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PROCEEDINGS OF THE CONVENTION  
OF THE  
PEOPLE OF FLORIDA,  
AT  
CALLED SESSIONS,

Begun and Held at the Capitol in Tallahassee, on Tuesday,  
February 26th, and Thursday, April 18th, 1861.

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# PROCEEDINGS OF THE CONVENTION.

## — CALLED SESSION. —

### FIRST DAY. —

TUESDAY, February 26th, 1861.

The Convention assembled this day, at the Capitol, in the city of Tallahassee, in accordance with a proclamation of the President, dated 13th February, 1861.

Upon the call of the roll, the following Delegates answered to their names, viz :

Mr. President.

John Beard, G. T. Ward, G. W. Parkhill and James Kirksey of Leon.

Isaac S. Coon of New River.

J. G. Cooper and Joseph Finegan of Nassau.

J. B. Dawkins of Alachua.

W. S. Dilworth and T. M. Palmer of Jefferson.

S. M. G. Gary and Wm. McGahagin of Marion.

G. H. Hunter and J. W. Jones of Columbia.

John J. Lamb, 13th Senatorial District.

A. J. Lea and Wm. H. Sever of Madison, Taylor and Lafayette.

D. G. Leigh of Sumter.

McQueen McIntosh, 5th Senatorial District.

J. A. Newman of Suwannee.

A quorum not being present, upon motion of Mr. Cooper, seconded by Mr. Finegan, the Convention adjourned until tomorrow at half-past 2 o'clock, P. M.

## SECOND DAY.

WEDNESDAY, February 27th, 1861.

The Convention met pursuant to adjournment.

Upon the call of the roll the following delegates answered to their names:

Mr. President, Messrs. Alderman, Anderson, Baker of Calhoun, Baker of Jackson, Barrington, Beard, Coon, Cooper, Daniel, Dawkins, Devall, Dilworth, Finegan, Folsom, Gary, Helvenston, Hendricks, Henry, Hunter, Jones, Kirksey, Lamar, Lamb, Lea of Madison, Lewis, Love, McCaskill, McGahagin, McIntosh, McNealey, Newman, Nicholson, Palmer, Parkhill, Pelot, Sever, Spencer, Stephens, Thomas, Ward and Yates.

A quorum being present, the Convention proceeded to business.

Mr. Beard of Leon offered the following resolutions:

WHEREAS, It has pleased God to remove by the hand of death Dr. BENJAMIN W. SAXON, who was a member of this body, and who departed this life during the recess—

*Resolved*, That, in testimony of our regard for the memory of the deceased, and of our sympathy with his bereaved friends, we will wear the customary badge of mourning.

*Resolved*, That these proceedings be entered on the journal of this Convention, and that a copy of them be sent by the Secretary to the family of the deceased.

Which were unanimously adopted.

Mr. McIntosh moved that John W. Tompkins be appointed second assistant Secretary in place of E. W. Rogers, until Mr. Rogers shall present himself in this Convention;

Which was adopted.

The President announced that he had in his possession a communication from the delegates of the State of Florida to the Congress of the Confederate States of America now in session at Montgomery.

On motion the Convention went into secret session, for the purpose of receiving said communication.

Sometime being spent in secret session, the doors were opened and the Convention resumed its business.

Mr. Beard of Leon made the following report:

The Special Committee appointed to see that all ordinances and resolutions adopted by the Convention before the recess are properly enrolled, having performed the duty assigned to them, ask to be discharged.

JOHN BEARD, Chairman.

Which was read and the Committee discharged.

Mr. Beard of Leon offered the following ordinance:

*Be it ordained by the People of the State of Florida in Convention assembled,* That an act passed by the General Assembly at its last session entitled an act to prevent the collection of debts in certain cases from debtors in this State, be and the same is hereby annulled;

Which was placed among the orders of the day for to-morrow, and 80 copies of the act referred to ordered to be printed.

On motion, the Convention went into secret session.

After some time being spent therein, the Convention resumed its business in open session.

Mr. Love of Gadsden moved that the Convention do now adjourn to meet in Fernandina on Friday next, at half-past two o'clock, P. M.

Mr. Baker of Calhoun moved to lay said motion on the table;

Upon which motion the yeas and nays were called by Messrs. Dawkins and Coon, and were:

Yeas—Mr. President, Messrs. Alderman, Anderson, Baker of Calhoun, Baker of Jackson, Barrington, Beard, Coon, Daniel, Dawkins, Devall, Dilworth, Finegan, Folsom, Gary, Hendricks, Jones, Kirksey, Lamb, Lewis, Love, McCaskill, McNealey, Newman, Nicholson, Palmer, Pelot, Sever, Ward and Yates—30.

Nays—Messrs. Cooper, Helvenston, Lamar, McGahagin, McIntosh and Stephens—6.

So the motion was carried.

Mr. Lamar of Jefferson offered the following resolution:

*Resolved,* That this Convention now take a recess to be assembled at the call of the President, or by the Governor in the event of the inability of the President from illness, or other cause;

Which was read and placed among the orders.

Mr. Beard of Leon offered the following resolution:

*Resolved.* That a committee of three be appointed by the President to revise and digest the Constitution of the State, and submit the result to this Convention:

Which was read and placed among the orders.

Mr. Ward of Leon offered a resolution to repeal the 5th section of the 6th article of the Constitution;

Which was read and placed among the orders.

Mr. McIntosh of Calhoun, gave notice that he would on to-morrow call up the report from the Committee on Sea Coast Defences, made at the last session of this Convention.

Mr. Lea of Madison offered a resolution to repeal the 10th section of the 6th article of the Constitution;

Which was read and placed among the orders.

On motion, the Convention adjourned until 10 o'clock, to-morrow morning.

## THIRD DAY.

THURSDAY, February 28th, 1861.

The Convention met pursuant to adjournment—a quorum present.

Prayer by Rev. Dr. Dubose.

The proceedings of yesterday were read, amended and approved.

Mr. Ward of Leon moved that he be permitted to file with the Clerk a letter from the Hon. Joseph A. Collier, a member of this Convention from the county of Jackson, and to sign the name of the said Collier to the Ordinance of Secession passed by this Convention on the 10th day of January last, in virtue of the authority contained in said letter;

Which was agreed to.

Mr. Pelot moved that a Committee of three be appointed to wait on his Excellency the Governor to know if he has any matter to lay before the Convention;

Which was agreed to, and Messrs. Pelot, Dawkins and McIntosh were appointed said Committee.

Mr. Daniel of Duval offered the following ordinance:

*Be it ordained by the People of the State of Florida in Convention assembled,* That the Constitution for the Provisional Government of the Confederate States of America recently adopted by the delegates from the States of South Carolina, Georgia, Alabama, Mississippi, Louisiana and Florida, assembled in Congress, at the city of Montgomery, be and the same is hereby ratified and confirmed, and made the supreme law of the State of Florida until such time as a permanent Constitution for the Government of said Confederate States shall have been adopted; and to its maintenance and support we pledge “our lives, our fortunes and our sacred honors.”

On motion, the rule was waived, and said ordinance put upon its passage, and unanimously adopted.

Mr. Beard of Leon offered the following resolution:

*Resolved,* That until permanent regulations be made in relation to the Marine Hospital at St. Marks, the Comptroller be and he is hereby required to audit and allow all reasonable charges for necessary supplies to said Hospital and shall issue warrants for the same upon the Treasury of the State: *Provided,* That all such accounts shall be sworn to by the person or persons claiming payment, and also be certified as correct and proper by the officer in charge of said Hospital.

Which was read and placed among the orders.

Mr. Daniel of Duval offered the following resolution :

*Be it resolved by the People of the State of Florida in Convention assembled,* That until this Convention or the General Assembly of this State shall otherwise provide, the Registers and Receivers of the several Land Offices existing in this State prior to the 10th day of Jan'y, A. D. 1861, under the government of the late United States who were continued in office by an ordinance of this Convention passed Jan'y 17, 1861, be and they are hereby authorized and required to resume the sale of land, and to perform such other duties as appertain to their respective offices under the laws and regulations of the late United States, upon giving the bond and taking the oath prescribed by the ordinance passed January 15th, 1861, subject to such rules, regulations and instructions as may be prescribed by the Governor of this State ; and the Governor of this State is authorized to fill any vacancy that may occur in any of said offices by death, resignation or otherwise ; and said officers shall receive the same pay and emoluments as were allowed by the laws of the late United States, to be paid in such manner as the Governor shall prescribe ; and such amounts as were due to said officers by the late United States on the 10th day of January last, for salary and commissions, shall be paid them under the direction of the Governor of this State.

Which was read.

On motion of Mr. McIntosh, said resolution was referred to a Select Committee of six.

The President appointed Messrs. McIntosh, Ward, Pelot, Dilworth, Helvenston and Daniel said Committee.

Mr. Palmer of Jefferson offered the following resolution :

*Resolved,* That the members of this Convention agree not to receive any pay for their services as delegates ;

Which was read and placed among the orders.

#### ORDERS OF THE DAY.

An ordinance to repeal an act passed by the General Assembly entitled an act to prevent the collection of debts in certain cases from debtors in this State,

Was read, and on motion of Mr. Beard of Leon, was passed over for the present.

Resolution relating to an adjournment of the Convention,

Was read, and on motion of Mr. Lamar of Jefferson, was laid on the table for the present.

Resolution to repeal the 5th Section of the 6th Article of the Constitution of this State,

Was read.

Mr. McIntosh of Calhoun offered the following as a substitute :

*Be it ordained,* That the legal disability under the 5th Section of the 6th Article of the Constitution shall not acerue until after trial and conviction according to due form of law.

*Be it further ordained,* That the 10th Section of the 6th Article of the Constitution be and the same is hereby abrogated and annulled;

Which substitute was adopted in lieu of the original and put upon its passage.

Mr. Beard of Leon moved a division of the subjects;

Which was agreed to, and the first section of the substitute put upon its passage.

Mr. Love of Gadsden moved to lay the 1st section of the substitute on the table;

Which motion was lost.

Upon the passage of said section the yeas and nays were called for by Messrs. Love and Stephens and were:

Yeas—Mr. President, Messrs. Alderman, Baker of Calhoun, Baker of Jackson, Barrington, Beard, Coon, Cooper, Daniel, Dawkins, Devall, Dilworth, Finegan, Folsom, Gary, Helvenston, Hendricks, Hunter, Jones, Kirksey, Lamar, Lamb, Lea of Madison, Leigh of Sumter, Lewis, McCaskill, McGahagin, McLean, McIntosh, McNealey, Newman, Nicholson, Palmer, Parkhill, Pelot, Sever, Spencer, Thomas, Ward and Yates—40.

Nays—Messrs. Henry, Love and Stephens—3.

So the 1st section of the substitute passed.

The second section of the substitute was then put upon its passage, the yeas and nays being called by Messrs. Love and McIntosh, and were:

Yeas—Messrs. Alderman, Barrington, Coon, Cooper, Dawkins, Devall, Dilworth, Finegan, Gary, Hendricks, Lamar, Lamb, Lea of Madison, Leigh of Sumter, Lewis, McGahagin, McIntosh, Nicholson, Palmer, Parkhill, Pelot, Sever, Thomas, Ward and Yates—25.

Nays—Mr. President, Messrs. Baker of Calhoun, Baker of Jackson, Beard, Daniel, Helvenston, Henry, Hunter, Jones, Kirksey, Love, McCaskill, McLean, McNealey, Newman, Spencer and Stephens—17.

So the second section of the substitute was adopted.

Mr. Daniel of Duval offered the following ordinance:

*Be it ordained by the People of the State of Florida in Convention assembled,* That all amendments to the Constitution of the State of Florida, which may be adopted by this Convention at its present or any future session, shall be referred back to the voters of the State for their ratification.

Which was read and 80 copies ordered to be printed.

Mr. McIntosh of Calhoun, according to previous notice, called

up the report made to the first session of this Convention by the Committee on Sea Coast defences, January 15th, 1861 ;

Which was read and concurred in.

The resolution providing for a Committee "to revise and digest the Constitution of the State," and report thereon,

Was read and adopted, and Messrs. Beard, Gary and Stephens were appointed said Committee.

Mr. Beard of Leon offered an ordinance to provide a permanent mode of altering or amending the Constitution of this State in future ;

Which was read and 80 copies ordered to be printed for the use of the Convention.

An ordinance to repeal an act of the General Assembly at its last session, entitled an act to prevent the collection of debts in certain cases from debtors in this State, again came up for consideration.

Mr. Daniel of Duval moved to amend said ordinance by inserting after the word "that," in the first line of the printed bill, the word "whereas," and to strike out all in the third line after the word "State" and insert in lieu thereof the words "is inconsistent with the 9th and 19th sections of the first article of the Constitution of this State, be and the same is hereby annulled."

