

incorporate the Florida, Atlantic and Gulf Central Rail Road Company.

Respectfully,

JOHN DICK,

Clerk House of Representatives.

Which was received and the bills placed among the orders of the day.

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

The Committee on Internal Improvements to whom was referred a bill entitled An Act to amend an act entitled an act to incorporate the Florida and Georgia Rail Road Company, have had the same under consideration,

And finding that the bill only provides for the amendment of the charter of said Company, so as to extend the limits within which said road may cross the Chattahoochee or Apalachicola river, at such point as may be recommended by the engineers employed, and as may be agreed on by said Company, your Committee are of the opinion that the objects of the bill are proper and legitimate, and therefore, respectfully recommend its passage.

Respectfully submitted,

ALLEN G. JOHNSON,

Chairman.

Which was received and the bill placed among the orders of the day.

A bill to be entitled An Act to amend an act entitled an act to incorporate the Florida Atlantic and Gulf Central Rail Road Company, and for other purposes,

Came up, the rule was waived, read a first time by its title, and ordered for a second reading on to-morrow.

On motion,

The Senate adjourned until to-morrow 10 o'clock.

THURSDAY, December 23, 1852.

The Senate met pursuant to adjournment. The Rev. Mr Zealey officiated as Chaplain. The Journal of yesterday's proceedings was read, amended and approved.

Mr. Baldwin moved "that the House of Representatives be requested to inform the Senate if in their opinion there s any provision prohibiting the Counties of Monroe and Dade from participating in the benefits arising out of the Internal Improvement fund;"

Which motion was adopted; ordered that an engrossed copy of the same be sent to the House of Representatives.

On motion of Mr. Provence, the rule was waived and he permitted to introduce, without previous notice, the following bill :

A bill to be entitled An Act repealing certain existing rules of descents.

Which was placed among the orders of the day.

Mr. Snell offered the following Resolution :

WHEREAS, Congress, having made an appropriation for the building of a light house on Sea Horse Key; whereas the commercial interest of the Country is suffering from the want of said light.

Be it therefore Resolved by the Senate and House of Representatives in General Assembly convened, That our Senators in Congress be instructed and our Representatives requested to urge upon the Secretary of the Treasury the speedy erection of said light-house,

Which was adopted.

Mr. Buddington, from the Committee on Propositions and Grievances, made the following report :

The Committee on Propositions and Grievances, to whom was referred a bill to be entitled An Act for the relief of Thomas B. Wynn, have had the same under consideration, and recommend that the same be passed, with the following amendment: Add the word "ninety" in the second section, after the words "space of," so that the bill will then read, "within the space of ninety days."

All of which is respectfully submitted,

O. BUDDINGTON,

Chairman.

Which was received, and the bill placed among the orders of the day.

The following message was received from the House of Representatives.

HOUSE OF REPRESENTATIVES, }
December 22, 1852. }

Honorable President of the Senate :

Sir,—The House have passed the following bills, to wit :

Bill to be entitled An Act concerning pre-emptions on 16th sections and land selected in lieu thereof;

Bill to be entitled An Act to require the Register of State Lands to furnish Clerks of the Circuit Courts, with a list of all lands subject to private entry in the several Counties of this State, where any of said lands lie, and for other purposes ;

Also, without amendment,

Senate Resolution in relation to a mail route from Thomasville, Georgia, to Alligator, Florida.

Respectfully,

JOHN DICK,

Clerk House of Representatives.

Which was read and received, and the bills placed among the orders of the day.

ORDERS OF THE DAY.

A bill to be entitled An Act to authorize the business of banking, Came up on a second reading.

The Senate resolved itself into a Committee of the Whole, Mr.

Baldwin in the Chair, and after some time spent therein, the Committee rose, and through their Chairman, reported the bill back to the Senate as amended, and asked leave to be discharged from the further consideration thereof.

Which motion was concurred in, and the bill ordered to be engrossed.

House bill to be entitled An act making appropriation for the compilation of Thompson's Collection of British Statutes of force in this State,

Was taken up, Senate in Committee of the whole, Mr. Finley in the chair ;

After some time spent therein the Committee rose and reported the bill back to the Senate without amendment, and asked leave to sit again.

The Senate took a recess until 3 o'clock, P. M.

THREE O'CLOCK.

The Senate met pursuant to adjournment. A quorum being present, the Senate resumed the consideration of the orders of the day.

The following communication was received from the Attorney General :

ATTORNEY GENERAL'S OFFICE, }
Tallahassee, December 23, 1852. }

Hon. R. J. FLOYD,

President of the Senate :

SIR:—I received this morning a communication from the Secretary of the Senate, inclosing a Bill to be entitled "An Act granting chartered privileges to the Trustees of the East Florida Seminary," and stating that the same has been referred to me for my opinion upon the constitutionality of the proposed enactment.

