

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.

An Act for the relief of J. A. Pillans.

And An Act to provide for the funding and payment of the audited scrip of the late Territory of Florida, and for other purposes.

Respectfully submitted,

J. J. FINLEY,
Chairman.

Which was received, and the bill placed among the orders of the day.

ORDERS OF THE DAY.

A Bill to be entitled An Act for the relief of Thomas B. Wynn,

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

YEAS—Mr. President, Messrs. Baldwin, Blackburn, Brown, Buddington, Finley, Forsyth, Gillis, Gonzalez, Johnson, Long, Moseley, Smith, Snell, Stewart and Wynn—16.

NAYS—0.

So the bill passed—title as stated.

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

A bill to be entitled 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,

Was read a third time, and upon the question of its passage, the vote was as follows :

YEAS—Messrs. Blackburn, Buddington, Finley, Forsyth, Gillis, Gonzalez, Johnson, Long, Moseley, Smith, Snell and Wynn—12.

NAYS—Mr. President and Mr. Brown—2.

So the bill passed—title as stated.

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

A bill to be entitled An Act for the relief of J. A. Pillans,

Was read a third time, and on the question of its passage the vote was :

YEAS—Messrs. Baldwin, Blackburn, Brown, Gonzalez, Johnson, Long, Moseley and Snell—8.

NAYS—Mr. President, Messrs. Buddington, Finley, Forsyth, Gillis, Provence, Stewart and Wynn—8.

So said bill was lost.

A bill to be entitled An Act to provide for the funding and payment of the audited scrip of the late Territory of Florida, and for other purposes.

Was read a third time, and by unanimous consent, Mr. Long offered the following amendment :

Provided, That if any claim provided for in this Act shall be held by assignees or purchasers thereof, such assignee shall receive thereon no greater sum than the amount paid for such assignment or transfer, with interest from the time of the payment thereof, and that the Comptroller take the oath upon this point of all claimants.

Which was adopted,

And on the question of its passage of the bill the vote was :

YEAS—Mr. President, Messrs. Baldwin, Buddington, Finley, Forsyth, Gonzalez, Johnson, Kilcrease, Stewart and Wynn—10.

NAYS—Messrs. Blackburn, Brown, Gillis and Moseley—4.

So said bill passed—title as stated.

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

On motion of Mr. Baldwin, the rule was waived and he permitted to make the following report :

The Committee on Schools and Colleges to whom was referred the message of His Excellency, the Governor, transmitting a letter from the Principal of the Deaf and Dumb School in Alabama, beg leave to report :

That they have recommended an amendment to the bill to be entitled An Act to establish Common Schools, &c., by which (if adopted) it will be ascertained if any deaf mute children reside in this State. Your committee do not deem that any further action is necessary at this time, inasmuch as it is not known whether there are any such children in Florida. When that fact is ascertained, the General Assembly will be able, if it shall be necessary, to make some provision for their benefit.

Which is respectfully submitted,

JOHN P. BALDWIN,
Chairman.

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

A bill to be entitled An Act to promote Agriculture in this State,

Came up, the Senate went into committee of the whole, Mr. Finley in the Chair, and after some time spent therein, the committee rose and through their chairman, reported the bill back to the Senate, and asked to be discharged from the further consideration thereof.

Mr. Blackburn moved the indefinite postponement of the bill,

Upon which, the yeas and nays were called for by Messrs. Baldwin and Blackburn, and were as follows :

YEAS—Messrs. Blackburn, Brown, Gillis, Kilcrease, Provence, Snell and Stewart—7.

NAYS—Mr. President, Messrs. Baldwin, Buddington, Finley, Forsyth, Gonzalez, Johnson, Long, Moseley, Smith and Wynn—11.

So said motion was lost,

And the bill ordered to be engrossed.

House bill to be entitled An Act to define more particularly the county lines of Calhoun County,

Was read a third time, and on the question of its passage the vote was :

YEAS—Messrs. Baldwin, Blackburn, Brown, Buddington, Finley, Forsyth, Gillis, Gonzalez, Johnson, Kilcrease, Long, Moseley, Provence, Smith, Snell, Stewart and Wynn—17.

