

Nays—None.

Said bill passed, title as stated. Ordered that the same be certified to the House of Representatives.

The Senate on motion, adjourned until to-morrow half past 10 o'clock, A. M.

TUESDAY, December 10, 1850.

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. Stewart gave notice that he would, at an early day, ask leave to introduce a bill to be entitled, An act for the relief of the heirs of J. Underwood.

Mr. Forward gave notice that he would, on some future day, introduce a bill to be entitled, An act to amend an act providing for the purchase on the part of the State of lands offered for sale for taxes;

Also, An act altering the mode and manner of Redemption of Lands purchased by the State for Taxes.

Pursuant to previous notice, Mr. Baldwin introduced a bill to be entitled, An act to amend an act entitled an act to exempt homesteads from execution, attachment and distress, approved March 11, 1845;

Which was read the first time, and ordered to a second reading to-morrow, and 75 copies ordered to be printed.

Pursuant to previous notice, Mr. Baldwin introduced a bill to be entitled, An act to amend an act entitled an act for the protection of Fisheries on the coast of Florida, approved December 17th, 1845;

Which was read the first time, ordered for a second reading to-morrow, and 75 copies ordered to be printed.

The following communication was received from the Register of State Lands:

OFFICE OF THE REGISTER OF PUBLIC LANDS, }
TALLAHASSEE, December 9, 1850. }

To the Honorable R. J. FLOYD,

President of the Senate:

SIR: By a vote of the Senate, on the 5th inst., on a motion made by Mr. Avery, the Register was requested to inform that body "of the number of acres of Internal Improvement lands sold—the average price per acre for which said land has been sold—the number of acres sold, for which the State has complete title—the number of acres sold of land selected for internal improvements, but which selections have not yet been approved; also, the number of acres of Seminary land sold, and the average price per acre for which said land has been sold.

Also, that the Register should inform the Senate concerning the operation of the pre-emption law, passed at the last session—whether it has been beneficial in its operation or otherwise, and to make such suggestions as he might think advisable with regard to the management of the Internal Improvement and Seminary lands.”

In compliance with these requests, I have the honor to say that all the Internal Improvement lands that have heretofore been sold has been sold by pre-emption, and the whole amount so sold is 11,439 20-100 acres.

The sum of money for which they have been sold is \$11,980.59-100. The average price at which they have been sold is one dollar and three mills per acre.

The number of acres sold, for which the State has complete title is 9,137, and the number of acres sold, of selections which have not yet been approved by the United States Government, is 2,302, and the date of the last sale of the last mentioned lands is Oct. 26, 1850.

With regard to the Seminary lands, I will, as soon as I can have it prepared, lay before the Senate a list of all that have been sold, with their respective dates.

“The operation of the pre-emption law passed at the last session,” is, and has been, in the opinion of the Register, exceedingly prejudicial. The necessary effect of that law is to exclude every person owning 160 acres, from a participation in its benefits, and to enable those who do not own 160 acres to purchase that quantity at less, frequently, than $\frac{1}{4}$ of its value. Under this law, a citizen owning 160 acres may offer me ten or fifteen dollars an acre for a tract of land, which I will be compelled to refuse, because the land has not been offered at public sale, and yet at the same time, I may be compelled to sell the same land to a pre-emptor at three dollars, or perhaps even as low as fifty cents per acre. It has not unfrequently happened that the Register has been compelled to sell lands at prices varying from fifty cents to \$3 per acre, which are worth and have actually been appraised at from \$4 to \$5 per acre. I will say nothing of the policy of this discrimination against our old settlers who have struggled with the numerous adversities which have afflicted Florida, in peace and in war, from her earliest settlement. If the State thinks proper to exclude them from the benefits of a pre-emption law, because they happen to own 160 acres of land, it is a matter with which the agents of the Seminary and Internal Improvement Funds have nothing to do. If the State owned these lands, it would perhaps be well to give every citizen who would settle on them 160 acres, whether he owned that quantity previously or not. But allow me, as one particularly charged with the duty of protecting these funds to ask, without the imputation of presumption, by what authority the State claims the right to give away, in many cases, at least, three-fourths of the value of these lands? Clearly, the State does not own them absolutely, but only as a trustee, or agent,

to sell them to the best advantage, and appropriate the proceeds to Seminary and Internal Improvement purposes.

No one, it is presumed, will be found to contend that the State can give them away, as she may her own absolute property: but if she may arbitrarily order, as she has done by this law, that lands worth ten dollars per acre shall be sold at three dollars per acre or even less, why may she not as well order that they shall be sold for one cent, or be given away without any consideration? If she may give away seven dollars out of every ten, I know of no reason why she may not give away the other three also. I have no doubt that my predecessor made the best sales of the Internal Improvement Lands that could be made under the existing law, and yet it is seen that the whole sales average only one dollar and three mills per acre. Deduct from this the salary of the Register and the salaries of the locating and selecting agents, and of the appraising agents and the classifying agents, and all the other necessary expenses incidental to this system, and I fear there will not be a great deal of the fund left. The fact is, that although so large a quantity of the land has been sold, the fund is still in debt. For these reasons, I respectfully recommend to the Senate the repeal of the supplemental pre-emption Act passed at the last session, so that hereafter pre-emptors shall not enter lands, except at their appraised prices.