Mr. Pelot of Alachua moved to lay the original and amendment on the table ;

Which motion was lost.

The amendments were, on motion, adopted.

On motion of Mr. Ward, the ordinance as amended was adopted.

Mr. Love of Gadsden offered the following resolution :

*Resolved*, That the Committee on Judiciary be instructed to enquire whether or not the basis of representation in the General Assembly of this State is uniform and equal, and, if not, that they report an ordinance to this Convention making the said basis of representation uniform and equal ;

Which was read and placed among the orders.

Mr. Palmer moved that the Convention adjourn until 12 o'clock to-morrow ;

Which was lost.

Mr. Henry of Gadsden moved that the Convention adjourn until 11 o'clock to-morrow ;

Which was lost.

On motion of Mr. Cooper, the Convention adjourned until to-morrow morning, 10 o'clock.

## FOURTH DAY.

FRIDAY, March 1st, 1861.

The Convention met pursuant to adjournment—a quorum present.

On motion, the reading of the journal of yesterday's proceedings was dispensed with.

Mr. McIntosh of Calhoun offered the following resolution:

*Resolved*, That the Select Committee of six be instructed to investigate and report upon all matters appertaining to the public lands of this State;

Which was read and adopted.

The President announced to the Convention that he had received a communication from the Surveyor General of the late United States for the State of Florida;

Which was read and referred to the Select Committee of six on the Public Lands.

Mr. McIntosh of Calhoun offered the following:

*Resolved*, That F. L. Dancy, late Surveyor General in this State, be instructed by this Convention to retain possession of all papers and public documents, and other public property appertaining to his office, until he is further directed by this Convention;

Which was read and adopted.

Mr. Dawkins of Alachua offered the following:

*Resolved*, That the Governor be requested to communicate to this Convention whether any monies have been paid out by any disbursing officer of the late Federal Government in this State on any account since the adoption of ordinance No. 2, and, if so, upon what account and upon what authority.

The rules being waived, said resolution was adopted.

Mr. McIntosh of Calhoun stated that the Committee appointed to select a seal for the State were not yet ready to report, but that two designs had been placed in their hands and the Committee would like to place them on the table for the inspection of Delegates;

Which was agreed to.

Mr. Parkhill moved that the minutes of yesterday be so amended as for his vote to appear in the affirmative upon passage of the substitute for the repeal of the 5th section of the 6th article of the Constitution of Florida;

Which was agreed to.

Mr. Lamar moved that the Committee appointed at the pre-



vious session of this Convention to report to this Convention the causes which impelled the people of Florida to withdraw from the government of the late United States, be discharged from the further consideration of the subject ;

Which was agreed to.

## ORDERS OF THE DAY.

An ordinance to provide that all amendments to the Constitution passed by this Convention be referred to the people for their ratification,

Was read, and on motion of Mr. McIntosh, was laid on the table.

A resolution relating to the Marine Hospital at St. Marks was read.

Mr. Lamar of Jefferson offered the following as a substitute :

*Resolved*, That our Delegation to the Southern Congress be and they are hereby requested to bring the subject of the maintenance of Marine Hospitals, Light Houses, &c., within the State of Florida, to the attention of said Congress, and urge an immediate provision for the same.

*Resolved*, That the Secretary be required to despatch a copy of the foregoing resolution to our Delegation.

Which was adopted.

A resolution relating to the pay of the members of this Convention was read and informally laid on the table for the present.

An ordinance respecting amendments to the Constitution, the manner, &c., of calling and electing members of State Conventions, was read.

On motion of Mr. Beard of Leon, the ordinance was taken up by sections.

The first section was read.

Mr. Dilworth of Jefferson moved to refer this section to the Select Committee to digest and revise the Constitution ;

Which motion was lost.

The section was then put upon its passage, upon which the yeas and nays were called by Messrs. Beard and Stephens, and were :

Yeas—Mr. President, Messrs. Alderman, Baker of Calhoun, Baker of Jackson, Barrington, Beard, Coon, Cooper, Daniel, Dawkins, Devall, Finggan, Helvenston, Hendricks, Henry, Hunter, Jones, Kirksey, Lamar, Lamb, Lea of Madison, Leigh of Sumter, Lewis, Love, McCaskill, McGahagin, McIntosh, McNealey, Newman, Nicholson, Parkhill, Pelot, Sever, Spencer, Stephens, Thomas, Ward and Yates—38.

Nays—Messrs. Dilworth and Gary—2.

So the first section was adopted.

The second section was then read.

Mr. Lamar of Jefferson moved to amend this section by striking out all the words after the word "House," in the third line of the printed bill;

Which was agreed to.

The second section as amended was then adopted.

The third section was then read.

Mr. McIntosh of Calhoun moved to amend said section by striking out the words "Judicial District," in the second line of the printed bill, and insert in lieu thereof the words, "County and Senatorial District;" also, in the same line strike out the words, "six weeks," and insert in lieu thereof, the words, "at least thirty days;"

Which was agreed to.

Mr. McIntosh of Calhoun moved to further amend said section by striking out after the word "respectively," in the fifth line, all the words up to the word "the" in the seventh line, and insert in lieu thereof the word "and;"

Which was adopted.

The third section as amended was put upon its passage and adopted.

A resolution asking a reference of the basis of representation to the Committee on the Judiciary,

Was read and on motion laid on the table for the present.

Mr. Nicholson of Escambia moved that the rule be waived and that he be allowed to offer a resolution;

Which was agreed to.

Mr. Nicholson of Escambia offered the following resolution:

*Resolved*, That this Convention do heartily and unanimously concur in the nomination and election of the Hon. Jefferson Davis President, and Hon. Alex. H. Stephens Vice-President of the Confederate States.

Which was read and unanimously adopted.

Mr. Baker of Jackson moved to take from the table the following resolution:

*Resolved*, That this Convention now take a recess to be re-assembled at the call of the President, or by the Governor in the event of the inability of the President from illness or other cause.

Which was agreed to, and on motion passed by for the present.

The following communication was received from his Excellency the Governor:

EXECUTIVE DEPARTMENT, }  
TALLAHASSEE, March 1st, 1861. }

HON. JNO. C. MCGHEE,

*President of the Convention.*

SIR:—In reply to the resolution of the Convention of this date,

requesting me "to communicate to the Convention whether any moneys have been paid out by any disbursing officer of the late Federal Government in this State, on any account, since the adoption of ordinance No. 2, and, if so, upon what account and upon what authority," I have the honor to state that the sum of nineteen hundred and ninety-nine dollars have been paid by A. L. Woodward, Register and Receiver. Twelve hundred and thirty-five dollars of this amount was paid upon drafts drawn upon him as United States depository by the U. S. Treasurer.

Very respectfully,

M. S. PERRY.

Which was read.

On motion of Mr. McIntosh, said communication was referred to a Select Committee of five.

The President appointed Messrs. Dawkins, Love, Lamar, Baker of Jackson and Daniel said Committee.

Mr. McIntosh of Calhoun asked to be excused from serving on the Committee on Public Lands;

Which was not agreed to.

The resolution relating to the adjournment of the Convention was again called up, and adopted.

So the Convention was declared adjourned accordingly by the President.

# PROCEEDINGS OF THE CONVENTION.

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## CALLED SESSION.

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### FIRST DAY.

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THURSDAY, April 18th, 1861.

Pursuant to a call of the President, dated 25th of March, 1861, made under the following resolution of the Convention, adopted March 1st, 1861, viz:

“*Resolved*, That this Convention now take a recess to be re-assembled at the call of the President, or by the Governor, in the event of the inability of the President from illness or other cause;”

The delegates assembled at the Capitol, in the city of Tallahassee, on this day.

Upon the call of the roll, the following members answered to their names:

Mr. President, Messrs. Alderman, Allison, Baker of Calhoun, Baker of Jackson, Barrington, Beard, Chandler, Collier, Coon, Cooper, Davis, Devall, Finegan, Folsom, Gettis, Glazier, Hunter, Irwin, Kirksey, Lamb, Lea of Madison, Leigh of Sumter, Lewis, Love, McCaskill, McGahagin, McLean, McNealey, Morrison, Newman, Owens, Palmer, Parkhill, Pelot, Sever, Spencer, Solana, Stephens, Thomas, Tift, Turman, Ward, Wright and Yates—45.

A quorum being present, the Convention was opened with prayer by the Rev. Dr. Myers.

Mr. Turman of Hillsborough presented the credentials of Joseph M. Taylor, member elect from Hernando county, to fill the vacancy made by the death of B. W. Saxon. Mr. Taylor being present, came forward, signed the roll, and took his seat.

The President read the following communication from the President of the Confederate Congress:

CONVENTION OF THE CONFEDERATE STATES OF AMERICA, }  
MONTGOMERY, ALABAMA, March 12th, 1861. }

HON. J. C. McGENEE, TALLAHASSEE, FLA.

SIR—I herewith transmit to you a certified copy of the Con-

stitution of the Confederate States of America, as it was finally adopted by the unanimous vote of the Convention, to be placed before the State Convention over which you preside, for its approval and ratification.

It will be seen that the Convention here have conformed to the general wish of the people of these States in adopting a Constitution upon the general principles of the Constitution of the United States. The departures from the the provisions of that instrument have been suggested by the experience of the past, and are intended to guard against the evils and dangers which led to the dissolution of the late Union. This Constitution is now submitted, with confidence, to the State Convention for their action.

Respectfully,

HOWELL COBB,

*President of Convention C. S. A.*

Which was read and ordered to be spread on the journal.

On motion of Mr. Pelot of Alachua, the Constitution of the Confederate States of America, accompanying the said communication, was ordered to be printed and made the special order of the day for to-morrow.

Mr. Ward of Leon presented and read the proceedings of a public meeting of the citizens of Leon County, and thereupon offered an ordinance to be entitled an ordinance to provide for the more speedy trial of slaves accused of Felony ;

Which was read and referred to the Committee on the Judiciary.

Mr. Pelot of Alachua moved that the Special Committee on the Public Lands, appointed at the last session of this Convention, be discharged ;

Which was agreed to.

On motion of Mr. Stephens of Gadsden, Messrs. Pelot, Beard and Daniel, were added to the Committee on Public Lands.

The following communication was read by the President, and on motion of Mr. Pelot, was ordered to be spread on the journal :

FERNANDINA, April 15th, 1861.

SIR:—Before the final adjournment of the Convention, over which you preside, I think it proper to inform you that my colleagues having left Washington before we received the Ordinance which appointed us to represent the State in regard to the public property in Florida, claimed by the United States, I did not act further than to address to the Secretary of State a letter, of which the following is a copy.

This course became the more appropriate as I conceived, be-

cause the preliminary steps for the formation of a Confederate Government were then in progress.

Respectfully, your ob't serv't,

D. L. YULEE.

Hon. J. C. McGENEE, Pres't Convention People of Florida.

(COPY.)

WASHINGTON, February 5th, 1861.

SIR:—In the absence of my associates, Messrs. Mallory and Hawkins, I content myself with enclosing to you a copy of an Ordinance passed by a Convention representing the sovereign authority in Florida, having relation to the public property of the United States in that State, concerning which we are authorized to treat.

I propose at present only to inform you by this means of the existence of this Ordinance.

I have the honor to be

Your obedient servant,

D. L. YULEE.

Hon. J. S. BLACK, *Secretary of State.*

Mr. Finegan, of Nassau, presented some papers relating to action in the Treasury Department of the late U. S. and asked that they be referred to the Committee on Public Lands, without being read, which was agreed to.

Mr. Allison, of Gadsden, offered the following resolution :

*Resolved*, That the duties of the committee appointed to revise and digest the Constitution be so extended as to authorize and require it to report such amendments thereto as it may deem proper ;

Which was read, and on motion, the rules were waived and adopted.

On motion of Mr. Beard, of Leon, Messrs. Allison and Gettis were added to the committee to digest and compile the Constitution.

Mr. Davis, of Leon, offered the following resolution :

*Resolved*, That the Committee on the Judiciary be instructed to enquire what action, if any, is necessary on the part of the Convention, to give effect to the act of the Provisional Congress of the Confederate States creating a District Court for the State of Florida, and giving to said Court jurisdiction over the cases lately pending before the District Court for the Northern District of Florida ;

Which was read and placed among the orders of the day for to-morrow.

Mr. Parkhill, of Leon, offered the following resolution :

*Be it resolved by the Convention of the State of Florida, That we do most heartily approve of the course of Gen. David E. Twiggs, Brig-Gen. of the Federal Army, of the late United States, in surrendering public property in Texas, and throwing his influence in favor of the cause of the Confederate States ;*

Which was read and placed among the orders of the day for to-morrow.

