

Nays—Mr. President, Messrs. Austin, Baldwin, Buddington, Crawford, Finley, McMillan, Smith, Stewart—9.

Said motion was lost.

Mr. Avery moved to strike out of the third section all of the other places for holding the Supreme Court in this State except Tallahassee;

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

Yeas—Messrs. Avery, Buddington, McMillan, Moseley, Smith, Stewart, Taylor—7.

Nays—Mr. President, Messrs. Austin, Baldwin, Brown of Columbia, Brown of Hillsborough, Crawford, Finley, Forward, Johnson, Maxwell, Perry—11.

Said motion was lost.

Said bill was ordered to a third reading to-morrow.

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

On this question, the yeas and nays were called for by Messrs. Finley and Smith, and were:

Yeas—Mr. President, Messrs. Austin, Baldwin, Brown of Hillsborough, Buddington, Crawford, Finley, Maxwell, McMillan—9.

Nays—Messrs. Avery, Brown of Columbia, Forward, Johnson, Moseley, Perry, Smith, Stewart, Taylor—9.

Said motion was lost.

Mr. Baldwin moved that the Senate adjourn until 11 o'clock, to-morrow, A. M.;

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

Yeas—Mr. President, Messrs. Austin, Baldwin, Brown of Hillsborough, Buddington, Crawford, Finley, Maxwell, McMillan, Smith—10.

Nays—Messrs. Avery, Brown of Columbia, Forward, Johnson, Moseley, Perry, Stewart, Taylor—8.

Said motion was carried.

The Senate adjourned until to-morrow, 11 o'clock, A. M.

WEDNESDAY, January 1st, 1851.

The Senate met pursuant to adjournment.

The Rev. Mr. Pratt officiated as Chaplain.

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

Mr. Johnson moved that a bill to be entitled, An act to amend an act entitled an act to organize the Supreme Court of the State of Florida, be made the special order of the day for Monday next.

Which motion was carried.

Mr. Avery gave notice, that he would at a future day, ask leave

to introduce a bill authorizing Associations for the purpose of Mutual Insurance.

Mr. Baldwin moved that a Committee of three be appointed by the Senate, to act with a similar Committee on the part of the House of Representatives, relative to the soil and climate of South Florida.

Which was carried, and Messrs. Baldwin, Brown of Hillsborough, and Forward were appointed said Committee.

Mr. Maxwell gave notice, that he would at some future day, ask leave to introduce a bill to be entitled, An act to regulate the offices of Clerks of the Circuit Courts, and for other purposes.

Pursuant to previous notice, Mr. Finley introduced a bill to be entitled, An act to amend the second clause of the eleventh article of the Constitution of this State, so as to allow the proceeds of the five hundred thousand acres of land donated to the State of Florida by the U. States for Internal Improvements, to be appropriated to the use of Common Schools;

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

The following message was received from his Excellency the Governor:

EXECUTIVE CHAMBER, December 31, 1850.

The Honorable R. J. FLOYD,

President of the Senate;

SIR:—I have approved and signed the following acts, viz:

An act for the relief of Nathaniel P. Marion;

An act in relation to the boundary line between the States of Georgia and Alabama;

An act altering the mode and manner of redemption of lands purchased by the State for taxes;

An act to amend an act providing for the purchase, on the part of the State, of lands offered for sale for taxes, approved January 11, 1849;

An act for the relief of the heirs of J. Underwood;

An act to amend an act entitled an act for the protection of Fisheries on the coast of Florida, approved December 17, 1845;

An act providing new modes of investing the School Fund, and also prescribing the time at which the first distribution of the interest of the School Fund shall be made;

An act to amend an act entitled an act for securing liens to Mechanics, Overseers and others, approved December 29, 1849;

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

I have also deposited in the office of the Secretary of State, without signing:

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 the Judges to the people.

THOMAS BROWN.

Mr. Baldwin, from the Committee on Engrossed bills, made the following Report:

The Committee, on Engrossed Bills beg leave to report of correctly engrossed.

A bill to be entitled, An act fixing the compensation of Tax Assessors and Collectors, for Assessing and Collecting taxes for County purposes; also

Engrossed amendments to House bill to be entitled, An act to amend an act to organize the Supreme Court of the State of Florida.

JOHN P. BALDWIN, *Chairman.*

Which was received, and said bills ordered to be placed among the orders of the day.

Mr. Taylor, from the Committee on Internal Improvements, made the following report:

The Committee on Internal Improvement, to whom was referred the special message of the Governor, and the communication to him from the Commissioner of the United States General Land Office, in reference to the grant to the State of all *swamp* or *overflowed* Lands, have had the same ^{e Se} under consideration, and beg leave to

REPORT:

That they entirely concur with the Governor in the opinion that the grant referred to "is one of large value" to our State. If, as your Committee hope, a proper estimate is placed upon the advantages which may be derived from this donation, so as to produce a corresponding desire on the part of the people fully to avail themselves of it, they do not doubt that the benefits to result to our State will be incalculable.

