

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.

Pursuant to previous notice, Mr Maxwell introduced a bill to be entitled, An act in relation to Injunctions;

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

Mr. Baldwin gave notice that he would, on some future day, introduce a bill to be entitled, An act amendatory of the several acts now in force relating to the mode of appointment and duty of Auctioneers.

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

EXECUTIVE DEPARTMENT,
December 11, 1850.

To the Honorable R. J. FLOYD,
President of the Senate:

SIR: I have approved and signed, "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," which I have caused to be deposited in the office of the Secretary of State.

THO. BROWN.

Mr. Brown, of Hillsborough, made the following report:

The Committee on Claims and Accounts, to whom was referred the petitions of Mrs. M. A. Hardee and David Platt, asking that Taxes assessed and collected of them for keeping a Tavern in the town of Columbus, be refunded, ask leave to

REPORT:

That they have had the same under consideration. Although believing that extreme caution should be used in refunding taxes as a general thing, yet after a careful examination of the subject of the petitioners have come to the conclusion, that injustice would be done them by refusing to comply with the prayer of the petitioners.

Your Committee find on examination of the Assessor and Collector's Books for Columbia County, that there are only two Taverns assessed. Both of these are at Columbus, and from our knowledge of the business done there, and the situation of the place at present, your Committee believe that they could with equal justice tax every House where travellers usually stop in travelling through the County. They, therefore, recommend the passage of the accompanying Bill for their relief, and ask to be discharged from the further consideration of the same.

To which is respectfully submitted.

M. C. BROWN,

Chairman Committee on Claims and Accounts,

Which was received and concurred in.

Mr. Avery, from the Committee on Schools and Colleges, and Mr. Taylor, from the Committee on Internal Improvements, made the following Report:

The Committee on Schools and Colleges, and the Committee on Internal Improvements, to which Committees was referred the bill entitled, An act to repeal 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, having had the same under consideration, ask leave to report the bill back without amendment, and recommend its passage.

O. M. AVERY,

Chairman Committee on Schools and Colleges.

W. R. TAYLOR,

Chairman Committee on Internal Improvements.

Mr. Avery, From the Committee on Schools and Colleges, to whom was referred a bill to be entitled, An act providing new modes of investing the School Fund, prescribing the time at which the first distribution of the interest of the School Fund shall be made, and also for increasing said Fund from the State Treasury, made the following report:

The Committee on Schools and Colleges, to whom was referred a bill to be entitled, An act providing new modes of investing the School Fund, prescribing the time at which the first distribution of the interest of the School Fund shall be made, and also for increasing said Fund from the State Treasury, ask leave to

REPORT:

At the last session of the Legislature, a bill was introduced, providing a number of ways in which the School Fund could be invested, but before the final passage of the bill, all except such as related to stock of this State and of the United States, were for various reasons stricken out.

Stock of this State, as is well known, was but another name for State Certificates. These were purchased at three per cent. discount, with the School and Seminary Funds. These purchases of State paper being found more profitable than an investment in United States stock – that stock being held at a high rate – no investment in that stock has been made.

Your Committee need not dwell upon the manifest impolicy of the State shaving its own paper. This proceeding can no longer be countenanced, but provision will, without doubt, be made for meeting with cash the liabilities of the State.

Some method for investing the School Fund ought to be adopted, which will combine security, punctuality, and the highest rate of interest which it is practicable to obtain.

When the choice is to be made between our own and other States, most assuredly the decision should be in favor of our own. The finances of our State are now in a prosperous condition. Commencing her career one year in advance of her revenue, she is gradually gaining upon her liabilities, and will, in a few years, if no untoward event occurs, be free from debt.

If the State is allowed to borrow a part of this money, she can be just to her creditors, and we may, with confidence, expect the interest to be paid punctually. So much of this money as is not desired by the State, your Committee think can be safely loaned to City and County authorities, under the restrictions imposed in the bill.

No reason is known to your Committee why implicit confidence should not be placed in the integrity of our City and County Corporations. Although some of them have, in times past, been indebted to a large amount, they have always acted honorably towards their creditors in the most trying period of the past.

The third section of the bill provides that, should there not be enough money arising from the interest of the School Fund to allow two dollars a year to be given to each child, the deficiency shall be made up from the State Treasury. The amount which will be required, to make up this deficiency, cannot be ascertained with precision. Your Committee, however, think it will not vary much from \$7,800.