In compliance with the request "to make such suggestions as I think advisable in regard to the management of the Seminary and Internal Improvement Lands," I have the honor to say, that the Act of 1846, providing for the sale of Seminary Lands, (see Thompson's Digest, 114,) in my opinion, needs no amendment. It has, thus far, operated well. The lands sold under it have brought reasonably fair prices, and the payments have been and are being punctually made. The Legislature at the last session, (see Acts of 1848, page 35,) provided that the sale of the 16th sections should "be made subject to all the rules, regulations, and restrictions which are now or may hereafter be imposed on the sale of Seminary Lands." I advise a repeal of all the Acts heretofore passed on the subject of the sale of the Internal Improvement Lands, and the passage of an Act requiring "the sale of said lands to be made subject to all the rules, regulations, and restrictions which are now or may hereafter be imposed upon the sale of Seminary Lands." Then we shall have the School Lands, the Seminary Lands, and the Internal Improvements all governed by the same rules and regulations, and much confusion and misapprehension will thus be avoided.

Very respectfully,

D. S. WALKER, Register, &c.

Which was, on motion of Mr. Moseley, referred to the Committee on Internal Improvements, and 75 copies ordered to be printed.

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

The Committee on engrossed bills have to report as correctly engrossed:

A bill to be entitled, An act to amend the Constitution of the State of Florida;

Also, Engrossed amendments to House bill to be entitled, An act to incorporate the Pensacola and Navy Yard Plank Road Company.

JOHN P. BALDWIN, *Chairman.*

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

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 in addition to the acts now in force in relation to the crimes and misdemeanors, have had the same under consideration, and think it expedient that it should be passed. They recommend an additional section as follows:

Sec. 2. *Be it further enacted,* That hereafter, any slave who shall entice, or use any means to induce any slave to run away, or aid, assist or abet any slave in running away; or otherwise wilfully cause a loss of labour of such slave to his or her owner or owners, shall upon affidavit and warrant be brought before any Justice of the Peace in the County where such offence is committed, and summarily tried before said Justice, and if found guilty the slave so offending shall receive not exceeding one hundred stripes. And in all cases where such slave is found guilty, the owner or owners thereof shall be liable for the costs of such proceedings.

A. E. MAXWELL, *Chairman.*

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

Mr. Forward, from the Committee on Corporations, made the following report:

The Committee on Corporations, have had under consideration the bill referred to them entitled, An act to alter and amend the act entitled an act to incorporate the Atlantic and Gulf Rail Road Company, and have instructed me, as their Chairman, to report the same back to the Senate without amendment.

W. A. FORWARD, *Chairman.*

Which was received and concurred in.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, December 10, 1850.

Honorable President of the Senate:

Sir:—The following bills from the Senate have passed the House:

A bill to be entitled, An act to change the name of Elizabeth McCaskill;

A bill to be entitled, An act to change the name of Francis St. Johns.

Respectfully,

H. ARCHER,

Speaker House of Representatives.

Which was read, and ordered that the said bills be enrolled.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, December 9, 1850.

Honorable President of the Senate:

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

An act to repeal an act entitled an act supplemental to an act entitled, An act to grant pre-emption rights to settlers on State lands, passed at the present session approved, January 12, 1849.

An act to provide for the punishment of such persons, as unlawfully issue, pass or circulate change bills or notes under the denomination of one dollar.

Respectfully,

H. ARCHER,

Speaker House Representatives.

Which was read.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, December 9, 1850.

Honorable President of the Senate:

SIR:—The House have indefinitely postponed Senate bill to be entitled, An act to authorize Hiram Roberts, a minor, of Jackson County, to assume the management of his own estate, and to contract and be contracted with.

Respectfully,

H. ARCHER,

Speaker House of Representatives.

Which was read.

The following communication was transmitted to his Excellency, the Governor.

SENATE CHAMBER, December 9, 1850.

His Excellency THOMAS BROWN,
Governor of Florida:

SIR:—I have the honor herewith to transmit for the approval of your Excellency,

A bill to be entitled, An act to empower Henry B. Davis, a minor, to assume the management of his own estate;

Also, preamble and resolutions relative to causes in Admiralty;

Passed by the two Houses of the General Assembly, and signed by the presiding officers thereof.

Respectfully,

NEILL McPIERSON,

Secretary Senate.

ORDERS OF THE DAY.

Bill to be entitled, An act to amend an act entitled an act for securing liens to Mechanics, Overseers, and others, approved December 29th, 1845;

On motion of Mr. Avery, the rule was waived, and said bill was again read by its title, and referred to the Committee on the Judiciary.