Your Committee indulge the hope that no sectional difference or individual interests will be permitted to exert their influence in the effort to adopt such a course of policy as may be deemed best calculated to secure to the State the largest benefit from this grant.— It will be seen by reference to the letter of the Commissioner of the General Land Office to the United States Surveyor General, that the latter officer is directed "to make out a list of all the lands thus granted to the State, designating those which have been sold or otherwise disposed of since the passage of the law, and the price paid for them when purchased." "The only reliable data," continues the Commissioner, "from which these lists can be made out are the field notes of the surveys on file in your office; and if the authorities of the State are willing to adopt these as the basis of those lists, you will so regard them. If not, and these authorities furnish satisfactory evidence that any lands are of the character embraced by the grant, you will so report them."

Your Committee are of opinion that the reliable data in the possession of the United States Surveyor General is not of such a character as the State should adopt as the basis of the lists to be made out by that officer.

The field notes of the Surveyors note only the margin of the swamps as the lines enter and leave them without, in the larger proportion of cases, noting lands "subject to overflow," and are "swampy" outside of the swamps or rivers for some distance. The connection of the swamps, as delineated on the map of the Township made out by the United States Surveyor, show as near as possible, without an actual survey, the topography of the Township, but these connections are frequently uncertain in regard to the area covered by the swamp, in which event, the adoption of the field notes in the Surveyor General's Office as the basis of the lists to be made out by him, would be prejudicial to the interest of the State.

By adopting the alternative allowed in the letter of the Commissioner, the State can, (aided by the authority of the Federal Government,) with the field notes and township maps in the office of the United States Surveyor General, enter upon the work of furnishing "satisfactory evidence," in the mode pointed out by the Commissioner, that such tracts of land as may be claimed are of the character embraced in the grant.

The estimated amount of land owned by the United States before making this grant, was near thirty-four millions of acres. It is supposed that the number of acres embraced in the grant cannot fall far short of ——— millions of acres, including some of the best and most valuable lands in the State, lying on the rivers and water courses, and the whole extent of our Gulf coast. To make this grant profitable and advantageous to the State, it is all-important that a proper system in regard to it should be adopted, and all due energy should be infused into the department which shall be charged with its supervision and management.

The system under which the Seminary and Internal Improvement Lands have been selected and secured to the State, has, so far as your Committee are informed, worked well. Many of the most valuable lands in the State have been secured under it, and with as much despatch as the nature of the case admitted.

Your Committee think it would not be wise to throw aside that system for any other which has not been tried by the test of experience, and therefore recommend the passage of a law making it the duty of the State Register, under the provisions of the act entitled, An act to establish the office of Register of Public Lands, approved Dec. 26, 1845, to proceed as soon as it can be done consistently, with a due regard to economy and the interest of the State, to examine, survey, select and secure to the State all the lands to which she may be entitled under the recent act of Congress.

It is true that this will impose additional duties on the Register, whose labors are already arduous but the State can secure the per-

performance of additional duties from an agent already in office at a higher rate than she can secure the performance of the same duties from an officer newly created only for the discharge of those duties. In consideration of these additional duties and to enable the Register the better to pay his deputy and to employ a clerk, your Committee recommend that the sum of 500 dollars be added to his salary.

Your Committee report herewith a bill to be entitled, An act concerning the swamp and overflowed lands granted by Congress to this State, which embodies their views in reference to what is at present necessary to be done to secure said granted lands to the State. Additional legislation may hereafter be required to meet such contingencies as may arise, but your Committee have not thought it essential at this time to report any other measure for the adoption of the Senate.

They ask to be discharged from the further consideration of the subject.

W. R. TAYLOR, *Chairman.*

Which was received, and said bill ordered to be placed among the orders of the day.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, December 31, 1850.

Honorable President of the Senate:

Sir: The House have passed

A bill to be entitled, An act for the relief of John R. Jones;

Also, the following Senate bills, without amendment, viz:

Bill to be entitled, An act in addition to the acts now in force in relation to crimes and misdemeanors; and

Bill to be entitled, An act to require purchasers of State lands to make payment therefor to the Treasurer of this State.

Senate bill to be entitled, An act enlarging the powers of County Commissioners;

Passed the House with the following amendments to the first section, viz:

In the fifth line insert after the word "Counties," the words "next hereafter to be elected."

In the 8th line strike out the word "six," and insert the word "four" in lieu thereof.

Add the following proviso:

Provided, That the Counties of Columbia, Levy, St. Johns, Putnam, Monroe, Alachua, Nassau, Gadsden, Wakulla, Hamilton, Jefferson, Madison, Duval and Leon be exempted from the operation of this act.

In which amendments the concurrence of the Senate is respectfully solicited.

Respectfully,

H. ARCHER,

Speaker House of Representatives.

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

ORDERS OF THE DAY.

Bill to be entitled, An act providing for the Incorporation of Societies known as the Independent Order of Odd Fellows, and also of Societies know as Sons of Temperance;

Was read second time, and referred to the Committee on Coporations.

