

Friday, January 17, 1851.

The Senate met pursuant to adjournment.

A quorum being present, on motion of Mr. Avery the reading of the proceeding of yesterday, was dispensed with.

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

The Committee on the Judiciary, to whom was referred a bill to be entitled, An act to change the times of holding the Terms of the Circuit Court for Orange, St. Lucie and Putnam Counties, have had the same under consideration, and have instructed me to report in favor of its passage.

The Committee have also had under consideration the bill to be entitled, An act to amend the laws providing for the exemption of certain property from execution, and have instructed me to report that they approve the policy of said bill, and recommend its passage with the accompanying amendment.

A. E. MAXWELL, *Chairman.*

Amendment recommended by the Judiciary Committee:

Strike out the word "eighty," in the eighth line, and insert instead the following, "one hundred."

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

Mr. Brown, from the Committee on the State of the Commonwealth, made the following report:

The Committee on the State of the Commonwealth, to whom was referred the proceedings of a Convention held in Hillsborough County, in this State, relating to the removal of the remnant of the Seminole Indians from Florida to their homes in the West, ask leave to report:

That they believe the bill for the removal of the Indians, which has passed the present session of the General Assembly will accomplish all that the Convention desired, or at least "is the best," the General Assembly of Florida could do, taking into consideration her limited resources; your Committee, therefore, ask to be discharged from the further consideration of the subject.

Which is respectfully submitted.

R. BROWN, *Chairman.*

Which was received.

Also the following:

The Committee on the State of the Commonwealth, to whom was referred the petitions of sundry citizens of Alachua and Marion Counties, praying the creation of a new County from parts of the said Counties of Alachu and Marion; also, a petition from the sundry citizens of Marion County, praying that said new County may not be created, - have had the same under consideration; and believing that the creation of new Counties, at this time, will only lead to confusion in the Counties now formed, and that a general re-or-

Ganization will have to be made in all the Counties in East and South Florida, before the next apportionment of representation by the General Assembly; and as no serious inconvenience will likely result to the petitioners by deferring the creation of new Counties, at this time, your Committee ask to be discharged from the further consideration of said petitions, without reporting a bill.

Respectfully submitted.

R. BROWN, *Chairman*.

Which was received.

Mr. Baldwin, from the Committee on Engrossed Bills, made the following report:

The Committee on Engrossed Bills, report as correctly Engrossed –

An act for the Incorporation of Plank Road Companies;

An act granting to the Alabama and Florida Rail Road Company land granted, or hereafter to be granted, to the State by the General Government, for the purpose of aiding in the construction of a Railroad from Pensacola to Montgomery;

An act providing for the Investment of a portion of the Seminary and Common School Fund;

Preamble and Resolutions relative to lands granted by this State for Seminaries of Learning.

JNO. P. BALDWIN, *Chairman*.

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

ORDERS OF THE DAY.

Resolutions providing for the removal of the Seat of Government; Were read the second time.

Mr. Finely offered the following amendment, viz: Strike out the word "said" in the sixth line, and insert in lieu thereof the letter "a" and making the second resolution the first and third resolution the second and moved its adoption;

Which was carried.

Mr. Brown of Columbia, offered the following amendment:

Strike out "Be it further resolved," in the first section as amended, and insert in lieu thereof, "*Be it resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened,*" and moved its adoption;

Which was carried, and said resolutions ordered to be engrossed for a third reading to-morrow.

House bill to be entitled, An act to amend the laws providing for the exemption of certain property from execution,

Was, on motion of Mr. Baldwin, laid on the table.

House bill to be entitled, An act to change the time of holding terms of the Circuit Court for Orange, St. Lucie and Putnam Counties;

Was read the second time, rule waived, read the third time by its title, and on the question of its passage the yeas and nays were:

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

Nays—None.

Said bill passed. Title as stated.

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

House bill to be entitled, An act amendatory to acts in reference to Militia and Patrol duty and Crimes and Misdemeanors;

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

Yeas—Messrs. Avery, Baldwin, Brown of Columbia, Brown of Hillsborough, Buddington, Crawford, Finley, Forward, Johnson, McMillan, Perry,—11.

Nays—Mr. President, Messrs. Moseley, Stewart, Taylor—4.

Said bill passed as amended.

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

House bill to be entitled, An act to establish a Board of Agriculture for the State of Florida;

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

Yeas—Mr. President, Messrs. Avery, Baldwin, Brown of Columbia, Brown of Hillsborough, Buddington, Crawford, Finley,

House bill to be entitled, An act to prevent any person or persons being made liable for the payment of any subscription or subscriptions to any newspaper or newspapers, periodical or periodicals, or any document or documents, without said person or persons shall subscribe for in writing, request or order the same to be addressed to himself, herself, or themselves;

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

Yeas—Mr. President, Messrs. Brown of Columbia, Brown of Hillsborough, Crawford, Finley, Forward, Johnson, Maxwell, Moseley, Perry, Smith, Stewart, Taylor—13.