I have not been informed what the constitutional question intended to be submitted is ; but suppose that it relates to the public notice in one or more newspapers of the State, which the Constitution requires. The second clause of the thirteenth Article of the Constitution of the State is too clear to admit of any doubt as to this prerequisite to an act of incorporation, and too comprehensive to allow exceptions, (however much it may be a matter of regret,) even in favor of the great interest of education. If, therefore, the Senate intended to refer to me the question whether, in respect to such acts of incorporation as the one granting chartered privileges to the Trustees of the East Florida Seminary, three months' notice immediately preceding" the session of the Legislature at which the same may be applied for is requisite, I am compelled to answer in the affirmative.

Very respectfully, your obedient servant,
D. P. HOGUE.

Which was read.

On motion of Mr. Moseley the rule was waived and he permitted to introduce the following bill, without previous notice :

A bill to be entitled An Act amendatory to an act to establish and organize a Mayor's Court for the city of Apalachicola ;

Which was placed among the orders of the day.

House bill to be entitled An Act to amend the patrol laws of this State,

Came up on its third reading. By unanimous consent of the Senate, Mr. Johnson was permitted to make the following amendment : Amend the seventh section by inserting after the word "Duval," the words "Hamilton, Franklin."

On the question of the passage of the bill, the vote was :

YEAS—Messrs. Baldwin, Buddington, Finley, Forsyth, Gillis, Johnson, Kilcrease, Long, Moseley, Stewart and Wynn—11.

NAYS—Mr. President, Messrs. Provence, Smith, and Snell—4.

So the bill passed, title as stated.

Ordered, That the same be certified to the House of Representatives.

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

The Committee on Engrossed Bills report as correctly engrossed, An Act to amend an act entitled an act to provide for the establishment of two Seminaries of Learning.

An Act to prevent the trading with the Indians in this State.

A resolution asking of Congress relief for James M. Bates.

And An Act to regulate Quarantine laws in this State.

Respectfully submitted,

J. J. FINLEY,
Chairman.

Which was read.

On motion of Mr. Baldwin,

The rule was waived, and he permitted to introduce, without previous notice, the following bill :

An Act to amend the laws relating to executors and administrators ;

Which was placed among the orders of the day.

A bill to be entitled An Act to amend an act entitled an act to incorporate the Florida, Atlantic and Gulf Central Railroad Company, and for other purposes,

Was read a first time, rule waived, read a second time by its title and ordered to be printed.

The following resolution in relation to the claims of James M. Bates,

Was read a third time and passed.

WHEREAS it appears to the members of the Legislature that the claim of James M. Bates against the United States for service rendered as Principal Wagon Master at the post of Fort Gilliland, in Florida, during the year 1837, for four hundred and fifty-five dollars, is just and true, and that the same is yet due and unpaid :

Be it therefore resolved by the Senate and House of Representatives of the State of Florida, in General Assembly convened, That our Senators in Congress be instructed, and our Representative requested, to urge the passage of a law to pay the claim of said James M. Bates, for the sum of four hundred and fifty-five dollars.

A bill to be entitled An Act to prevent the trading with the Indians in this State,

Was read a third time, and upon the question of its passage, the vote was as follows, viz :

YEAS—Mr. President, Messrs. Baldwin, Blackburn, Brown, Buddington, Finley, Forsyth, Gillis, Johnson, Kilcrease, Long, Moseley, Provence, Smith, Snell, Stewart and Wynn—17.

NAYS—None.

So the bill passed—title as stated.

Ordered, That the same be certified to the House of Representatives.

A bill to be entitled An Act to amend an act entitled an act to provide for the establishment of two Seminaries of Learning,

Was read a third time, and upon the question of its passage, the vote was :

YEAS—Mr. President, Messrs. Baldwin, Blackburn, Brown, Buddington, Finley, Forsyth, Gillis, Johnson, Kilcrease, Long, Moseley, Provence, Smith, Snell, Stewart and Wynn—17.

NAYS—None.

So the bill passed—title as stated.

Ordered, That the same be certified to the House of Representatives.

A bill to be entitled An Act to regulate Quarantine Laws in this State,

Was read a third time, and upon the question of its passage the vote was :

YEAS—Mr. President, Messrs. Baldwin, Blackburn, Brown, Buddington, Finley, Forsyth, Johnson, Kilcrease, Long, Moseley, Provence, Smith, Snell and Wynn—15.

NAYS—None.

So the bill passed, title as stated.

A bill granting chartered privileges to the Trustees of the East Florida Seminary,

Was read a second time and laid on the table, in conformity with the decision of the Attorney General.

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

EXECUTIVE CHAMBER, }
December 23, 1852. }

HON. R. J. FLOYD,

President of the Senate :

Sir—I nominate R. W. Stewart for Auctioneer for the County of Marion.

I also nominate Joseph Cierra, Chester P. Knapp, Manuel Palmes, Wm. B. Davis and John Campbell for Port Wardens for the Port of Pensacola, in the County of Escambia.

Respectfully,

THOS. BROWN.

Which was read and so much thereof as relates to Marion County, advised and consented to. So much as relates to Escambia laid on the table.

