

Also, an act to empower Alexander R. Godwin, a minor, to assume the management of his own estate.

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

THO. BROWN.

EXECUTIVE CHAMBER, December 28, 1850.

To the Honorable R. J. FLOYD,

President of the Senate:

Sir:—I have approved and signed the following Acts, viz:

An act to change the name of Maria L. West;

An act for the relief of Mary A. Hardee and David Platt;

An act to establish the rates of Wharfage, Dockage, and Storage in the City of Key West, County of Monroe.

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

THOMAS BROWN.

Which on motion were read.

On motion of Mr. Moseley, the Senate adjourned till half-past 10 o'clock, Monday next, A. M.

MONDAY, December 30, 1850.

The Senate met pursuant to adjournment.

The Rev. Mr. Pratt officiated as Chaplain.

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

Mr. Avery gave notice that he would, at a future day, ask leave to introduce a bill to be entitled, An act giving to Judges of Probate the powers of Justices of the peace, and extending their jurisdiction to amounts of one hundred dollars.

Mr. Johnson, pursuant to previous notice, introduced a bill to be entitled, An act fixing the compensation of Tax Assessors and Tax Collectors for Collecting and Assessing taxes for County purposes;

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

Mr. Baldwin moved to take from the table and place among the orders of the day;

A bill to be entitled, An act to amend an act to exempt homesteads from execution, attachment and distress, approved March 11, 1845;

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

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 for the relief of J. L. Wyman.

A bill to be entitled, An act to tax slaves brought into this State for hire.

A bill to be entitled, An act requiring to be paid into the School Fund money derived from the sale of Slaves under the act of Nov. 22, 1829.

JNO. 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 to amend the 17th clause of the 5th article of the constitution of this State, have had the same under consideration, and have instructed me to report:

That the same reasons which have prompted this General Assembly to refer the election of Judges to the people, render it equally proper that Solicitors should also be elected by the people. Without repeating those reasons, the Committee would simply recommend the passage of the bill.

A. E. MAXWELL, *Chairman.*

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

Mr. Buddington offered the following:

Resolved, That a Committee of three be appointed on the part of the Senate, to act with a similar Committee on the part of the House to examine the offices of Comptroller and Treasurer, in accordance with the provisions of the act of 23 July, 1845, and of the act of July 26, 1845.

Which was read, and passed, and Messrs. Buddington, Brown of Hillsborough, and Finley, were appointed said Committee.

Mr. Brown of Hillsborough, from the Committee on Claims and Accounts, made the following Report:

The Committee on Claims and Accounts, to whom was referred a bill entitled, An act for the relief of Wm. D. Branch and John H. Madison, ask leave to Report:

That they have had the same under consideration, and have instructed me, as their Chairman, to report the same back to the Senate, and recommend its passage.

Which is respectfully submitted.

M. C. BROWN,

Chairman Committee on Claims & Accounts.

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

ORDERS OF THE DAY.

Preamble and Resolutions relative to Volunteer Soldiers legally called into the service of the United States;

Were read the second time, rule waived, read third time and passed.

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

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. Mr. Baldwin moved to strike out all after the enacting clause of said bill, and insert the following, viz:

That from and after the passage of this act, every actual house-keeper, with a family, may claim as exempt from Execution, Attachment or Distress, such portion of his property as may be necessary to the support of himself and family, not to exceed in value five hundred dollars, thereby waiving claim to all right to other exemption of property afforded by any law now in force in this State: *Provided*, in every case the defendant is not removing out of the State, nor resides beyond the limits thereof, nor is removing his property beyond the limits of the same, nor is secreting or fraudulently disposing of his property for the purpose of avoiding the payment of his just debts: *And provided, also*, the defendant shall make affidavit that he has made a fair, full and complete statement of all his property in trust, or otherwise, of all moneys, debts and demands due, or to become due, which statement shall be signed by him and with affidavit accompany the return of the process.