Mr. Davis, of Leon, offered the following resolution :

*Resolved, That a Committee be appointed to wait on his Excellency the Governor, and inform him that this body has met and proceeded to business, and is ready to receive any communication which the Governor may be prepared to make to this Convention.*

Which was read and adopted, and Messrs. Davis, Stephens and Finegan were appointed the Committee, under said resolution.

Mr. Wright of Escambia offered the following resolution :

*Resolved, That the members of the Executive, Legislative and Judicial Departments of the State, Heads of Departments and Governor elect thereof, be hereby tendered seats on the floor of this Convention ;*

Which was read and placed among the orders.

On motion, the Convention adjourned until to-morrow 10 o'clock, A. M.

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## SECOND DAY.

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FRIDAY, April 19th, 1861.

The Convention met pursuant to adjournment—a quorum present.

Prayer by Rev. Mr. Fraser.

On motion, the reading of the journal of yesterday's proceedings was dispensed with.

The following communications from McQueen McIntosh, Thompson B. Lamar and J. Patton Anderson, delegates of this Convention, were presented by the President, and read and ordered to be spread upon the journal:

APALACHICOLA ARSENAL, April 5th, 1861.

Hon. JOHN C. MCGEHEE,

*President Florida State Convention:*

Sir:—Having accepted the appointment of District Judge of

the Confederate States of America, for the Southern District of Florida, I will not be able to attend the next meeting of the Florida State Convention.

For the reason mentioned above, I respectfully tender through you, to the body over which you preside, my resignation as delegate from the counties of Franklin and Calhoun.

I have the honor to be, sir,

Very respect'y, your ob't serv't,

McQUEEN McINTOSH.

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APALACHICOLA ARSENAL, April 5th, 1861.

Hon. JOHN C. McGENEE,

*President Florida State Convention :*

SIR:—Expecting for some time to be engaged in the service of the Confederate States of America, in a military capacity, we respectfully tender through you, to the body over which you preside, our resignations of the seats which we occupy therein as delegates from the county of Jefferson.

We have the honor to be, sir,

Very respect'y, your ob't serv'ts,

THOMPSON B. LAMAR,  
J. PATTON ANDERSON.

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A Communication from the Committee of the Faculty of the University of Virginia was read by the President;

Which was received, and on motion, referred to the Committee on Schools and Colleges.

On motion of Mr. Beard of Leon, Messrs. Pelot and Baker of Calhoun, were added to the Committee on the Digesting and compiling the Constitution.

Mr. Cooper of Nassau moved that a Messenger pro tem. be appointed to this Convention during the absence of the regularly elected officer;

Which was adopted, and Mr. George Saunders was appointed messenger pro tem.

A communication from Judge Finley was read, received and on motion, referred to the Committee on the Judiciary.

Mr. McCaskill of Walton offered the following preamble and ordinance :

WHEREAS, The late General Assembly of this State passed an act changing the time of holding the Circuit Court, to sit for the county of Walton on the first Monday in March, instead of the first Monday of April, as formerly, and notice of said act having failed to reach that county for the officers of the Court



to inform themselves of its true import, and a current report being in circulation that the said act fixed the time for the sitting of said court on Tuesday after the second Monday in March, writs were accordingly issued and served by the proper officers, and the Judge of said Circuit proceeded to hold said Court on said day in the aforesaid county :

*Be it therefore resolved by the people of the State of Florida in Convention assembled,* That the acts and doings of the Circuit Court began and held for the county of Walton, at Uchee Ama, on Tuesday, the 12th day of March, in the year one thousand eight hundred and sixty-one, be and the same are hereby declared to be as valid as if said Court had sat on the day fixed by the aforesaid act ;

Which was referred to the Committee on the Judiciary.

Mr. Davis of Leon, offered the following resolution, which was adopted :

*Resolved,* That the Secretary apply to the Secretary of State for copies of the acts passed by the last General Assembly for the use of the Convention.

Mr. Davis of Leon from the Judiciary Committee, made the following report :

The Committee on the Judiciary, to whom was referred the "Ordinance to amend the Constitution of the State of Florida," which proposes to provide for a special Court for the trial of offences committed by slaves, free negroes and mulattoes, report herewith a substitute for the Ordinance referred to the Committee, which substitute the Committee recommend be made an additional section to the 5th Article of the Constitution, should the Convention determine that slaves, free negroes and mulattoes, shall be tried in a different manner and before a different tribunal than is by the Constitution provided, for the trial of free white persons accused of crimes and misdemeanors.

If the Convention should decide that such special tribunal should be created as is provided for in the section requested by the Committee to form part of the fifth Article of the Constitution, it is the opinion of the Committee that the section reported will enable the Court provided to exist to proceed at once to dispose of all existing causes without legislative action.

All of which is respectfully submitted,

W. G. M. DAVIS.

Which was read and received, and, on motion of Mr. Ward of Leon, the Convention went into committee of the whole on said report.

Some time being spent therein, the committee rose and reported the substitute by the committee with amendments ;

Which report was on motion received.

Mr. Newman of Suwannee moved to strike out of said report

the words, "said court shall assess the value of all slaves sentenced by it to capital punishment, one half of which value shall be paid by the State to the owner or owners of such slaves;"

Which motion was lost.

On motion of Mr. Ward of Leon, the ordinance as amended was put upon its passage and adopted.

#### ORDERS OF THE DAY.

The Constitution of the Confederate States of America being the special order for to-day, was passed by for the present.

A resolution instructing the Judiciary Committee to report what action, if any, is necessary on the part of the Convention, to give effect to the act of the Provisional Congress of the Confederate States concerning the District Court for the Northern District of Florida,

Was read and adopted.

A resolution approving of the action of Brigadier General David E. Twiggs, in Texas,

Was read.

Mr. Beard of Leon moved to amend said resolution, by striking out all after and including the word "surrendering" and insert in lieu thereof the words "resigning his commission in said army and in giving his adhesion to the Confederate States;"

Which amendment was received, and the resolution as amended adopted.

A resolution tendering seats on the floor of the Convention to certain officials,

Was read and rejected.

Mr. Davis of Leon asked leave to have referred to the Committee on Finance certain papers;

Which was granted.

On motion, the Convention took a recess until 4 o'clock, P. M.

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#### 4 O'CLOCK, P. M.

The Convention resumed its session.

Mr. Love of Gadsden called up a resolution introduced at the last session, relating to a uniform and equal system of representation, and moved its reference to the Judiciary Committee;

Which motion was not agreed to.

The following communication was received from the Secretary of State:

OFFICE OF THE SEC'Y. OF STATE, {  
TALLAHASSEE, April 19, 1861. }

W. S. HARRIS,

*Secretary of the Convention:*

SIR—In reply to the resolution transmitted by you, I would respectfully inform you that the printer has not yet prepared the Acts of the last General Assembly for distribution. I will endeavor to have copies for the Convention as soon as possible.

Very respectfully,

F. L. VILLEPIGUE,  
Sec'y of State.

Which was read.

Mr. Beard of Leon offered the following resolution:

*Resolved,* That considering the embarrassments that surround Gov. Ellis, of North Carolina, at this "time that tries the souls of men," the State of Florida is constrained to express admiration for the decision and intrepidity of Gov. Ellis, evinced by his indignant reply to the requisition made by the Black Republican President, and his prompt occupation of the Forts and Arsenal within a State that had not withdrawn formally from the late Federal Union.

The rules were waived and the resolution unanimously adopted.

Mr. Turman of Hillsborough offered the following resolutions:

WHEREAS, The Confederate States of America are now engaged in a War with the late United States Government, in defence of the right of Secession: *And whereas,* The State of Florida has assumed that right, and, in consequence of that assumption, has become a member of the Confederate State; therefore—

*Be it resolved by the delegates of the People of Florida in Convention assembled,* That while it is the imperative duty of all loyal citizens of the State of Florida to respond, promptly and liberally, to any call of the Confederate States' Government, having in view the defence of the rights vindicated by the Ordinance of Secession, and the maintenance of the form of Government inaugurated by the permanent Constitution of the Southern Confederacy, whether such response requires personal service or pecuniary sacrifice, we recognize the peculiar responsibility attaching to each member of this Convention, and are willing to place beyond cavil our sincere attachment to the cause of the slave-holding States of the late U. S. Government, by a sacrifice of time and comfort.

*Be it further resolved,* That in consideration of the fact that a conflict of arms is daily expected at Fort Pickens, between the Army of the Government of our choice, and the Army of the

Government which is striving to usurp our rights and reduce us to the condition of slavery, we, the undersigned Delegates to and officers of the Convention of the State of Florida, do hereby pledge ourselves to be governed by the rules and regulations of the Confederate States Army, from the date hereof until Fort Pickens is surrendered by the minions of abolitionism, (provided such a result is achieved without a siege) or for the term of two weekss ervice in the vicinity of said Fort, (should the battle not be fought at an earlier date,) after the company is reported ready for duty to the commander of the Confederate States forces at that point. Provided, President Davis does accept the services of said company for the time and purpose hereinbefore specified.

*Be it further resolved*, That the company officers shall be elected by ballot from among delegates signing this roll. A majority to elect.

*Be it further resolved*, That each member of this Company do subsist himself during the term of service herein specified, and provide transportation, &c., at his individual cost, and that all services of whatever character, contemplated by these resolutions, be performed cheerfully, under a full sense of our responsibility as humble intruments of the people, and as contributors to the extent of our ability to the great secession movement, zealously and gratuitously, with a single purpose, and that purpose, the advancement of the cause of the South.

*Be it further resolved*, That as soon as twenty-five Delegates and officers as aforesaid, be enrolled, his Excellency the Governor be notified of the fact, and requested to furnish such equipments as may be at his control.

*Be it further resolved*, That the services of the company be tendered to President Davis under the above conditions by the President of this Convention, as soon as twenty-five names are enrolled, that number being the *minimum* with which it is deemed proper to organize.

*Be it further resolved*, That should the anticipated battle be yet held in abeyance, at the expiration of the term hereinbefore specified, it shall be optional with the company to continue longer in service or disband, subject to a decision of the majority.

Which were read and placed among the orders of the day.

Mr. Spencer of Franklin offered an ordinance for the defence of the port of Apalachicola;

Which was referred to the Committee on Military Affairs:

On motion of Mr. Gettis of Hillsborough, Mr. Taylor of Hernando county was added to the Military Committee.

On motion the Convention adjourned until to-morrow, 10 o'clock, A. M.

## THIRD DAY.

SATURDAY, April 20th, 1861.

The Convention met pursuant to adjournment—a quorum present.

Prayer by Rev. Mr. Clisby, of Thomasville, Georgia.

The journal of yesterday's proceedings was read and approved.

Mr. Dilworth of Jefferson offered an ordinance to amend the Constitution in the election of Judges of the Supreme and Circuit Courts; also in relation to the election of Clerks and Sheriffs of Courts;

Which was read and referred to the Committee on the Constitution.

Mr. Dilworth of Jefferson offered an ordinance to amend the Constitution of the State so as to elect a Governor for six years, not to be eligible for the next ensuing term of said office;

Which was read and referred to the Committee on the Constitution.

Mr. Sanderson of Duval offered an ordinance relative to a Board of Education;

Which was read and ordered to be printed, and referred to the Committee on Schools and Colleges.

Mr. Wright of Escambia offered an ordinance to amend the Constitution of the State respecting the election of Justices of the Supreme, Chancellors, and Judges of the Circuit Courts;

Which was read and referred to the Committee on the Constitution.

Mr. Daniel of Duval offered the following resolution:

*Resolved*, That a committee of five be appointed to prepare and report by ordinance or otherwise, as to what disposition shall be made of all forts, arsenals, dock yards, navy yards, and other public buildings within this State, which were the property of the late United States.

Which was read and on motion adopted, and Messrs. Daniel, Dawkins, Ward, Nicholson and Folsom were appointed said committee.

The following communication was read from the Desk:

TELEGRAPH OFFICE, }  
TALLAHASSEE, April 20th, 1861. }

W. S. HARRIS, ESQ.,

*Secretary of Convention:*

DEAR SIR—You will much oblige by tendering to the mem-

bers of the Convention the free privilege of public Telegraph despatches during the present session.

Very Respectfully,

F. HOWE,

*President Telegraph Company.*

Which was received and ordered to be spread upon the journal, and that the thanks of the Convention be hereby tendered to Mr. F. Howe, President of Telegraph Company.