They have based this estimate upon the following data:

The amount now in the Treasury belonging to the Common School Fund is	\$31,632 93
The interest on the above, for six months, prior to 20th July, 1851, at 6 per cent.	948 98
The amount that will probably accrue to said Fund from bonds and notes now in possession of the Register, prior to 20th July, 1851,	17,545 31
Probable amount of 5 per cent. Fund for present year, For notes and bonds on hand, payable prior to 20th July, 1852, and which may be reckoned as carrying interest,	600 00
	15,000 00
The sales of 16th Sections, prior to 20th July, 1851, will probably amount to at least	4,272 79

Making for the principal of the School Fund, 20th July, 1851,

70,000 00

This, placed at interest at 6 per cent., will yield \$4,200.

By the returns made in 1848, it appeared that there were in the State at that time 9,966 children between the ages of five and eighteen years, exclusive of Santa Rosa and Dade, from which no returns were received.

We think we may safely assume that for the first year, there will not be more than 6,000 of these children, of whom returns will be made as required by law, before they can obtain the school money. If so, that each child may receive two dollars, there will be required in all,

\$12,000 00

From this take the amount of interest of school fund,

4,200 00

Will leave, to be taken from the Treasury of the State,

on the 20th July, 1852,

\$ 7,800 00

This amount, it is probable, will be reduced, in some measure, by means derived from various sources—as the escheating of estates—sums derived from wrecks—a bonus to be paid by banks, &c. It will be safe, your Committee think, to calculate upon no more being required from the Treasury than the amount specified.

Will the General Assembly grant this amount in aid of the School Fund? Your Committee are constrained to think they will.

By this aid, the counties will be induced to organize under the law for establishing a school system passed at the last session. Once organized, the various districts can add to the amount received from the State, so much as they think proper by taxing themselves.

The cause of Education is too vitally important to be suffered to remain longer in its present condition in our State, for want of this aid.

By the returns above alluded to, it appears that of this 9,966 children, there were of those who

	CAN READ ONLY.	CAN READ AND WRITE.	CANNOT READ OR WRITE.	TOTAL.
In Escambia County,	91	247	135	473
Walton “	76	98	310	484
Washington “	51	50	268	369
Jackson “	111	189	711	1011
Calhoun “	24	32	171	177
Franklin “	47	59	59	165
Gadsden “	171	389	400	960
Leon “	140	380	270	790
Wakulla “	65	26	172	263
Jefferson “	155	226	342	723
Madison “	100	138	259	497
Hamilton “	68	90	222	380
Columbia “	177	168	654	999
Alachua “	45	56	191	292
Levy “	3	5	47	55
Marion “	117	85	301	503
Duval “	63	124	134	321
Nassau “	57	63	122	242
St. Johns “	108	235	110	453
Orange “	25	15	42	82
St. Lucie “	6	5	8	19
Benton “	33	61	73	167
Hillsborough “	31	58	95	184
Monroe “	50	143	114	307
TOTAL,	1,814	2,942	5,210	9,966

From these facts it appears that 1,814 can read only, 2,942 can read and write, and 5,210 cannot read or write.

This, in the opinion of your Committee, exhibits a state of society most lamentable, and calls loudly for legislative interposition.

The County Commissioners are now limited in the amount to be raised by tax to double the amount received from the State.

Should, then, the County Commissioners raise by taxation, the full amount allowed them, there will be, by this means, six dollars raised annually for the education of each child.

The amount which will be required from the State Treasury is small, compared to what is appropriated for school purposes in many other States. It is not more than we can well spare in so good a cause.

The necessity for action is urgent. But little hope is there of our maintaining inviolate our cherished institutions, or checking the tide of fanaticism, if we suffer our youth to grow up in ignorance, unable even to read that Constitution, to the terms of which reference is now so often made—unable to read that book within the lids of which are contained the words of eternal life.

Let us not deny to them the means of, at least, obtaining that amount of information which will serve to fit them for performing well their duties here, and enable them to judge for themselves of their duty with reference to an hereafter.

Entertaining these views, your Committee recommend the passage of the bill.

Respectfully submitted,

O. M. AVERY,

Chairman of Committee on Schools and Colleges.

Which was received, and 150 copies ordered to be printed.

Mr Smith, from the Committee on Propositions and Grievances, made the following Report:

The Committee on Propositions and Grievances, to whom was referred the petition of Maria L. West, asking the General Assembly to change her name, beg leave to report that they have had the same under consideration, and can see no just reason why the prayer of the petitioner should not be granted; therefore your Committee introduce the following bill and recommend its passage.