House bill to be entitled, An act to authorize Jason Gregory to establish a ferry across the Apalachicola River, at Ochesssee, in Calhoun County,

Was read the third time.

On motion of Mr. Baldwin, said bill was laid on the table until to-morrow.

House bill to be entitled, An act to authorize Henry Hewitt to establish a ferry across the Choctawhatchee River at Hewitt's Bluff,

Was read the third time, and on motion laid on the table until to-morrow.

Bill to be entitled, An act consolidating the Counties of Dade and Monroe, for Judicial purposes,

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

House bill to be entitled, An act to incorporate the Pensacola and Navy Yard Plank Road Company,

Was read the third time, as amended: 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, Ghent, Johnson, Maxwell, McMillan, Moseley, Perry, Smith, Stewart—16.

Nay—Mr. President—1.

Said bill passed. Title as stated.

Ordered that the same be certified to the House.

Bill to be entitled, An act amendatory of the several acts in relation to Executions,

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

Bill to be entitled, An act in addition to the acts now in force in relation to Crimes and Misdemeanors,

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

Bill to be entitled, An act to alter and amend the act entitled an act to incorporate the Atlantic and Gulf Rail Road Company,

Was read, rule waived, read a second time by its title, and ordered to be engrossed for a third reading to-morrow.

Bill to be entitled, An act to amend the Constitution of the State of Florida,

Was read the third time, and on motion, passed over informally to-morrow.

Bill to be entitled, An act to repeal an act to compel the Judges of the Circuit Courts to hold the terms of Court at the times and places prescribed by law, approved January 9th, 1849.

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

House bill to be entitled, An act to provide for the punishment of such persons as unlawfully issue, pass or circulate change bills or notes, under the denomination of one dollar,

Was read the first time and ordered to a second reading to-morrow.

House bill to be entitled, An act to repeal an act entitled an act supplemental to an act entitled an act to grant pre-emption rights to settlers on State lands, passed at the present session, approved January 12th, 1849,

Was read the first time, rule waived, read the second time and, on motion, referred to the Committees on Schools and Colleges and Internal Improvements.

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

The Committee on Enrolled Bills report as correctly Enrolled,
An act to alter and change the name of Elizabeth McCaskell;
Also, An act to change the name of Francis St. Johns.

W. A. FORWARD, *Chairman.*

Which was received and concurred in.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, December 10, 1850.

Honorable President of the Senate:

Sir:—The House of Representatives, on motion of Mr. Milton, appointed Messrs. Milton, Leng and Magbee, a Committee to confer with a similar Committee, on the part of the Senate, for the purpose of rescinding the 14th Joint Rule for the government of the House and Senate.

Respectfully,

H. ARCHER.

Speaker of the House of Representatives.

On motion, the rule was waived and the message read.

On motion, a Corresponding Committee was appointed, said Committee to consist of Messrs. Baldwin, Avery and Forward.

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, December 10, 1850.

Honorable President of the Senate:

Sir:—The following Resolutions have been adopted by the House:

Resolved, by the Senate and House of Representatives of the State of Florida in General Assembly convened, That the Medical Board of this State be, and they are hereby required to establish a fee bill

for Medical services, and report the same, if practicable to this, if not, to the next General Assembly.

Be it further Resolved, That a copy of these Resolutions, properly certified, be forwarded to the President of the Medical Board.

Respectfully,

H. ARCHER,

Speaker House of Representatives.

Which, the rule being waived, was read, and the said Resolutions placed among the orders of the day for to-morrow.

Mr. Forward moved that the rule be waived and he be permitted to make the following motion:

That leave be granted to the Committees on Engrossed and Enrolled Bills to report at any time,

Which was carried.

The Senate then, on motion, adjourned until half-past 10 o'clock, to-morrow, A. M.

WEDNESDAY, December 11, 1850.

The Senate met pursuant to adjournment.

The Rev. Mr. Pratt officiated as chaplain.

A quorum being present, the Journal of yesterday was read and approved.

Pursuant to previous notice, Mr. Stewart introduced a bill to be entitled, An act for the relief of the heirs of J. Underwood;

Which was read the first time, rule waived, read the second time, and referred to a select Committee consisting of Messrs. Stewart, Taylor and Perry.

Pursuant to previous notice, Mr. Johnson introduced a bill to be entitled, An act for the relief of Nathaniel P. Marion;

Which was read the first time, rule waived, read second time, and referred to the Committee on Claims and Accounts.

Pursuant to previous notice, Mr. Forward introduced a bill to be entitled, An act to amend an act providing for the purchase, on the part of the State, of lands for sale for taxes;

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

Pursuant to previous notice, Mr. Forward introduced a bill to be entitled, An act altering the mode and manner of redemption of lands purchased by the State for taxes;

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

Pursuant to previous notice, Mr. Ghent introduced a bill to be entitled, An act to locate and make permanent the County site of Walton County;

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