Also the following :

EXECUTIVE CHAMBER, }
December 23, 1852. }

To the HON. R. J. FLOYD,

President of the Senate :

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

An Act to repeal an act entitled “ 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 Rail Road from Pensacola to Montgomery.”

An Act to provide for the election of a County Site in the County of Walton.

An Act supplementary to an act entitled “ an act, giving the election of Judges of Probate to the People.”

An Act to amend the act in relation to Executors and Administrators ;

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

THOS. BROWN,

Which was read.

A bill to be entitled An Act to amend an act entitled an act to provide for the recording of the marks and brands of cattle shipped from the State of Florida, approved 6th January, 1849,

Was read a second time and ordered to be engrossed.

A bill to be entitled An Act for the relief of Dr. J. W. Bozeman,

Was read a second time and referred to the committee on Claims and Accounts.

A bill to entitled An Act to fix definitely the fees of Judge of Probate for the County of Columbia in a certain case therein specified.

Was read a third time, and on the question of its passage, the vote was—

YEAS—Messrs. Blackburn, Brown, Buddington, Finley, Forsyth, Gillis, Johnson, Kilcrease, Long, Moseley, Provence, Smith, Snell, Stewart and Wynn—15.

NAYS—Mr. President and Baldwin—2.

So the bill passed, title as stated.

Ordered, That the same be certified to the House of Representatives.

On motion of Mr. Smith,

The rule was waived, and he permitted to make the following minority report :

The undersigned, one of the Committee to whom was referred the Petition of J. A. Pillans for relief, asks leave to make a minority report.

My understanding of the case referred, was somewhat different from the report made by the Chairman of the Committee. Mr. Pillans was found peddling without a license by the Sheriff of Columbia County, as was my understanding, for which the law requires a penalty of double tax—the Sheriff did so collect such tax. Therefore, as Mr. Pillans was transgressing the law, and the amount paid was only such amount as the law requires should be paid, although collected summarily, yet no more, it seems to me, was collected from him than the law requires. I beg leave to dissent from the views of the majority reporting a bill for his relief.

Respectfully,

JAMES W. SMITH,

From the Committee on Claims and Accounts.

Which was received and read.

A bill to be entitled An Act to provide for the funding and payment of the audited scrips of the late territory of Florida, and for other purposes,

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

A bill to be entitled An Act to repeal an act to provide for the removal of the Indians now remaining in Florida beyond the limits of the State, Approved January 20th, 1851,

Was read a second time and ordered to be engrossed.

House bill to be entitled An Act to define more particularly the County lines of Calhoun County, came up,

Senate went into Committee of the Whole, Mr. Snell in the Chair.

After some time spent therein, the Committee rose, and through their Chairman, reported the bill back to the Senate, as amended, and asked to be discharged from the further consideration thereof.

A bill to be entitled An Act to equalize taxation in this State,

Came up on its second reading ;

The Senate went into Committee of the Whole upon said bill, Mr. Smith in the Chair,

And after some time spent therein, the Committee rose, and through their Chairman, reported progress and asked leave to sit again.

House bill to be entitled An Act to prevent negroes from being taken out of the State from the present Indian country, without notice,

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

House bill to be entitled An Act relating to the assessment of taxes in the county of Jackson,

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

House bill to be entitled An Act requiring the Register of Public Lands for this State, to procure and keep a seal of office,

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

House bill to be entitled An Act to require the Register of State lands, to furnish clerks of the Circuit Courts with a list of all lands, subject to private entry, in this State, where any of said lands lie and for other purposes,

Was read a first time by its title, rule waived, and ordered for a second reading on to-morrow.

A bill to be entitled An Act concerning pre-emptions, on sixteenth sections and lands selected in lieu thereof,

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

A bill to be entitled An Act for the relief of Thomas B. Wynn,

Was read a second time and ordered to be engrossed.

A bill to be entitled An Act repealing certain existing rules of descent,

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

An Act to amend the laws relating to executors and administrators,

Was read a first time, rule waived, read a second time by its title, and referred to the Committee on Judiciary.

A bill to be entitled An Act amendatory to an act to establish and organize a Mayor's Court in the city of Apalachicola,

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

The Senate then adjourned until to-morrow morning, 10 o'clock.

FRIDAY, December 24, 1852.

The Senate met pursuant to adjournment. Rev. Mr. Zealey officiated as Chaplain. A quorum being present, the journal of yesterday's proceedings was read, amended and approved.

Mr. Johnson moved that the Committee on the Militia be instructed to examine the condition of the public arms and to report by bill or otherwise, the propriety of building an Armory, or distributing the said arms ;

Which was adopted.

Mr. Buddington from the Committee on Propositions and Grievances, made the following report :

The Committee on Propositions and Grievances, to whom was referred the petition of sundry citizens of Jackson county, requesting the repeal of An Act declaring Robinson's Spring Creek, in said county a navigable stream, have had the same under consideration, and ask leave to report :