An engrossed bill to be entitled, An act to amend an act entitled an act to exempt Homesteads from Execution, Attachment and Distress, approved March 11th, 1845;

Was read third time; on the question of its passage the yeas and nays were:

Yeas – Mr. President, Messrs. Austin, Avery, Baldwin, Brown of Columbia, Brown of Hillsborough, Buddington, Crawford, Finely, Forward, Johnson, Maxwell, McMillan, Mosley, Perry, Stewart, Taylor – 17.

Nay – Mr. Smith – 1.

Said bill passed. Title as stated.

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

House bill to be entitled, An act to provide for the final removal of the Indians now remaining in Florida beyond the limits of the State;

Was on motion laid on the table.

Bill to be entitled, An act for the relief of Wm. D. Mosley, and for other purposes;

Was read the second time.

Mr. Avery, offered the following amendment, viz:

On the 20th July, 1851, and annually thereafter;

Which amendment was adopted, and said bill ordered to be engrossed for a third reading to-morrow.

House bill to be entitled, An act relating to the School Funds;

Was taken up.

Mr. Baldwin moved the indefinite postponement of said bill.

On which the yeas and nay were called for by Messrs. Baldwin, and Smith, and were:

Yeas – Mr. President, Messrs. Austin, Avery, Baldwin, Brown of Columbia, Brown of Hillsborough, Buddington, Crawford, Johnson, McMillan, Mosley, Perry, Stewart, Taylor – 14.

Nays – Messrs. Finely, Forward, Maxwell, Smith – 4.

Said bill was indefinitely postponed.

Bill to be entitled, An act giving to Judges of Probate the powers of Justices of the Peace;

Was read the Second time, and referred to the Committee on the Judiciary.

House bill to be entitled, An act to change the name of George B. Smith to George B. Smithson;

Was read the third time, on the question of its passage the yeas and nays were:

Yeas—Mr. President, Messrs. Austin, Avery, Brown of Columbia, Brown of Hillsborough, Buddington, Crawford, Finley, Forward, Johnson, Maxwell, McMillan, Moseley, Perry, Stewart—15.

Nays—Messrs. Baldwin and Smith—2.

Said bill passed. Title as stated.

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

House bill to be entitled, An act to authorize Absalom M. West to establish a Ferry across the Apalachicola River, at or near the mouth of Lake Iamonia;

Was read the third time; on the question of its passage, the yeas and nays were:

Yeas—Mr. President, Messrs. Avery, Baldwin, Buddington, Crawford, Finley, Forward, Johnson, Maxwell, McMillan, Perry, Smith, Stewart—13.

Nays—Messrs. Brown of Columbia, Moseley—2.

Said bill passed. Title as stated.

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

House bill to be entitled, An act to Incorporate the Apalachicola and Middle Florida Plank Road Company;

Was read the third time as amended; on the question of its passage the yeas and nays were:

Yeas—Mr. President, Messrs. Austin, Avery, Baldwin, Brown of Columbia, Buddington, Crawford, Finley, Forward, Johnson, Maxwell, McMillan, Moseley, Perry, Smith, Stewart, Taylor—17.

Nays—None.

Said bill passed. Title as stated.

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

Bill to be entitled, An act authorizing Judges of Probate to set apart Dower;

Was read the second time, and referred to the Judiciary Committee.

Engrossed bill to be entitled, An act fixing the Compensation of Tax Assessors and Collectors for assessing and collecting taxes for County purposes;

Was read the third time; on the question of its passage, the yeas and nays were:

Yeas—Messrs. Baldwin, Brown of Columbia, Johnson, Maxwell, Moseley—5.

Nays—Mr. President, Messrs. Austin, Avery, Brown of Hillsborough, Buddington, Crawford, Finley, McMillan, Perry, Smith, Stewart, Taylor—12.

Said bill was lost.

Bill to be entitled, An act concerning the swamp and overflowed lands granted by Congress to this State :

Was read the first time, rule waived, read the second time, by its title, and on motion laid on the table, and seventy-five copies ordered to be printed.

House bill to be entitled, An act for the relief of John R. Jones ;
Was read the first time, and ordered to a second reading to-morrow.

The following message was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, January 1, 1851.

Honorable President of the Senate :

SIR—The House have concurred in Senate amendments to House bill to be entitled, An act for the relief of William D. Branch and John H. Madison.

Respectfully,

H. ARCHER,

Speaker House of Representatives.

Which was, on motion, read.

On motion of Mr. Mosely, the Senate adjourned until half-past ten o'clock, A. M., to-morrow.

THURSDAY, January 2, 1851

The Senate met pursuant to adjournment.

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

Mr. Brown of Columbia, moved to take from the table and place among the orders of the day,

House bill to be entitled, An act to provide for the final removal of the Indians now remaining in Florida, beyond the limits of this State ;

Which motion was carried.

Mr. Avery, pursuant to previous notice, introduced a bill to be entitled, An act to provide for the incorporation of Insurance Associations ;

Which was read the first time, rule waived, read the second time by its title, and on motion laid on the table, and 75 copies ordered to be printed.

Pursuant to previous notice, Mr. Brown of Columbia introduced a bill to be entitled, An act to change the name of Sarah Frances Waters ;

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

Mr. Maxwell gave notice, that he would at some future day, ask leave to introduce a bill to provide for fixing the compensation of