Mr. Mays of Putnam and St. Johns offered the following resolution :

*Resolved,* That a committee of three be appointed who shall wait on his Excellency the Governor, and the Governor elect, and request them to confer with the Convention in secret session upon the measures necessary to be adopted in relation to the forts, arsenals and dock yards, belonging to this State.

Which was read and adopted, and Messrs. Mays, Stephens and Sanderson were appointed said committee.

Mr. Turman of Hillsborough offered an ordinance to amend the Constitution of the State, and extend the civil jurisdiction of Justices of the Peace.

The Committee appointed to wait on his Excellency the Governor returned and reported that his Excellency would meet the Convention at half past 11 o'clock to-day.

The following communication was received from his Excellency the Governor :

EXECUTIVE DEPARTMENT, }  
TALLAHASSEE, April 19, 1861. }

*To the President*

*and members of the Convention :*

GENTLEMEN—I have the honor to inform you that Lieut. Horace Randal, of the corps of Engineers, has presented me his credentials from the Secretary of War of the Confederate States of America, instructing him “to proceed to the Chattahoochee Arsenal and to take possession of the same.” I have not felt authorized to transfer to the Confederate States any of the forts, arsenals or property of any kind captured from or claimed by the late United States, excepting a qualified transfer of the forts, &c., at Pensacola.

In view of the importance of immediate preparation for the purpose of dislodging the troops of the Federal Government at Fort Pickens, I transferred, “in so far as I had authority so to do,” the forts, munitions of war, &c., at Pensacola, which were in possession of the authorities of this State, to the Provisional Government of the Confederate States, subject of course to such action as your honorable body may in its judgment think proper to take in the premises.

Lieut. Randal is in this city awaiting the action of the Con-

vention as regards the Chattahoochee Arsenal. I was of opinion that the Arsenal at Chattahoochee, from its isolated position and for other considerations, would be of but little value to the Confederate States in a military point of view, and might be retained by the State without any detriment to the Southern Confederacy, to be converted into a State Military Institute and Depository for the Arms of the State.

It is a very eligible site, healthy and remote from the vices and immoralities usually to be met with in towns and villages, and in view of our improved Railroad facilities, of easy access to the citizens of the greatest portion of the State, and at a trifling cost may be made capable of accomodating three hundred cadets.

I beg to say that these suggestions are made in all due deference to the better judgment of your honorable body.

I have the honor to transmit herewith the accompanying resolution and letter from the Confederate States relative to Forts, Dock Yards, Reservations, &c., from the Hon. Howell Cobb, President of the Congress.

Respectfully,

M. S. PERRY.

Which was received, read and ordered to be spread on the journal, and that the communication be referred to the committee of five on Dock Yards and Navy Yards.

Mr. Sanderson of Duval offered an ordinance relative to proceeds of sales of public lands, &c., and asked that it be referred to the committee of five on Dock Yards and other property, which was agreed to.

Having reached the orders of the day, the consideration of the Constitution of the Confederate States, being the first in order, on motion, the Convention went into secret session, and after some time therein, the doors were opened.

On motion of Mr. Ward, Mr. Barrenton was allowed leave of absence.

On motion, the Convention took a recess until half past three o'clock, this P. M.

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3½ O'CLOCK, P. M.

The Convention resumed its session.

The President read to the Convention a communication from the Secretary of War of the Confederate States of America, transmitted to his Excellency Gov. Perry.

The Constitution of the Confederate States of America being the order of the day, came up, and on motion, the Convention went into committee of the whole, Mr. Sanderson in the Chair.

Some time being spent therein, the Committee rose, and through their Chairman, reported the Constitution of the Confederate States back to the House without amendment and recommended its ratification ;

Which report was received and concurred in.

Mr. Dawkins of Alachua offered the following ordinance :

*Be it ordained by the People of the State of Florida in Convention assembled,* That the Constitution of the Confederate States of America, adopted at Montgomery, Ala., 11th of March, A. D. 1861, be and the same is hereby ratified and confirmed ;

Which was read and made the order for one o'clock Monday next.

Mr. Finegan of Nassau offered the following ordinance :

*Be it ordained by the People of the State of Florida in Convention assembled,* That until the Confederate States make provision for the military defence of the ports of Apalachicola, St. Marks, Cedar Keys, St. Augustine, the mouth of the St. Johns river and Fernandina, the Governor of this State be, and he is hereby authorized to use such means as in his judgment may be necessary for the proper defence of the points indicated.

Which was read and placed among the orders.

On motion, the Convention adjourned until 10 o'clock, Monday, A. M.

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## FOURTH DAY.

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MONDAY, April 22nd, 1861.

The Convention met pursuant to adjournment—a quorum present.

Prayer by Rev. Mr. Harwell.

On motion, the reading of the minutes of Saturday was dispensed with.

A communication was received and read from A. L. Woodward, late receiver of the United States, at Tallahassee, which was, on motion, referred to the Committee on Public Lands.

Mr. Davis of Leon offered an ordinance to amend the first section of the sixth article of the Constitution, which was read and referred to the Committee on the Constitution.

Mr. Davis of Leon offered an ordinance to amend the section of article of the Constitution, which was read and referred to the Committee on the Constitution.



Mr. Davis of Leon offered the following ordinance, which was read and placed among the orders for to-morrow:

*Be it ordained by the People of the State of Florida in Convention assembled,* That the two first paragraphs of the Ordinance numbered two, in the printed and published copy of Ordinances, which was adopted by the Convention on the 15th day of January, 1861, be repealed; and that the last paragraph of said Ordinance be limited in its application to such money or property as was received by the officers of the late United States in this State up to the      day of      last.

*Be it further ordained,* That the Ordinance numbered three of the said published Ordinances, which was adopted in Convention on the 15th day of January, 1861, be repealed; and that all the judicial proceedings and records therein mentioned, be transferred and delivered to the District Court of the Confederate States, for the      District of Florida.

*Be it further ordained,* That the Ordinance numbered seven, continuing the offices of the late United States, and making them offices in this State, and providing to retain the persons in office who held the same, which Ordinance was adopted in Convention on the 17th January, 1861, and the Ordinance numbered eight of said published Ordinances, which authorizes the Governor to receive into the service of this State officers in the service of the United States who shall resign from such service, which ordinance was adopted in Convention on the 17th of January, 1861; and the Ordinance numbered nine of said published Ordinances, which provided for the abolition of useless offices formerly existing in this State under the Federal Government, which said Ordinance was adopted in Convention on the 17th January, 1861; the Ordinance numbered eleven of said published Ordinances, which gives power to the General Assembly to declare who are citizens of this State, and provides for the punishment of such persons as shall hold office in this State under the United States, which Ordinance was adopted on the 17th January, 1861; the Ordinance numbered seventeen creating an Admiralty Court at Key West, which was adopted on the 19th Jan'y, 1861; the Ordinance numbered eighteen of the published Ordinances, providing for the carriage of the mails in this State and for other purposes, which said Ordinance was adopted on the 19th January, 1861; the Ordinance numbered nineteen of said published Ordinances, which transfers to the Circuit Courts of this State jurisdiction over the subjects of jurisdiction formerly within the control of the late District Courts of the late United States, which said Ordinance was adopted on the 19th January, 1861; the resolution adopted in Convention on the 18th January, 1861, directing the General Assembly to provide for the maintenance of the Light Houses, and the resolution adopted in the Convention on

the 17th January, 1861, giving instructions to the delegates sent to represent this State in the Convention of Southern States at Montgomery, be and the same are severally annulled and repealed.

Also the following ordinance:

*Be it ordained by the People of the State of Florida in Convention assembled,* That for the purpose of providing for the representation of this State in the Congress of the Confederate States, the State shall be, and is hereby divided into two Congressional Districts, which division shall continue until the General Assembly otherwise provides. In each of said Districts there shall be elected, by the qualified voters thereof, one representative in said Congress, who shall have been an inhabitant of the District in which he is elected at least six months preceding the day of election.

*Be it further ordained,* That when any new apportionment of representation is made under the provisions of the Constitution of the Confederate States, the General Assembly shall divide the State into as many Districts of contiguous territory as there may be representatives allotted to the State of Florida by such apportionment.

*Be it further ordained,* That all that part of the State lying east of the Suwannee river, excluding the County of Hamilton, shall constitute the First Congressional District, and the remaining portion of the State, not included in the limits before mentioned, shall constitute the Second Congressional District.

*Be it further ordained,* That an election shall be held on the first Monday in October next, for two members to represent the State of Florida in the Congress of the Confederate States, which election shall be governed by the laws which regulated elections of members of Congress of the late United States, save as to the qualification of voters.

*Be it further ordained,* That for the purpose of choosing Electors for President and Vice President of the Confederate States of America, the State is divided into two Electoral Districts, corresponding with the two Congressional Districts before provided for, as follows: The first Congressional District shall be the first Electoral District; and the second Congressional District shall be the second Electoral District; and one elector from each of said Districts and two from the State at large, shall be elected by general ticket by the qualified voters, until the General Assembly shall otherwise provide.

Which was read and placed among the orders of the day for to-morrow.

Also an ordinance relating to officers having monies of the United States, &c.;

Which was read and referred to the Committee on Public Lands.

Also an ordinance empowering the General Assembly to maké Grants of Land to the Confederate States in certain cases ;

Which was read and referred to the Committee on Public Lands.

Also an ordinance to amend an act as to the Governor's residence at the seat of Government ;

Which was read and referred to the Committee on the Constitution.

Also an ordinance ceding Forts, Yards, &c., to the Confederate States ;

Which was read and referred to the Committee on Docks, Yards, &c.

Also an ordinance to define and to punish petty Treason, Sedition, &c ;

Which was read.

Mr. Finegan of Nassau offered the following ordinance :

*Be it ordained by the People of the State of Florida in Convention assembled,* That the Governor of this State be, and he is hereby authorized to organize and call into service whatever number of troops that in his judgment may be necessary for the defence of the State, and to appoint the field officers and field commissioned staff officers for the same. The troops thus called into service to be subject to the rules and articles of war ; and to receive the same pay and rations as the officers and men of the Confederate States army, to be mustered into service for such time as the exigency of the case may require.

The Governor shall have power to appoint and commission Engineer, Artillery and officers to instruct the troops in military tactics, and prescribe their rank, whenever in his judgment the interest of the service require it. He shall have power to appoint one Adjutant and Inspector General with the rank of Colonel ; one Pay-master General, one Quarter-master General, and one Surgeon General, with the rank of Lieut. Colonel. He shall have power to appoint four Aids with the rank of Colonel, and to appoint the field officers and surgeons required for the troops called into service by the Confederate States.

Which was read and placed among the orders of the day.

Mr. Allison of Gadsden, Chairman of the Committee on Public Lands, asked that said Committee have leave to retire for a short time, which was granted.

Mr. Gettis moved that Mr. Davis of Leon be added to the Committee on the Constitution ;

Which was agreed to.

## ORDERS OF THE DAY.

An ordinance authorizing defenses for the ports on the coast of the State, was read, and upon motion, adopted.

On motion, the Convention took a recess until half past 12 o'clock, P. M.

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12½ O'CLOCK.

The Convention resumed its session—a quorum present.

Mr. Dilworth of Jefferson moved that the journal of Saturday be so amended as to show that the Ordinance to amend the Constitution in the election of Judges of the Supreme and Circuit Courts was referred to the Committee on the Judiciary;

Which was agreed to.

Mr. Thomas of Hamilton made the following report:

The Committee on Schools and Colleges, to whom was referred a communication from the University of Virginia, have considered the same, and in compliance with the request therein contained, report the following resolution and recommend its adoption:

*Resolved*, That the Secretary of this Convention be and he is hereby required to furnish a copy of the journal and proceedings of this Convention, and a copy of the Acts of the late General Assembly to the University of Virginia, of Albemarle county, Va., for the use of the Library of that Institution.

Which was received, and on motion, the resolution put upon its passage, and adopted.

Mr. Thomas of Hamilton made the following report:

The Committee on Schools and Colleges, to whom was referred an Ordinance relative to a Board of Education, respectfully submit that they have had the same under consideration, and find that as the law now stands, the Register of the lands of the State is charged with the sole duty of the sale of the lands and disbursement of the funds of the Seminary lands. Your Committee are of the opinion that the duties of the Register of Public Lands are such as to require his time and services in his office and preclude him from devoting the time and attention due to a subject of so much importance to the interests of the State. The Ordinance herewith reported back to the Convention provides a Board of Education for the State, composed of the Justices of the Supreme Court. This would, in the opinion of the Committee, give character, permanency and efficiency to the system, and secure a proper supervision of the fund as well as the qualifica-

tion of the Teachers who are to educate and train our youth. Without entering further upon this subject, its importance will necessarily commend it to the favorable consideration of the Convention. Your Committee recommend the adoption of the Ordinance.