D. J. SMITH, *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 10, 1850.

Honorable President of the Senate:

SEN. The House have passed the following bills viz:

A bill to be entitled, An act to incorporate the Leon and Gadsden Plank Road Company;

A bill to be entitled, An act to amend an act to more fully define the rates of, and duty of Pilots for the Port of Cedar Keys;

A bill to be entitled, An act to regulate the Pilotage of the bar of the River St Johns;

A bill to be entitled, An act to change the name of Robert Waterston, of Levy County, to that of Robert W. Randall,

Respectfully,

H. ARCHER,

Speaker House of Representatives.

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

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, }
December 10, 1850. }

Hon. President of the Senate:

SIR:—The House have concurred in the Senate amendments to House bill to be entitled, An act to Incorporate the Escambia Plank Road Company,

Respectfully,

H. ARCHER,

Speaker House of Representatives,

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 have passed the House:

A bill to be entitled, An act to authorize W. H. Chase and Albert Golay to cut a Canal connecting the waters of the Perdido River and the Grand Lagoon;

Also, a bill to be entitled, An act to declare LaFayette and Four Mile Creeks navigable Streams;

Also, a bill to be entitled, An act to authorize James J. Meeks to establish a ferry across the Withlacoochee River;

Also, a bill to be entitled, An act for the relief of James W. Piles;

Also, a bill to be entitled, An act to establish a Circuit Court in Levy County; also,

A Bill to be entitled, An act to authorize Henry Slayback to establish a ferry across the Escambia Bay;

Also, Preamble and Resolutions relative to Musquito Bar.

Also the following bills from the Senate:

A bill to be entitled, An act to legitimate John Robert Geiger;

Also, a bill to be entitled, An act to change the name of Roxanna Jones to Roxanna Wheeler;

Also, a bill to be entitled, An act to amend the act incorporating the city of Pensacola, approved March 2, 1839, with the following amendments:

Insert after the word "dollars," in the first section, the words "and so much as provides that no tax shall be imposed on real prop-

erty at a higher rate than three quarters of one per centum on the assessed value of said property."

Add to second section the following, "and shall have power to impose a tax on real estate in said city at a rate not exceeding two per centum on the assessed value of such property."

Respectfully,

H. ARCHER,

Speaker House of Representatives.

Which was read, and said House Bills ordered to be placed among the orders of the day.

House amendments to the Senate Bill to be entitled, An act to amend the act incorporating the city of Pensacola, approved March 2, 1839,

Were concurred in, and said Senate Bills ordered to be enrolled.

ORDERS OF THE DAY

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

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

Yeas—Messrs. Austin, Avery, Baldwin, Buddington, Finley, Forward, Johnson, Maxwell, McMillan, Moseley, Smith, Stewart—12.

Nays—Mr. President, Messrs. Brown of Columbia, Brown of Hillsborough, Crawford, Ghent, Perry, Taylor—7.

Said bill was lost, not having received the Constitutional majority.

House bill 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 second time, and referred to the Committee on the Judiciary.

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

Was read the third time.

Mr. Forward moved that the bill entitled, An act to authorize Henry Hewitt to establish a Ferry, &c., be referred to the Attorney General of this State, for his legal opinion as to whether the General Assembly under the provisions of the Constitution of the State, has power to charter the said Ferry, without previous notice having been given of the application for such act;

Which was carried.

House bill to be entitled, An act to authorize William H. Chase and Albert Golay to cut a Canal connecting the waters of the Perdido River and the Grand Lagoon,

Was read the first time, and ordered for a second reading tomorrow.

House bill to be entitled, An act to declare LaFayette and Four Mile Creeks navigable streams,

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

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

The Committee on Engrossed Bills beg leave to report as correctly engrossed:

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

A bill to be entitled, An act amendatory of the several acts in relation to Executions.

JOHN P. BALDWIN, *Chairman.*

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

House bill to be entitled, An act to establish a Circuit Court in Levy County,

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

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

Was read the 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, Finley, Forward, Ghent, Johnson, Maxwell, McMillan, Moseley, Perry, Smith, Stewart, Taylor—19.

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 amendatory of the several acts in relation to Executions,

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

Yeas—Mr. President, Messrs. Baldwin, Ghent, Smith—4.

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

Said bill was lost.

A 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 the second time, and referred to the Committee on the Judiciary.

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,

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

House Preamble and Resolutions relative to Mosquito Bar,

Were read the first time, rule waived, read second time.

Mr. Avery moved to amend said resolutions by striking out the word "directed" in the second line of the last resolution, and insert the word "requested" in lieu thereof;

Which amendment was adopted, and said resolutions read the third time and passed as amended.