Nays—Messrs. Avery, Baldwin, Buddington, McMillan—4.

Said bill passed. Title as stated.

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

Resolution relative to the Public Lands in the State of Florida:

Was read the third time, and passed.

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

House bill to be entitled, An act to amend the laws now in force in relation to compensation to Physicians;

Was read the third time.

Mr. Baldwin offered the following amendment, viz :

Strike out of the fifth line in the third section, the words "at the Treasury of the State," and insert the words "by the County."

Which was adopted.

On the question of its passage, the yeas and nays were :

Yeas—Mr. President, Messrs. Avery, Baldwin, Brown of Columbia, Brown, of Hillsborough, Crawford, Finley, Maxwell, McMillan, Moseley, Smith, Stewart, Taylor—13.

Nays—Messrs. Buddington, Forward, Johnson, Perry—4.

Said bill passed. Title as stated.

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

The following communication was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, January 16th, 1851.

Honorable President of the Senate :

Sir:—The House have passed the following Senate bill and resolution, without amendment, viz :

Bill to be entitled, An act to regulate Camp Hunting in the Counties of Escambia and Santa Rosa ;

And, resolution for the relief of Henry C. Wilson.

Also, resolution relative to adjournment *sine die*, with the following amendment, viz :

Strike out "18th" and insert "24th ;"

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

The following Senate bills have been lost in the House, viz :

Bill to be entitled, An act to amend the first clause of the tenth article of the Constitution of this State, so as to authorize the appropriation of the proceeds of all lands heretofore granted, or which may be hereafter granted, by the United States to this State, for a Seminary or Seminaries of Learning, to the use of Common Schools ;

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

Respectfully,

H. ARCHER.

Speaker of the House of Representatives.

Which was read, and said Senate bill and Resolutions ordered to be enrolled.

The House amendment to Senate Resolution to adjourn *sine die* was concurred in.

And said House bills ordered to be placed among the orders of the day.

The following communication was received from the House of Representatives :

HOUSE OF REPRESENTATIVES, January 16, 1851.

Honorable President of the Senate:

Sir:—Senate bill to be entitled, An act to amend the act to Incorporate the Atlantic and Gulf Rail Road Company, which had passed both Houses of the General Assembly, and been transmitted to his Excellency the Governor for his approval, and was returned by his Excellency to the Senate with his objections to the passage thereof, and, after having passed the Senate over the Governor's veto, was transmitted to the House of Representatives, has been considered in that body, and having this day received the requisite constitutional majority, said bill is returned to the Senate.

Respectfully,

H. ARCHER,

Speaker House of Representatives.

Which was read.

Committee from the Senate proceeded to inform the House of Representatives that the hour agreed upon by both Houses to go into the election of an Associate Justice had arrived, and that the Senate was then ready to go into said election.

Said Committee reported that they had performed that duty.

Committee from the House informed the Senate that the House concurred, and that the names of Messrs. Brevard, Forward and Baltzell, were in nomination.

The Senate proceeded to a twenty first voting, which resulted as follows:

For Forward—Mr. President, Messrs. Brown of Columbia, Brown of Hillsborough, Johnson, Maxwell, Moseley, Perry, Taylor—8.
Result in the House, 24. Total, 32.

For Brevard—Messrs. Finley, Smith—2. Result in the House, 3.
Total, 5.

For Baltzell—0. Result in the House, 5.

Blank—Messrs. Buddington, Crawford, McMillan, Stewart—4.
House, 3. Total, 7.

There being no election, the Senate proceeded to a twenty-second voting, which resulted as follows:

For Forward—Mr. President, Messrs. Brown of Columbia, Brown of Hillsborough, Johnson, Maxwell, Moseley, Perry, Taylor—8.
Result in the House—26. Total, 34.

For Brevard—Messrs. Finley, Smith—2. Result in the House,
2. Total, 4.

For Baltzell—Mr. Baldwin—1. Result in the House, 4. Total,
5.

Blank—Messrs. Avery, Buddington, Crawford, McMillan, Stewart—5. House, 3. Total, 8.

There being no election, the Senate proceeded to a twenty-third voting.

Committee from the House informed the Senate that the names of Messrs. Forward and Brevard were withdrawn from nomination,

and the names of J. B. Sanderson and C. A. Mitchell put in nomination.

For Brevard—Mr. President, Messrs. Brown of Columbia, Brown of Hillsborough, Finley, Forward, Johnson, Maxwell, Moseley, Perry, Taylor—10. Result in the House, 4. Total, 14.

For Mitchell—Mr. Stewart, 1. Result in the House, 19. Total, 20.

For Sanderson—Messrs. Avery, Buddington, Crawford, McMillan, 4. House, 0. Total, 4.

Blank—Messrs. Baldwin, Stewart, 2. House, 1. Total, 3.