Respectfully,

JOSEPH THOMAS, Chairman.

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

The hour having arrived at which the Constitution of the Confederate States of America was made the special order, the said Constitution was taken up and read by sections;

After which, Mr. Dawkins of Alachua called up his ordinance of ratification of the said Constitution;

Which being upon its passage, Mr. Sanderson of Duval offered the following as a substitute:

WHEREAS, By act of the General Assembly of the State of Florida, a Convention of the people was ordained to be assembled in the city of Tallahassee, on the 3rd day of January, A. D. 1861, "for the purpose of taking into consideration the dangers incident to the position of this State in the Federal Union, and the measures which may be necessary and proper for providing against the same, and to amend the Constitution of the State of Florida, so far as the same, in the judgment of said Convention, may be necessary, and thereupon to take care that the commonwealth of Florida shall suffer no detriment;"

AND WHEREAS, We, the delegates of the people of the State of Florida, did, in pursuance of said, act assemble in Convention on the day and in the place therein specified, and being thus charged with the duties aforesaid, after mature deliberation, and in considerate performance thereof, on the 10th day of January, in the year of our Lord one thousand eight hundred and sixty-one, in Convention as aforesaid, ordain, publish and declare, "That the State of Florida hereby withdraws herself from the Confederacy of States existing under the name of the United States of America, and from the existing government of said States; and that all political connection between her and the government of said States ought to be, and the same is hereby totally annulled, and said union of States dissolved, and the State of Florida declared a sovereign and independent Nation, and that all ordinances heretofore adopted, in so far as they create or recognize said Union, are rescinded, and all laws or parts of laws in force in this State in so far as they recognize or assent to said Union, be and they are hereby repealed;"

AND WHEREAS, The people of the State of South Carolina, in Convention assembled had dissolved their connection with the Government of the United States of America, and invited such other of the slaveholding States as might in like manner declare

their independence, to meet her in Convention at Montgomery, in the State of Alabama, for the purpose of forming a new government;

AND WHEREAS, This Convention did appoint three delegates to meet, in a Convention of States at Montgomery aforesaid, on the 13th day of February last, or at such other time and place as might be agreed upon, the delegates of such other slaveholding States as then had, or should have, before the final adjournment of said Convention, dissolved their connection with the late Federal Union, for the purpose, among other things, of forming a "permanent government" for a Confederacy of such States;

AND WHEREAS, A Convention of delegates from the following States, viz: South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana and Texas, met at Montgomery aforesaid, and on the eleventh day of March, Anno Domini, 1861, agreed upon and reported to the Conventions of the several States therein represented a Constitution for the Confederate States of America:

NOW BE IT KNOWN, That we, the delegates of the people of the State of Florida, in Convention assembled, in the name and in behalf of the people of the State, having maturely deliberated and fully considered the aforesaid proposed Constitution, do, by these presents, assent to and ratify the Constitution adopted by the Congress of States aforesaid on the 11th day of March, Anno Domini, 1861, at Montgomery, in the State of Alabama, for the Government of the Confederate States of America, hereby announcing to all those whom it may concern, that the said Constitution is binding on the people of the State of Florida, according to an authentic copy hereto annexed, in the words following, viz:

Which was accepted.

Mr. Beard of Leon offered the following as an amendment, additional to the Ordinance:

After the word "America," insert "declaring, nevertheless, that as the powers conferred through said Constitution on the Confederate Government emanate from the people of the several States in their separate sovereign capacity, said powers may be resumed in the same manner in which they are delegated, whenever they shall be perverted to the injury of the people, each State, by her delegates in Convention, having the right to judge of the occasion that may require such action;"

Upon which the yeas and nays were called for, and were:

Yeas—Mr. President, Messrs. Alderman, Allison, Baker of Jackson, Beard, Collier, Coon, Cooper, Daniel, Dilworth, Finegan, Folsom, Gary, Gettis, Glazier, Helvenston, Hendricks, Henry, Hunter, Irwin, Kirksey, Lamb, Lea of Madison, Leigh of Sumter,

Lewis, Love, McCaskill, McGahagin, McLean, McNealey, Mays, Morrison, Newman, Nicholson, Palmer, Pelot, Rutland, Sanderson, Sever, Solana, Stephens, Taylor, Thomas, Tift, Turman, Ward, Wright and Yates—46.

Nays—Messrs. Baker of Calhoun, Davis, Dawkins, Devall, Parkhill and Spencer—6.

So the amendment was adopted.

The Ordinance of ratification then, as amended, was put upon its passage, the ayes and noes were called for by Messrs. Beard and Pelot, and were:

Yeas—Mr. President, Messrs. Alderman, Allison, Baker of Calhoun, Baker of Jackson, Beard, Chandler, Collier, Coon, Cooper, Daniel, Davis, Dawkins, Devall, Dilworth, Finegan, Folsom, Gary, Gettis, Glazier, Helvenston, Hendricks, Henry, Hunter, Irwin, Kirksey, Lamb, Lea of Madison, Leigh of Sumter, Lewis, Love, McCaskill, McGahagin, McLean, McNealey, Mays, Morrison, Newman, Nicholson, Palmer, Parkhill, Pelot, Rutland, Sanderson, Sever, Spencer, Solana, Stephens, Taylor, Thomas, Tift, Turman, Ward, Woodruff, Wright and Yates—54.

Nays—None.

So the Ordinance ratifying the Constitution of the Confederate States was unanimously adopted.

Mr. Beard of Leon asked leave, and read the following communication:

TALLAHASSEE, April 22d, 1861.

TO THE HON. THE STATE CONVENTION:

I beg leave to present to the Convention of Florida the accompanying Flag of the Confederate States of America.

So important an event as the assumption of new political relations, and the unfurling of the banner of a new Government naturally recalls to us the past vicissitudes of our State, and the various standards which at one time and another have waived over our soil.

It is now three hundred and forty-nine years, almost to a day, since the renowned Ponce de Leon planted upon our eastern shore the flag of Spain, and by right of discovery and occupation claimed to take possession of Florida in the name of his Catholic Majesty. The same empty ceremony was repeated successively by De Ayllon in 1520, by Panfilo de Narvaez in 1527, and by the most illustrious Cavalier of them all, Hernando de Soto in 1539, each in turn abandoning a country which they were unable to retain.

Twenty-three years after De Soto, came the French Huguenots under Ribaut, and erected at the mouth of the St. Johns river a monument bearing the arms of France, and raised aloft the Fleur

de lis, claiming homage for Charles the ninth. For a brief period in 1564-'5, the lilies of France waived over Fort Caroline until they were hurled down amidst blood and slaughter, by Menendez, who again raised the standard of Spain, which thenceforward, with varying fortunes, continued the ensign of Spanish rule, from a period long antedating Jamestown and Plymouth, up to nearly the time of the American Revolution.

By the Treaty of Paris, Florida was transferred to Great Britain, and the red cross of England covered Florida from 1763 until the year 1783, the year which closed the American Revolution, when the banners of Spain were again unfurled, during a domination of nearly forty years, until in 1821 the Stars and Stripes of the American Union proclaimed the finale of Spanish sway upon our shores, covering a period first and last of 255 years.

Twenty-four years of Territorial vassalage were followed by the admission of Florida in 1845, as one of the sovereign States of the American Union. But sixteen years have elapsed, and she has felt compelled to withdraw from a connection in which she believed that her rights, her interests and her independence, were in jeopardy, and now for the sixth time in 350 years, a new government has been inaugurated upon our soil.

We have now joined our destinies, by the united voice of our people, with the Confederate States, and the standard which we have unfurled, will attach to its support every heart and hand, and can never be hurled from its place so long as it shall be upheld by that true courage, based upon the sense of right, or so long as there shall exist to us a country to be defended, or a name to be saved from dishonor.

We have emulated the spirit of our ancestors, and have resolved that we will not submit to the domination of those who have been elevated to power by a predetermined sectional hostility; let us also emulate the virtues of our forefathers, and make our flag the symbol of national honor, virtue and patriotism, and leave it a glorious heritage to those who come after us, assured that the Government it represents will endure so long as the principles upon which that Government has been organized shall be maintained in their purity and integrity.

With the hope that its stars may soon be doubled, and that it may long continue to wave over a united and virtuous people,

I remain most respectfully,

Your obedient servant,

GEO. R. FAIRBANKS.

Which was, on motion, received and ordered to be spread on the journal.

Mr. Parkhill of Leon moved that a Committee of three be appointed to respond on behalf of this Convention to the foregoing communication;



Which was agreed to, and Messrs. Parkhill, Nicholson and Daniel appointed said Committee.

Mr. Beard of Leon moved that the Flag presented to and received by the Convention be placed on the outer walls;

Which was carried. (Applause.)

On motion, Messrs. Ward, Palmer and Davis, were appointed a Committee to arrange for the hoisting of the flag on the Capitol.

Mr. Devall placed on the table a communication from General Hopkins, and asked its reference to the Military Committee;

Which was agreed to, and the reference made.

On motion, the Convention adjourned until 10 o'clock, to-morrow morning.

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## FIFTH DAY.

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TUESDAY, April 23d, 1861.

The Convention met pursuant to adjournment—a quorum present.

Prayer by Rev. Mr. Ellis.

The journal of yesterday's proceedings was read, amended and approved.

Mr. Dawkins of Alachua offered the following ordinance:

*Be it ordained by the people of the State of Florida in Convention assembled,* That all persons holding office either, civil or military, in this State, or who may hereafter be appointed or elected to any office, civil or military, be required, before they enter upon the duties of their respective offices, to take the following oath or affirmation:

“I do swear (or affirm,) that I am duly qualified, according to the Constitution of this State, to exercise the office to which I have been elected (or appointed,) and will, to the best of my abilities, discharge the duties thereof and preserve, protect and defend the Constitution of this State and of the Confederate States of America;”

Which was read and on motion, the rules waived, the ordinance put upon its passage and adopted.

Mr. Dawkins of Alachua offered the following ordinance:

*Be it ordained by the people of the State of Florida in Convention assembled,* That the expenses of all criminal prosecutions commenced and prosecuted after the 1st of July next, in any

judicial county in this State be paid for and settled by the county commissioners of the county in which said criminal prosecutions originated, out of the fund belonging or to be raised out of said county by county taxes.

*Be it further ordained,* That all fines imposed by the Circuit Court in any county within this State be paid over to the county commissioners of the county in which the said prosecution commenced.

*Be it further ordained,* That all laws or parts of laws in conflict with this ordinance, be and the same are hereby repealed.

Which was read and placed among the orders of the day.

Mr. Daniel of Duval offered the following resolution :

*Resolved,* That while the people of the State of Florida heartily approve in the main of the Constitution of the Confederate States of America, and have given evidence of that approbation by the unanimous vote of this Convention on its ratification, yet there are certain parts thereof, which, in the opinion of this Convention, should at an early day be amended. With the view therefore of giving a proper expression of the sentiments of the people of this State, it is hereby suggested that the said Constitution would be greatly improved by the following amendments, to-wit :

That the third clause of the 2d section of the 1st Article should be altered by striking out after the word "determined" in the 4th line to the word "slaves" inclusive, and inserting the words "by the whole number of inhabitants within the State."

That the 1st clause of the 3d section of Art. 4, should be amended by inserting after the word "States" in the 3d line, the words "but no State shall be admitted into this Confederacy unless the institution of slavery shall be distinctly and clearly recognized in its constitution, and in actual operation under its laws;" and by striking out the word "but" next following in the same line.

That the 7th clause of the 8th section of 1st Article, should be amended by striking out the remainder of the clause after the word "routes" in the first line.

Which was read and placed among the orders of the day.

Mr. Collier of Jackson offered an ordinance relating to taxation of non-residents, and for other purposes ;

Which was read and referred to the Committee on the Judiciary.

Mr. Parkhill of Leon offered the following ordinance:

*Be it ordained by the People of the State of Florida in Convention assembled,* That the Governor of the State of Florida be, and he is hereby authorized to accept the services of any citizens of the State of Florida who are, at the date of this ordinance, in either the coast survey or revenue service of the late Federal

Union, or who have already resigned their Commissions in said service, (provided said services are tendered within sixty days after notice of the passage of said ordinance) and such persons shall be entitled to such rank and pay as the Governor and Council of State may deem right to accord to them; and said persons shall, until otherwise provided by the General Assembly, be employed by the Governor in the line of their professions or on any other duty, at his discretion.

Which was read and placed among the orders of the day.