NAYS—Mr. President—1.

So said bill passed as amended.

A bill to be entitled An Act to equalize taxation in this State,

Came up, when on motion, the Senate went into Committee of the Whole, Mr. Smith in the Chair, and after some time spent therein, the Committee rose, and through their Chairman, reported progress and asked leave to sit again.

On motion, the bill was then laid on the table.

A bill to be entitled An Act making appropriations for the compilation and publication of Thompson's collection of the British Statutes of force in this State,

Came up, when the Senate went into Committee of the Whole, Mr. Finley in the Chair, and after some time spent therein, the Committee rose, reported progress and asked leave to sit again.

On motion, said bill was made the special order of the day for Wednesday next.

Mr. Gonzalez moved, that the Senate adjourn until next Monday, 12 o'clock.

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

YEAS—Messrs. Blackburn, Brown, Forsyth, Gonzalez, Kilcrease, Long, Smith, Snell and Stewart—9.

NAYS—Mr. President, Messrs. Baldwin, Buddington, Finley, Johnson, Moseley and Wynn—7.

So said motion prevailed, and the Senate adjourned to 12, M.

MONDAY, December 27th, 1852.

The Senate met pursuant to adjournment. Rev. Mr. Zealey officiated as Chaplain. A quorum being present, the Journal was read and approved.

Mr. Johnson presented the following protest:

The undersigned exercising the privilege accorded by the Constitution of this State, most solemnly protest, against the adjournment of the Senate from 1 o'clock on Friday, the 24th instant, until 12 o'clock on Monday, the 27th December, because the orders of the day had not been disposed of.

The undersigned, acknowledging the relation of Representatives to the Districts by which they were respectively constituted Senators, esteem it to be their bounded duty to appear and remain at their posts until the labors of each day are fully performed. The people have a right to require their Representatives to discharge the trust reposed in them, with all convenient speed; and those Senators who are willing and anxious to perform their duties, by remaining in session until the orders of each day are disposed of, are prevented from fulfilling their obligations to their constituents and the State by the action of the Senate, against which the undersigned protest. Another reason which strongly impresses itself upon the minds of the un-

dersigned is that unless the orders of the day are gone through with, the session of the General Assembly will be extended, and an unnecessary additional and heavy expense will be imposed upon the good people of this State, without any adequate corresponding benefit.

The undersigned, therefore, protest against all adjournments at an early hour in the day, unless the orders shall have been previously disposed of, whether such adjournments are the result of a disposition on the part of the Senators to indulge in any of the gaities of the season or proceed from any disinclination to labor.

ALLEN G. JOHNSON,
JOHN P. BALDWIN,
WM. B. WYNN,
R. J. FLOYD.

Which was read.

Mr. Baldwin gave notice that he would, on some future day, ask leave to introduce a bill to be entitled "An Act to provide for the appointment of a State Engineer.

Mr. Snell gave notice that he would, on some future day, ask leave to introduce a bill to incorporate a company to build a railroad across the Peninsula of Florida, under the style of the Florida Rail Road Company.

On motion of Mr. Johnson, the rule was waived, and he permitted to introduce the following bill:

A bill to be entitled An Act to permit Henry M. Stephens to sell the real estate belonging to the infant children of said Stephens,

Which was placed among the orders of the day.

Mr. Johnson moved that the Judiciary Committee be instructed to report a bill to provide for contesting the election of Governor, Justices of the Supreme Court, Judges of the Circuit Court and Solicitors,

Which motion was adopted.

The President gave notice that he had received a communication relative to the contested seat in the Senate, for the 17th District, Florida Legislature;

Which, on motion of Mr. Provence, together with the accompanying documents, were referred to the Committee on Elections, before which the said parties are authorized to appear by counsel.

Mr. Snell presented the petition of Azor Armstead;

Which was received and referred to the Committee on Claims and Accounts.

Mr. Gillis presented the petition of John B. Williams, Timothy Bell and 86 other citizens of Walton and Santa Rosa counties;

Which was received, and referred to the Committee on Internal Improvements.

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

The Judiciary Committee to whom was referred a bill to be entitled An Act amendatory of an act to establish and organize a Mayor's