For Maxwell—in the House, 13.

Mr. Brown, of Columbia, withdrew the names of Messrs. Forward and Baltzell from nomination.

There being no election the Senate proceeded to a twenty-fourth balloting.

For Brevard—Mr. President, Messrs. Brown of Columbia, Brown of Hillsborough, Forward, Johnson, Maxwell, Moseley, Perry, Taylor, 9. Result in the House, 12. Total, 21.

For Mitchell—Messrs. Avery, Buddington, Crawford, McMillan, Smith, Stewart, 6. Result in the House, 20. Total, 26.

Blank—Messrs. Baldwin, Finley, 2. House, 0.

Maxwell—in the House, 4.

There being no election the Senate proceeded to a twenty-fifth voting:

For Brevard—Mr. President, Messrs. Brown of Columbia, Brown of Hillsborough, Forward, Johnson, Maxwell, Moseley, Perry, Taylor, 9. Result in the House, 8. Total, 17.

For Mitchell—Messrs. Avery, Buddington, Crawford, McMillan, Smith, Stewart, 6. Result in the House, 15. Total, 21.

Blank—Messrs. Baldwin, Finley, 2. House, 2. Total, 4.

For Maxwell—in the House, 12.

There being no election the Senate proceeded to a twenty-sixth voting, which resulted as follows:

For Brevard—Mr. President, Messrs. Brown of Columbia, Brown of Hillsborough, Moseley, Perry, 5. Result in the House, 13. Total, 18.

For Maxwell—Messrs. Forward, Johnson, Taylor, 3. Result in the House, 10. Total, 13.

For Mitchell—Messrs. Avery, Buddington, Crawford, McMillan, Smith, Stewart, 6. Result in the House, 10. Total, 16.

Blank—Messrs. Baldwin, Finley, 2. House, 2. Total, 4.

There being no election the Senate proceeded a twenty-seventh voting.

For Brevard—0. Result in the House, 3. Total, 3.

For Maxwell—Mr. President, Messrs. Brown of Columbia, Forward, Johnson, Perry, Taylor, 6. Result in the House, 15. Total, 21.

For Mitchell—Messrs. Avery, Buddington, Crawford, McMillan, Smith, Stewart, 6. Result in the House, 9. Total, 15.

Blank—Messrs. Baldwin, Finley, Moseley, 3. House, 4. Total, 7.

Committee from the Senate proceeded to the House to inform the House that the Senate would postpone said election until 12 o'clock to-morrow,

Said Committee reported they had performed the duty assigned them.

Committee from the House informed the Senate that the House concurred in Senate proposition to postpone said election, until 12 o'clock

House bill to be entitled, An act for the relief of Celestino Gonzales;

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

Yeas—Mr. President, Messrs. Avery, Baldwin, Brown of Columbia, Buddington, Crawford, Finley, Johnson, McMillan, Perry, Smith, Stewart—12.

Nays—Messrs. Brown of Hillsborough, Forward, Moseley, Taylor—4.

Said bill passed. Title as stated.

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

Bill to be entitled, An act in relation to the offices of Secretary of State, Comptroller, and Treasurer of this State;

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

Engrossed bill to be entitled, An act for the incorporation of Plank Road Companies;

Rule waived, read the third time by its title, and on the question of its passage, the yeas and nays were:

Yeas—Mr. President, Messrs. Avery, Baldwin, Brown of Columbia, Brown of Hillsborough, 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.

Engrossed Preamble and Resolution relative to lands granted to this State for Seminaries of Learning;

Was read the third time and passed.

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

Engrossed bill to be entitled, An act granting to the Alabama and Florida Railroad Company land granted or hereafter to be granted to the State by the General Government, for the purpose of

aiding in the construction of a Railroad from Pensacola to Montgomery.

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

Yeas—Mr. President, Messrs. Avery, Baldwin, Brown of Columbia, Brown of Hillsborough, 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.

Engrossed bill to be entitled, An act providing for the investment of a portion of the Seminary and Common School Fund;

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

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

Nays—None.

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 Coley R. Stewart to sell and convey certain property of the infant heirs of James Stewart, deceased;

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

Yeas—Mr. President, Messrs. Avery, Baldwin, Brown of Hillsborough, Buddington, Crawford, Finley, Forward, Johnson, Maxwell, McMillan, Moseley, Perry, Smith, Stewart, Taylor—16.

Nays—None.

Said bill passed. Title as stated.

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

On motion of Mr. Baldwin, the Senate adjourned until half-past 10 o'clock, to-morrow, A. M.

SATURDAY, January 18, 1851.

The Senate met pursuant to adjournment.

The Rev. Mr. Pratt officiated as Chaplain.

A quorum being present, on motion the reading of the proceedings of yesterday was dispensed with.

Mr. Avery moved that the bill to be entitled, An act to provide for the establishment of two Seminaries of learning be taken from the table and placed among the orders of the day.