Mr. Daniel of Duval, Chairman of the Committee on Dock Yards, Navy Yards, &c., made the following report:

The Special Committee to whom was referred certain resolutions and other documents in relation to the disposition of "all forts, dock yards, navy yards, and other public buildings within this State," ask leave to report the following ordinances:

*Be it ordained by the people of the State of Florida in Convention assembled,* That the "qualified surrender of the forts, munitions of war, &c., at Pensacola," made "to the Provisional Government of the Confederate States" by the Governor of this State be, and the same is hereby approved and confirmed.

*Be it further ordained,* That all forts, light-houses, buoys, dock yards, navy yards, arsenals, barracks, hospitals and other public structures within the State of Florida, together with the lands reserved around them severally, be, and the same are hereby ceded to the Confederate States of America, for their occupation, use and possession for the common protection and benefit of said Confederate States, so long as Florida shall be and continue a member of the same.

The chairman of the same committee further reports:

That in reference to certain ordinances on the same subject, which were referred to them, the subject matter of ordinance No. 1 had already been acted upon, and is embraced in this report as appears by ordinance No. 2 above reported.

In regard to ordinance No. 2, the chairman is instructed by the Committee to report against the adoption of the same.

All of which is respectfully submitted,

J. M. DANIEL, Chairman.

Which was read.

Mr. Beard of Leon, Chairman of the Committee on Finance, reported an ordinance to raise money for the immediate exigencies of the State, and for the payment of the public debt;

Which was read and placed among the orders of the day.

Mr. Beard of Leon, Chairman of the Committee on Finance, reported back to the Convention an ordinance to authorize the Collector of the Port of Fernandina to take bonds from certain Railroad Companies for duties on Railroad Iron, &c.;

Which was read and placed among the orders of the day.

Also an ordinance for the relief of Railroad Companies and the Collectors of Customs ;

Which was read and placed among the orders of the day.

Mr. Palmer of Jefferson offered an ordinance to repeal certain acts of the last General Assembly, and for other purposes ;

Which was read and placed among the orders of the day.

Mr. Beard of Leon, from the Committee to Revise and Digest the Constitution, reported several amendments to the Constitution ;

Which were read and placed among the orders of the day.

### ORDERS OF THE DAY.

An ordinance to divide the State into Congressional Districts, was read by sections.

Mr. Sanderson of Duval offered to amend the first section of said ordinance by inserting after the word "is" and before the word "elected," the words "to be ;"

Which amendment was not agreed to.

Mr. Ward of Leon offered the following as a substitute for the first section of the ordinance before the Convention, viz :

*Be it ordained,* That the election of members of Congress shall be by general ticket, each voter throughout the State being entitled to vote for as many persons as there are representatives from the State of Florida ;

Upon the adoption of which the yeas and nays were called for by Messrs. Ward and McCaskill, and were :

Yeas—Messrs. Alderman, Baker of Jackson, Chandler, Collier, Coon, Cooper, Lea of Madson, Lewis, McCaskill, McNealey, Morrison, Palmer, Parkhill, Rutland, Tift and Ward—16.

Nays—Mr. President, Messrs. Daniel, Davis, Dawkins, Devall, Finegan, Gary, Gettis, Glazier, Hendricks, Hunter, Kirksey, Lamb, Love, McGahagin, Mays, Newman, Nicholson, Pelot, Sanderson, Sever, Spencer, Solana, Stephens, Taylor, Turman, Woodruff and Yates—27.

So the substitute was rejected.

The first section of said ordinance was put upon its passage and adopted.

The second section of the ordinance was read and adopted.

The third section was read.

Mr. Sanderson of Duval moved to strike out the words "including the county of Hamilton ;"

Which was agreed to.

The section as thus amended was then put upon its passage and adopted.

The fourth section was read.

Mr. Sanderson of Duval moved to strike out of this section the

words "on the first Monday in October next," and insert in lieu thereof the following: "At such time as may be prescribed by the Congress of the Provisional Government;"

Which motion did not prevail.

The section was adopted without amendment.

The fifth section was read and adopted.

On motion, the Committee on Public Lands were requested, if practicable, to report this evening at 3 o'clock.

On motion, the Convention took a recess until 3 o'clock.

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### 3 O'CLOCK, P. M.

The Convention resumed its session—a quorum present.

The following communication from the Secretary of State was read:

OFFICE OF THE SECRETARY OF STATE, }  
TALLAHASSEE, April 22d, 1861. }

W. S. HARRIS, Esq.,

*Sir*:—In compliance with the request of the Convention, communicated by your note of the 19th, I have had collected, as far as published, the acts of the last session of the General Assembly. The pamphlet contains nearly all the acts; only a few resolutions of a private character are unpublished.

Very respectfully,

F. L. VILLEPIGUE,

Secretary of State.

Mr. Allison of Gadsden, Chairman of the Committee on Public Lands, stated that the Committee could not, compatible with the public interest, report before to-morrow.

Mr. Dilworth of Jefferson offered an ordinance authorizing the Judges of the Supreme Court to make rules, &c., for practice and pleading in their Courts.

Mr. Dawkins of Alachua moved to reconsider the 4th section of an ordinance passed this morning Districting the State into Congressional Districts;

Which was agreed to.

Mr. Davis of Leon moved to amend said section by inserting after the word "next," and before the word "for," the following, viz: "Or in case any other day should be provided by the Congress of the Provisional Government for holding such election, then that the election take place on the day so fixed by such Congress;"

Which was agreed to and the section as amended put upon its passage and adopted.

An ordinance relative to a Board of Education, was read.

Mr. Dawkins of Alachua moved that said ordinance be indefinitely postponed;

Upon which motion the yeas and nays were called, and were:

Yeas—Mr. Messrs. President, Baker of Calhoun, Beard, Chandler, Coon, Davis, Dawkins, Devall, Hendricks, Irwin, Mays, Nicholson and Yates—13.

Nays—Messrs. Alderman, Baker of Jackson, Collier, Cooper, Daniel, Dilworth, Finegan, Gary, Gettis, Glazier, Henry, Hunter, Kirksey, Lamb, Lewis, Love, McCaskill, McGahagin, McNealey, Morrison, Newman, Palmer, Parkhill, Pelot, Rutland, Sanderson, Sever, Spencer, Solana, Stephens, Taylor and Ward.—32.

So the Convention refused to postpone.

Mr. Dilworth of Jefferson offered the following as a substitute for the fifth section of the ordinance, viz:

*Be it further ordained*, That the said Board of Education shall have the right of conferring a certificate, under their hand and seal, on any person whom they may judge worthy to be a Teacher of Common Schools, which certificate shall be merely a recommendation as teacher, and may at any time be revoked by said Board.

Which was not agreed to.

Mr. Devall of Putnam offered the following amendment:

That no Teacher be employed unless he has been a citizen of the Southern States for the last five years;

Which was not agreed to.

Mr. Davis of Leon offered the following as a substitute for the whole ordinance:

Amend the 20th section of the 5th Article of the Constitution as follows: after the words "no duties not judicial," insert as follows, "except such as concern Public Education;"

Which was agreed to.

The substitute was then put upon its passage and lost.

An ordinance authorizing the Governor to organize and call into service the militia, came up, and Mr. Finegan the mover asked leave to withdraw it;

Which was granted.

The amendments to the Constitution came up, and on motion, the Convention went into Committee of the Whole, Mr. Sanderson of Duval in the Chair.

After some time being spent therein, the Committee rose and through their Chairman reported the adoption of sundry amendments to the Constitution, and recommended that they do pass.

On motion, the report of the Committee was received and the amendments recommended, adopted.

Mr. Ward of Leon introduced an ordinance to amend an ordi-

nance passed by this Convention on the 19th day of April, 1861, to create a tribunal for slaves, free negroes and mulattoes.

On motion, the Convention adjourned until 10 o'clock, to-morrow.

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## SIXTH DAY.

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WEDNESDAY, April 24th, 1861.

The Convention met pursuant to adjournment—a quorum present.

Prayer by Rev. Dr. DuBose.

On motion, the reading of the journal of yesterday's proceedings was dispensed with.

Mr. Dawkins of Alachua offered the following resolution:

*Resolved*, That if necessary to have further assistance in bringing up the records of the Convention, the Secretary be authorised to employ the necessary assistance;

Which was adopted.

Mr. Beard of Leon, Chairman of the Committee to digest and compile the Constitution, reported the Constitution as by the Committee compiled;

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

### ORDERS OF THE DAY.

An ordinance to repeal former ordinances,

Was read, and on motion adopted.

An ordinance to raise money for the immediate exigencies of the State and for the payment of the public debt,

Was read, and on motion the Convention went into a Committee of the Whole for its consideration—Mr. Gary of Marion in the Chair.

After some time being spent therein, the Committee rose and through their Chairman reported the ordinance back to the Convention with amendments, and recommended that it do pass;

Which report was received and 80 copies of said ordinance ordered to be printed.

A communication was received from his Excellency the Governor;

Which was read, and ordered to be placed among the papers on the Secretary's desk.

On motion, the Convention went into secret session.

After some time being spent therein, the Convention resumed its business with open doors.

Mr. Ward of Leon moved that J. S. Coon, of New River county have leave of absence for the balance of this session ;

On motion, the Convention took a recess until half-past three o'clock, P. M.

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### 3½ O'CLOCK, P. M.

The Convention resumed its session, a quorum present.

Mr. Allison of Gadsden, Chairman of the Committee on Public Lands, made the following report :

The Committee on Public Lands ask leave to make the following

#### REPORT :

That they have had the subject under consideration, and with a view of giving it that investigation its importance demands, and for the purpose of being enabled to lay the whole matter before the Convention in as concise and reliable a manner as possible, have communicated by letter and otherwise with the Surveyor General, and other officers connected with this department, and find, as nearly as can be ascertained, the following to be the true condition thereof.

Exclusive of all the old grants, and also of all the donations made by the late U. S. government of lands lying within the limits of this State, there remain of lands formerly belonging to that government unsold and now subject to the control and disposition of this Convention, should the State, as your Committee think it ought to do, determine to retain and appropriate the same to its own use, about eight millions five hundred thousand acres. That of this, about eight millions of acres have been surveyed, which, with the exception of about seventy-five thousand acres, making up the different reservations made by the late U. S. for naval and military purposes, have heretofore been offered for sale.

That the remaining five hundred thousand acres are unsurveyed, and are situated in different portions of the State, and the adjacent islands.

Your committee would further report, that without entering into an argument upon the subject, they are of opinion that the control and jurisdiction of these lands should be assumed by the State of Florida, subject, however, to such rights as have been acquired under and by virtue of the laws of the late United



States, passed prior to the 10th January, 1861 : but in consideration of the circumstances under which such control and jurisdiction are assumed, the Committee would recommend that the State should express its willingness to account therefor with the said United States, upon a final adjustment of the difficulties now pending between that government and the Confederate States.

Your Committee would further report, that in its investigations it is ascertained that there are claims due to the Surveyor General's office, and the other officers charged with the preservation of these lands, amounting to about five thousand dollars, most of which were owing to the said officers by the late U. S. for services rendered prior to the 10th of January, 1861, but which, your Committee are of opinion, ought to be assumed and paid by this State, and held as a claim against that government.

Believing it to be the best policy of the State to dispose as rapidly as possible of its public lands, your Committee would recommend that the same be immediately brought into market, and that for the purpose of ensuring speedy sales thereof, the land offices at Tallahassee, Newnansville and Tampa be continued ; but inasmuch as there remain unsold but a small quantity of these lands in the St. Augustine District, that that office be discontinued.

That in consequence of the incomplete state of the records, maps, books, &c., pertaining to the Surveyor General's office, and upon the statement of that officer that the same cannot be finished and completed before the 30th day of September next, your Committee would recommend that said office be continued up to that date, when the same should be abolished. It having been brought to the attention of your Committee that there are numerous instances in which titles to lands purchased by individuals from the United States are incomplete, as well as that a large portion of land located by the State under different donations thereto have not been confirmed, portions of which have been sold to individuals by the State, they would recommend that upon satisfactory evidence, being adduced on the part of the claimants under the laws of the United States and of this State in relation thereto, it shall be the duty of the Governor to issue patents in the name of the State of Florida to said claimants for the same.

Your Committee would further report, that in its opinion the interest of the State would be greatly promoted by, and therefore recommend that the proceeds of the sales of the public lands be set apart for the sole purpose of meeting, first, the interest as the same may fall due, on such bonds as the State may deem proper to issue in the present exigency ; and secondly, for the ultimate extinguishment thereof. And should the

same not thus be exhausted; the residue first to be applied toward the redemption of such Treasury notes as may have been issued by the State; and the balance, if any, paid into the State Treasury, to be applied towards the ordinary expenses of the State Government.