Sec. 2. Be it further enacted, That every farmer seized and possessed of forty acres of land, in his or her own right in fee simple, and shall actually have in cultivation at least ten acres of the same, and every head of a family owning a town lot in any city or town in this State with a dwelling, in which he with his family resides, thereon, shall hold the same free and exempt from execution, attachment or distress, except for taxes due on the same for city, county or State purposes, or fines imposed by a court-martial or road commissioners: *Provided*, the land and improvements, or the lot and dwelling, do not exceed in value five hundred dollars, said valuation to be made by three freeholders of no kin to either party interested, to be selected by the officer making the levy: *Provided, also*, that if upon such valuation, said land shall exceed five hundred dollars, then and in that case, it shall be the duty of the said appraisers to set apart a portion of said land, including the dwelling or residence thereon, in case the same shall not be valued at more than five hundred dollars, and if so, then they shall set apart any other portion of said land which may be selected by the owner or owners thereof, not exceeding in value five hundred dollars, which shall be exempted from sale, and reserved for the use of said family: *And provided further*, That if upon such valuation of said lots and dwelling in any city or town, the same shall exceed in value five hundred dollars, the said lots and dwelling may be sold by the Sheriff and the sum of five hundred dollars, if the same shall sell for more, and the whole of the purchase money, if said lots and dwelling shall sell for less, shall be

handed by the Sheriff, or other officer, making such sale, to the defendant in execution for the use and support of his family.

Sec. 3. *Be it further enacted*, That any person availing himself of the provisions of either the above sections, shall not be entitled to any other exemption under this or any other law now in force in this State.

Sec. 4. *Be it further enacted*, That all laws and parts of laws inconsistent with the provisions of this law, be and the same are hereby repealed.

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

Yeas—Mr. President, Messrs. Avery, Baldwin, Buddington, Finley, Smith—6.

Nays—Messrs. Brown of Columbia, Brown of Hillsborough, Crawford, Forward, Johnson, Maxwell, McMillan, Moseley, Stewart, Taylor—10.

Said motion was lost.

Mr. Johnson offered the following as the second section to said bill, viz:

Sec. 2. *Be it further enacted*, That all lands which may be located by any officer or soldier under any warrant issued under and by virtue of the act of Congress granting Bounty Lands, approved 28th September, 1850, be and the same are hereby exempted from execution, attachment, or distress as long as said lands may be in possession of the officer or soldier locating the same.

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

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

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

House bill to be entitled, An act relating to the School Funds, Was read the first time, and ordered to a second reading to-mor-

row.
Engrossed bill to be entitled, An act for the relief of J. L. Wyman;

Was read 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, Smith, Stewart, Taylor—16.

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 to tax Slaves brought into the State for Hire;

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, Buddington, Crawford, Finley, Forward, Maxwell, Moseley, Stewart, Taylor—12.

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

Said bill passed. Title as stated.

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

Engrossed bill to be entitled, An act requiring to be paid into the School Fund monies derived from the sale of Slaves, under the act of November 22, 1829;

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, Buddington, Crawford, Finley, Forward, 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.

Bill to be entitled, An act to amend the seventeenth clause of the fifth article of the Constitution of this State;

Was read the second time.

Mr. Maxwell moved to amend said bill as follows:

After the word "thereafter" in the twelfth line of the first section, insert the words "or at such time as the General Assembly may by prescribe law."

After the word "law," in the fourth line of section 2, insert the words "or may be hereafter prescribed by law."

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

The following message was received from the House of Representatives:

HOUSE OF REPRESENTATIVES, December 28, 1850.

Hon. President of the Senate:

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

A 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;

A bill to be entitled, An act to authorize William Brown to establish a ferry across Chipola river at or near Poll Bluff;

A bill to be entitled, An act to change the name of Daniel Chavers, of Columbia County, to that of Daniel Chavers Rioles; and

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

Also, preamble and resolutions relative to the sixteenth sessions.

Senate bill entitled, An act to grant the right of pre-emption to persons who have settled on sixteenth sections in certain cases;

Passed the House without amendment.

Senate bill entitled, An act to amend the 20th section of the 5th article of the Constitution, so as to allow the General Assembly to require the Justices of the Supreme Court, Chancellors and Judges of the Circuit Courts, to perform certain duties with regard to the subject of education:

Was lost in the House.

Respectfully,

H. ARCHER,

Speaker House of Representatives.

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

House bill to be entitled, An act for the relief of William D. Branch and John H. Madison;

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

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

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

House bill to be entitled, An act to change the name of Daniel Chavers, of Columbia County, to that of Daniel Chavers Rioles;

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

House bill to be entitled, An act to authorize William Brown to establish a ferry across Chipola river, at or near Poll Bluff;

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

House Preamble and Resolutions, relative to the Sixteenth Sections;

Were read the first time, rule waived, read the second and third times, and passed.

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

On motion of Mr. Crawford, the Senate adjourned until to-morrow, 11 o'clock, A. M.