Ordered that the same be certified to the House.

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

The Committee on Engrossed Bills beg leave to report as correctly Engrossed:

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

JOHN. P. BALDWIN, *Chairman.*

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

House bill to be entitled, An act to amend an act more fully to define the rates of, and duty of Pilots for the Port of Cedar Keys,

Was read the first time, and ordered for a second reading to-mor-

row.
House bill to be entitled, An act to incorporate the Leon and Gadsden Plank Road Company,

Was, on motion ordered to be returned to the House of Representatives, and that the Secretary be instructed to inform the House that no certificate accompanies said bill, showing that the publication required by law has been made.

House bill to be entitled, An act to change the name of Robert Waterston, of Levy County, to that of Robert W. Randell,

Was read the first time, and ordered to a second reading to-mor-

row.
Bill to be entitled, An act to change the name of Maria L. West,

Was read the first time, and ordered to a second reading to-mor-

row.
House bill to be entitled, An act to repeal an act entitled an act

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

Was read the first time.

On motion, the rule was waived and said bill read the second and third times; on the question of its passage, the yeas and nays were:

Yeas—Messrs. Avery, Brown of Columbia, Buddington, Crawford, Finley, Forward, McMillan, Moseley, Smith, Stewart, Taylor—11.

Nays—Mr. President, Messrs. Austin, Baldwin, Brown of Hillsborough, Ghent, Johnson, Maxwell, Perry—8.

Said bill passed. Title as stated.

Ordered that the same be certified to the House.

House resolutions relative to fee bill for Medical service.

Was read the first time; on motion the rule was waived and said resolutions read the second and third time and passed.

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

Engrossed 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 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, Taylor—16.

Nay—Mr. Baldwin—1.

Said bill passed. Title as stated.

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

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

The Committee on Engrossed Bills, beg leave to report as correctly engrossed:

A bill to be entitled, An act in addition to the acts now in force in relation to crimes and misdemeanors.

JNO. P. BALDWIN, *Chairman*.

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

Bill to be entitled, An Act for the relief of Mary A. Hardee and David Platt;

Was read the first time, and ordered for a second reading tomorrow.

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

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, Ghent, Maxwell, Moseley, Perry, Smith, Stewart—15.

Nays—Messrs. Baldwin, Johnson, McMillan—3.

Said bill passed. Title as stated.

Ordered that the same be certified to the House.

Mr. Finley moved that the rule be waived and that a bill to be entitled, 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, as to give the election of the Judges, to the people, be taken from the table and placed among the orders of the day;

Which was carried.

A bill to be entitled, 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.

Was read the second time.

Mr. Maxwell moved to amend the 4th section by striking out all in the fourth line after the word "proclamation;" all of the fifth and sixth lines up to the words "and the Judges;" and by striking out the words "from the first day of January next succeeding this election;" in the seventh and eighth lines, and inserting instead thereof the following: "from the time he qualifies under his commission, which shall be issued immediately after the final canvass of the votes by which his election is determined." Also, by striking out all of the second proviso in the eighth, ninth, tenth, eleventh and twelfth lines; also, striking out the words "And provided further," in the twelfth line, and insert "Provided, however;"

Which amendments were concurred in, and said bill, as amended, ordered to be engrossed for a third reading to-morrow.

The following message was received from the House of Representatives; the rule on motion was waived and said Message read:

HOUSE OF REPRESENTATIVES, }
December 11, 1850. }

Hon. President of the Senate:

SIR: The House has concurred in the amendments made by the Senate to the House bill to be entitled, An act to incorporate the Pensacola and Navy Yard Plank Road Company.

Respectfully,

H. ARCHER,

Speaker House of Representatives.

Mr. Finley moved that the rule be waived, and he be allowed to introduce the following resolution;

Resolved by the Senate, That a Committee of three be appointed to wait upon the ladies and invite them to attend the sittings of this body.

Which was carried, and Messrs. Finley, Forward and Maxwell were appointed said Committee.

Mr. Baldwin moved that the Senate adjourn until Friday morning, 10 o'clock, A. M.

On this motion the yeas and nays were;

Yeas—Mr. President, Messrs. Austin, Baldwin, Brown of Columbia, Brown of Hillsborough, Buddington, Crawford, Finley, Ghent, Perry, Smith—11.

Nays—Messrs. Avery, Forward, Johnson, McMillan, Moseley, Stewart, Taylor—7.

The Senate adjourned until 10 o'clock, Friday next, A. M.