Your Committee would further report, that in the opinion of your Committee, all the live-oak reservations, and so much of the other public lands as may be adjacent and necessary for the erection of forts, dock-yards, navy-yards, and other public structures, be, upon conditions, ceded by this State to the Confederate States.

And that inasmuch as there are town sites on the public land in different parts of the State, which, in consequence thereof, ought not to be placed in point of value on a footing with the other lands, your Committee would recommend that provision be made by this Convention for such disposition thereof as may seem most conducive to the public interest.

In conclusion, it has been deemed proper by the Committee to state to the Convention, that upon a full and thorough investigation of the matters pertaining to the sales of the public lands in this State, in which they have been greatly assisted by the politeness of the different officers heretofore connected therewith, they have ascertained that the annual net proceeds of the sales of these lands for the last few years have been about forty thousand dollars.

Then, if such be the fact, when our Railroads were in so incomplete condition as they have been until recently, and before too it was ascertained from actual experience that the lands, which may be now offered for sale by the State, were valuable for the production of short as well as long staple cottons, may we not now, that our Railroads are so rapidly approaching completion, connecting not only the different sections of the State with chains of iron, but are also extending themselves into other portions of the country, thereby rendering them tributary to our commerce, confidently expect greatly increased sales of these lands, whereby the State will not only be enabled to meet the interest as it may fall due on such liabilities as it may deem proper to incur, but also to insure adequate means for the ultimate extinguishment thereof?

All of which, together with such ordinances as the Committee have deemed proper to present in relation to the public lands of this State, are respectfully submitted.

A. K. ALLISON, Chairman.

Which was on motion, received, and the accompanying ordinances ordered to be printed.

The Digested Constitution, reported to the Convention, by the Committee on the digesting and compiling the Constitution,

was, on motion of Mr. Sanderson of Duval, called up and the Convention went into a committee of the whole, for the consideration of said Constitution, Mr. Stephens of Gadsden in the Chair.

Some time being spent therein, the Committee rose, reported progress, and asked leave to sit again;

Which report was on motion, received and leave granted.

Mr. Parkhill of Leon offered an ordinance for military purposes;

Which was read and placed among the orders of the day.

On motion, the Convention adjourned until to-morrow 10 o'clock, A. M.

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## SEV. N. H. DAY.

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THURSDAY, April 25th, 1861.

The Convention met pursuant to adjournment—a quorum present.

Prayer by Rev. Mr. Blake.

On motion, the reading of the journal of yesterday's proceedings was dispensed with.

Mr. Sanderson of Duval, Chairman of the Committee on Internal Improvements, offered the following report:

The organization of a Committee on Internal Improvements by the Convention would seem to indicate a desire on the part of this body to examine and consider that subject. Your Committee, therefore, in discharge of that duty, respectfully submit, that the importance of Internal Improvements was duly appreciated and considered by the framers of the State Constitution. This is clearly evidenced by the language of the Constitution itself. Article 11th, Sec. 2nd, contains the clause having reference to this subject, and is as follows, viz: "A liberal system of Internal Improvements being essential to the development of the resources of the country, shall be encouraged by the Government of this State; and it shall be the duty of the General Assembly, as soon as practicable, to ascertain by law proper objects of improvement in relation to roads, canals and navigable streams, and to provide for a suitable application of such funds as may be appropriated for such improvements." The policy, thus early inaugurated, shows that the prosperity and rapid development of the resources of the State was well understood to be mainly dependent upon the extent and character of her public works. These mark

her advance, no less than they indicate the capacity, energy and enterprise of her citizens, qualities which distinguished them as a people. In this respect, the citizens of this State may justly claim a favorable comparison with those of any of the States of the late Federal Union. The truth of this remark will be apparent when we consider the extent and magnitude of the system organized and the rapidity with which the several enterprises have progressed.

It was not till the session of the General Assembly in 1854-'5, that any thing was done by the Legislature calculated to give effect to the clause of the Constitution above recited. On the 6th day of January, 1855, the General Assembly passed an act to provide for and encourage a liberal system of Internal Improvement in this State. By this act the Internal Improvement lands of the State, together with the Swamp and Overflowed lands, with all the proceeds which then had or might thereafter accrue from the sale of said lands, were set apart and declared a distinct and separate fund, to be called the Internal Improvement Fund of the State of Florida. The basis of this Fund has been variously estimated to consist of from 12 to 16,000,000 of acres of land. Embracing some of the most valuable in the State, it was deemed sufficient to enable the several Railroad Companies to construct the lines of roads which were designated by the act as "proper improvements to be aided from the Fund." The lands constituting this Fund belonged to the State at large. It was therefore essential to select such lines of roads to be aided by it as should, from their location, result in the greatest good to the greatest number of her citizens by their construction. The lines designated, therefore, passed through the State as follows, viz: "A line from the St. Johns River at Jacksonville to the waters of Pensacola Bay, with an extension from suitable points on said line to St. Marks River or Crooked River at White Bluff on Apalachicola Bay, in Middle Florida, and to the waters of St. Andrews Bay, in West Florida, and a line from Amelia Island on the Atlantic to the waters of Tampa Bay, in South Florida, with an extension to Cedar Key, in East Florida; also a canal from the waters of St. Johns River in Lake Harney to the waters of Indian River."

These several lines of Railroads and Canal were designed by the General Assembly to constitute a system, traversing the State in such manner as would best serve to develop her resources, and extend like facilities of transportation and travel, as far as practicable, to the inhabitants of the different sections—thus appropriating a fund in which all the citizens were interested to their mutual benefit. The fund thus created was by said act irrevocably vested in Trustees, to secure the payment of the interest upon the bonds which the several companies building

these lines of Road were authorized to issue under the provisions of said act. These companies, in addition to the aid thus afforded, having received grants of alternate sections of lands both from the State and Federal Governments entered vigorously upon their construction, commencing in the fall of 1855 and winter and spring of 1856, respectively. Some estimate at least can be made of the energy which has characterized the management of these enterprises from the fact that in five years there has been constructed, equipped, and put in operation 416 miles, including side tracks, of as good, substantially built railroad as can be found in any Southern State, and about 50 miles of embankment ready for the iron. Of this, 155 miles has been constructed by the Florida Railroad Company; 114 by the Pensacola & Georgia Company; 60 by the Florida, Atlantic & Gulf Central Company; 47 by the Florida & Alabama Company; 22 miles by the Tallahassee Company, and three and a half miles by the St. Johns Company; with about 15 miles of side track distributed among the several Companies. In addition to this, about 50 miles are graded for the iron. Fully two-thirds of the entire system has been completed. This has involved an expenditure of about \$7,000,000. In aid of these enterprises there has been issued by Companies which have accepted the provisions of the Internal Improvement Act, \$3,523,800 of Bonds. To secure the payment of the interest of these Bonds the people of the State have pledged millions of its property in aid of her system. Your Committee feel that they but give expression to the truth when they assert that in their opinion the State has just cause to be proud of the system she has inaugurated, and the success which has attended her enterprises. Over 400 miles of Railroad, inferior to none in the country North or South, has been completed and furnished with first class equipments, in the short space of five years. When we consider that this has been done in a State sparsely populated, without resources or credit, remote from great commercial marts, where wealth and capital abound, we assert without fear of contradiction that the magnitude and character of our improvements challenge no less favorable comparison with those of any of the older States of the late Federal Union, than they distinguish her citizens for energy and enterprise, as evidenced by the rapidity and success of their construction.

The wisdom of the policy which designed and put our system in successful execution, is placed beyond question by the increasing prosperity of the State. Her resources are being developed, population and wealth are flowing in, and Florida is fast assuming her position among her sister States. These are the legitimate fruits of her liberal system of Internal Improvements. To equalize and extend the advantages arising to the sections of the State through which these Roads pass, it remains only to con-

time and complete the system as it was originally designed in all its parts, and jealously to guard and husband the fund. This is due in common justice to the citizens residing in those portions of the State in which the Roads have not yet been constructed. To complete and preserve our system of improvements, and render it perfect and independent, should be the first care of the citizens of the State. These are essentially State enterprises—they have been fostered and aided with her funds, and due care should be used that nothing should be done to impair their efficiency or jeopardize their existence or success, or render them or any part of them likely to become a charge upon the Fund. Should any policy calculated to produce such results obtain, the ability of the Roads already constructed, to meet their interest would be diminished, thus increasing the burdens of the Internal Improvement Fund, and render it less available and effective in extending the benefits and advantages of the system to the West and South. The primary object of the State has been to perfect and complete her works of improvement within her own borders, independent of, and without regard to those of adjoining States. Such has been the policy of other States—and we act but the part of wisdom in securing for ourselves those peculiar benefits and blessings which our geographical position, holding the key to the Gulf as we do, has made exclusively our own, and we should be exceedingly improvident should we allow Georgia to despoil us of these advantages. Great care and caution should be exercised on our part in allowing connections with our system to be made with the Roads of Georgia. Of this she has no right to complain. We would only apply the rule to her which she has prescribed for others.

“The rule to be observed in the political and social relations of one State with another in this connection, was thus laid down by the State of Georgia in a report of a committee of her Legislature a few years since.” “There is nothing illiberal or selfish in the determination of Georgia to seize upon those gifts of nature and a bounteous Providence, which seem to have been so exclusively her own, and by their proper and judicious use to secure for her own people the greatest possible advantage. Such determination is in no wise incompatible with her political or social relations to other States or their inhabitants.” Florida may well consult her own interest, and adopt for her guidance a principle thus prescribed by her more powerful and wealthy neighbor.

Your Committee, therefore, in view of the fact that, we are charged with the duty of “taking care that the commonwealth of Florida shall suffer no detriment,” and in maintenance of the paramount principle upon which the system was originated, viz: a system exclusively our own, recommend that no

connections of our roads with those of Georgia be allowed east of the Chattahoochee, until the entire lines of roads embraced in it be completed, and not at that point except on condition that she furnishes sufficient means to insure the construction of the entire line of road from that point to Pensacola. By these means shall we be enabled to secure the construction of roads both to Pensacola and Tampa Bay, thus affording to the citizens residing along the line of these roads the advantages which those now enjoy who live in the sections of the State through which the system has been completed by the aid of funds in which all have a common interest. It needs no argument to satisfy any reasonable mind that to allow these connections at such points as would withdraw or divert the business of the roads already constructed, and would operate prejudicially to the other portions of the system, and prove fatal to our material interests. If the proposed connection through Hamilton county should become, as is claimed for it by its friends, the principal thoroughfare for travel and transportation of the products of the middle region of the State, while it might subserve the local interests of the few, it would prove disastrous to other and larger interests. It would transfer to the roads of another State business and earnings which the success of our own enterprises and the prosperity of our own State require. The policy the Committee advocates consults the interest of the State, not a section—it uses the roads completed—enables them to pay their interest, and relieves the fund—it builds up and elevates the State and will not make her tributary to another—it will give to the West and the South their facilities, their roads, develop their resources, and fill them with population. The Committee urges the withholding these connections till the system is completed in all its parts. When this is done, South and West, we can, from a survey of the whole, aided by experience, make such connections with the roads of other States as shall operate beneficially to our system, without prejudice to any portion. This will equalize the advantages intended to be conferred by it, and insure its success, and to this end your Committee recommend the adoption of the ordinance herewith reported.

Respectfully,

J. P. SANDERSON, Chairman.

Which was read and the accompanying ordinance ordered to be printed.

Mr. Parkhill of Leon, Chairman of the Committee on Military Affairs, offered the following report:

The Standing Committee on Militia and Internal Police, to whom was referred the communication of Gen'l Benjamin Hop-

kings of Putnam county, in respect to raising an independent company of volunteers, beg leave to

#### REPORT:

That they have had the same under consideration, and while they conceded that he might render the State good service, they disapprove giving him a command upon the terms required, and would recommend that this Convention take no further action thereon, as the ordinance now before the Convention styled "an ordinance for military purposes," gives ample power to his Excellency the Governor in the premises.

Respectfully,

G. W. PARKHILL, Chairman.

Also the following:

The Committee beg further to report, that they have had under consideration an ordinance styled "an ordinance for the defence of the Port of Apalachicola," and they would recommend that inasmuch as there has already been an ordinance passed by this Convention covering all the grounds proposed, that no further action be taken on the same.

Respectfully,

G. W. PARKHILL, Chairman.

Which reports were received and concurred in.

#### ORDERS OF THE DAY.

The consideration of the Constitution being the unfinished business of yesterday, was taken up, and on motion, the Convention went into a Committee of the Whole for its further consideration—Mr. Stephens of Gadsden in the Chair.

Some time being spent in committee of the whole, the committee rose, and through their Chairman, reported the Constitution and amendments back to the Convention, and asked to be discharged from the further consideration of the matter;

Which report was received and concurred in.

Mr. Gettis of Hillsborough moved that the Constitution as amended be printed;

Which motion was agreed to.

An ordinance relative to the Public Lands of this State, was on motion of Mr. Allison of Gadsden, taken up, and on motion, the Convention went into committee of the whole on the consideration of the same—Mr. Gary of Marion in the Chair.

Some time being spent therein, the committee rose and reported progress, and asked leave to sit again;

Which report was received and concurred in.

On motion, the Convention took a recess until 3 o'clock, P. M.



## 3 O'CLOCK, P. M.

The Convention resumed its session—a quorum present.

On motion of Mr. Parkhill of Leon, the ordinance for military purposes was taken up and read by sections.

The first section was read and adopted.

The second section was read, and upon the passage of which the yeas and nays were called for by Messrs. Palmer and Lewis, and were:

Yeas—Mr. President, Messrs. Chandler, Daniel, Davis, Dawkins, Finegan, Gary, Helvenston, Hunter, Kirksey, McGahagin, Parkhill, Taylor, Turman, Woodruff and Wright—16.

Nays—Messrs. Alderman, Allison, Baker of Jackson, Beard, Collier, Cooper, Devall, Glazier, Hendricks, Irwin, Lamb, Lea of Madison, Lewis, Love, McNealey, Mays, Morrison, Newman, Nicholson, Palmer, Pelot, Rutland, Sanderson, Sever, Solana, Ward and Yates—27.

So the section was lost.

The third section was read and adopted.

The fourth section was read and adopted.

The fifth section was read, and on motion, was stricken out.

The sixth section was read, and on motion, the first clause was stricken out, and then as amended adopted.

The seventh section was read.

Mr. Davis of Leon moved to strike out the words "that the Governor shall appoint";

Which was agreed to.

Mr. Davis offered to amend the section by adding "shall be elected by the commissioned officers of the companies;"

Which was agreed to.

The section as thus amended was adopted.

Mr. Allison of Gadsden offered the following as an additional section:

In case of actual or threatened invasion of the State, the Governor shall have authority to appoint the field officers to command the forces called out to repel the same; but said appointments to cease whenever such emergency shall be found not to exist;

Pending which, on motion of Mr. Sanderson of Duval, the ordinance as amended was referred to the Military Committee.

Mr. Davis of Leon offered the following and asked its reference to the Military Committee, which was not agreed to:

That there be elected by this Convention four Colonels, four Lieutenant-Colonels and four Majors, from whom the Governor may designate such number as he may deem necessary to com-

mand such troops as may be called into the service of the State, under the provisions of this ordinance.

On motion, the Convention went into the consideration of an ordinance relative to the Public Lands of this State, and on motion went into committee of the whole, Mr. Gary of Marion in the Chair.

After some time being spent therein, the Committee rose, and through their Chairman reported progress, and asked leave to sit again;

Which report was received and leave granted.

Mr. Pelot moved that the Convention now take a recess until 8 o'clock this evening;

Which motion was lost.

On motion, the Convention adjourned until 9 o'clock, to-morrow morning.

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## EIGHTH DAY.

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FRIDAY, April 26th, 1861.

The Convention met pursuant to adjournment—a quorum present.

Prayer by Rev. Dr. DuBose.

On motion, the reading of the journal of yesterday's proceedings was dispensed with.

The following communication was received and read by the President to the Convention, and ordered to be spread on the journal:

PENSACOLA, April 24th, 1861.

To JOHN C. McGENEE, President:

I resigned by letter on the eleventh. Let the Convention act accordingly. All well.

J. PATTON ANDERSON.

Mr. Dawkins of Alachua offered the following ordinance:

*Be it ordained*, That so much of ordinance No. 22 heretofore passed by this Convention giving power to the Governor, by and with the advice and consent of this Convention, to appoint delegates to represent this State in the Provisional Government, be and the same is hereby repealed;

Which was read, the rules waived, and the ordinance adopted.

Mr. Pelot of Alachua moved that the Constitution in the hands of the printer be recalled;

Which was agreed to.

Mr. Pelot of Alachua moved that the Convention go into an election of a member to Congress to fill the vacancy of Hon. J. P. Anderson, this day at 12 o'clock, M.:

Which was agreed to.

Mr. Turman of Hillsborough moved that the Constitution be returned to the printer:

Which was agreed to.

Mr. Wright of Escambia offered the following ordinance:

*Be it ordained by the People of the State of Florida in Convention assembled,* That the ordinance heretofore passed in relation to the trial of slaves, and made an additional section to the fifth Article of the Constitution, be and the same is hereby repealed;

Which was read and placed among the orders.

Mr. Davis of Leon offered the following resolution:

*Resolved,* That the Attorney General be requested to give to the Convention his opinion whether the accompanying proposed ordinance will, if passed, interfere with the vested right of any Railroad Company incorporated in the State; also whether there has been any decision of the Supreme Court made in any case in which the right of the Pensacola and Georgia Railroad Company to construct their line of road to any point on the boundary line of the State of Georgia, and if so, that he state what such decision has been, and annex to his opinion a copy thereof.

Which was adopted.

Mr. Turman of Hillsborough moved that during the remainder of this session, members of the Convention be restricted to speeches of ten minutes.

Mr. Davis of Leon offered the following amendment to said motion:

And that each member be required to speak ten minutes;

Which was lost.

On the passage of said motion, the yeas and nays were called, and were:

Yeas—Messrs. Baker of Calhoun, Baker of Jackson, Chandler, Collier, Cooper, Davis, Devall, Glazier, Helvenston, Hendricks, Hunter, Lamb, Love, Morrison, Palmer, Pelot, Stephens, Turman, Woodruff and Wright—20.

Nays—Mr. President, Messrs. Alderman, Allison, Beard, Daniel, Dawkins, Finegan, Gary, Gettis, Henry, Kirksey, Lea of Madson, Lewis, McGahagin, McNealey, Mays, Newman, Nicholson, Rutland, Sanderson, Sever, Spencer, Taylor, Ward and Yates—25.

So the motion was lost.

Mr. Davis of Leon, Chairman of the Judiciary Committee, made the following report:

The Committee on the Judiciary, to whom was referred the following ordinances, viz:

An ordinance legalizing the proceedings of the Circuit Court of Walton county, which was held by mistake on the wrong day;

Ordinance imposing double tax on property of non-residents;

Ordinance giving power to the Supreme Court to alter and regulate the pleading and practice of the Circuit Courts—report that they deem such legislation by the Convention unadvisable, and recommend that the ordinances referred and herewith reported back, be not adopted.

The Committee report, as to the ordinance relating to seditions and rebellion, and other crimes, that such ordinance is necessary and recommend that it be adopted.

W. G. M. DAVIS, Chairman.

Which was received.

#### ORDERS OF THE DAY.

An ordinance relative to the Public Lands of this State, was taken up, and on motion, the Convention went into committee of the whole, Mr. Gary in the Chair.

Some time being spent therein, the Committee rose, reported progress and asked leave to sit again;

Which report was on motion received and leave granted.

The hour for the special order of the day having arrived—the election of a Delegate to Congress,

Mr. Davis of Leon moved a call of the House, which was agreed to, the following members answering to their names:

Mr. President, Messrs. Alderman, Allison, Baker of Calhoun, Baker of Jackson, Barrington, Beard, Chandler, Collier, Cooper, Daniel, Davis, Dawkins, Devall, Finegan, Gary, Glazier, Hendricks, Henry, Hunter, Kirksey, Lamb, Lea of Madison, Lewis, Love, McGahagin, McNealey, Mays, Morrison, Newman, Nicholson, Palmer, Pelot, Rutland, Sanderson, Sever, Spencer, Stephens, Turman, Woodruff, Wright and Yates.

Ordered that the absentees be sent for.

On motion, further proceedings under the call were suspended.

On motion, the Convention proceeded to the election of a member to the Provisional Congress of the Confederate States of America.

Messrs. Baker of Calhoun and Love of Gadsden were appointed tellers.

On the first ballot the vote was:

For G. T. WARD—33.

“ W. G. M. DAVIS—1.

FOR JOHN BEARD—2.

“ A. K. ALLISON—1.

“ S. B. STEPHENS—7.

“ J. GETTIS—1.

BLANK—1.

The President announced that there was no election.

• Messrs. Stephens, Beard's and Allison's names were withdrawn.

The Convention then proceeded to a second balloting which resulted as follows:

FOR GEO. T. WARD—41.

“ J. FINEGAN—1.

“ S. M. G. GAREY—1.

BLANK—2.

The President announced that Geo. T. Ward having received a majority of the votes of the whole Convention, was duly elected a member to the Provisional Congress of the Confederate States of America.

Mr. Lewis of Wakulla moved that a committee of three be appointed to wait on Geo. T. Ward, and inform him of his election:

Which motion prevailed and Messrs. Lewis, Wright and Palmer were appointed said committee.

An ordinance relating to Criminal Prosecutions in this State, Was taken up and read.

Mr. Nicholson of Escambia offered the following proviso as an amendment:

*Provided, however,* That this ordinance shall not be so construed as to include criminal prosecutions involving capital punishment.

Which was accepted.

On motion of Mr. Dawkins the ordinance was withdrawn.

On motion, the Convention took a recess until 3 o'clock.

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### 3 O'CLOCK, P. M.

The Convention resumed its session—a quorum present.

Mr. Dilworth of Jefferson, who was absent when the Convention had before it the election of Congressman, asked leave to cast his vote for Mr. Geo. T. Ward:

Which was granted.

The ordinance relative to Public Lands being under consideration, on motion the Convention went into Committee of the Whole, Mr. Garey of Marion in the chair.

Some time being spent therein, the Committee rose and re-

ported the ordinance back to the Convention with amendments, and asked to be discharged;

Which motion was received and the Committee discharged.

Mr. Dawkins of Alachua moved that the Convention now take up the ordinance;

Which was agreed to.

Mr. Allison of Gadsden offered the following as a substitute for the first section:

That by reason of the withdrawal of the State of Florida from the late United States, said State assumes the proprietary right in, and jurisdiction over all public lands and islands of every kind and description, formerly held by the late United States Government, lying and being within the limits of this State, subject, however, to such rights as have been acquired under and by virtue of the laws of the said United States, passed prior to the 10th January, 1861. But in consideration of the circumstances under which said rights are exercised, said State expresses its willingness to account, through the proper authorities, with the representatives of the said late United States upon a final adjustment of the difficulties pending between said United States and the Confederate States of America.

Which was not agreed to.

Mr. Pelot of Alachua moved to amend the second line of the first section by striking out after the word "that," the words "by virtue of eminent domain;"

Which was agreed to.

Mr. Sanderson of Duval offered the following as an amendment to the first section:

"And will account for the same subject to any claims the State of Florida may have against the late United States through the Government of the Confederate States, in such manner as may be determined in a final adjustment of all rights and questions pending between said Confederate States and such Government as may represent the other States of the late Federal Union."

Which was read, and on the adoption thereof the yeas and nays being called for by Messrs. Allison and Sanderson, were as follows:

Yeas—Mr. President, Messrs. Alderman, Allison, Baker of Jackson, Barrington, Beard, Chandler, Collier, Daniel, Dawkins, Devall, Dilworth, Finegan, Gary, Glazier, Hendricks, Kirksey, Lamb, McGahagin, Morrison, Nicholson, Rutland, Sanderson, Sever, Ward and Yates—26.

Nays—Messrs. Gettis, Lea of Madison, Love, McNealey, Mays, Palmer, Pelot, Stephens, Turman and Wright—10.

So the amendment was adopted.

The ordinance as amended was, on motion of Mr. Stephens of Gadsden, put upon its passage and adopted.

The Committee appointed to wait on Mr. Ward, member elect to Congress, reported that they had performed the duty, and that Mr. Ward would respond in person.

Mr. Ward being present, asked the indulgence of the Convention until to-morrow morning;

Which was granted.

On motion, the Convention took a recess until 8 o'clock, this evening.

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8 O'CLOCK, P. M.

The Convention resumed its session—a quorum present.

Mr. Beard of Leon moved to reconsider the vote taken this afternoon on the ordinance relative to the public lands;

Which was agreed to.

Mr. Beard of Leon moved to strike out all the sections of the ordinance after the second section;

Which was not agreed to.

The ordinance was then put upon its passage, the yeas and nays were called for by Messrs. Beard and Taylor, and were:

Yeas—Messrs. Baker of Calhoun, Daniel, Devall, Dawkins, Finegan, Gary, Glazier, Hendricks, Henry, Lamb, Love, McGahagan, Mays, Morrison, Nicholson, Palmer, Sanderson, Stephens, Turman and Yates—20.

Nays—Mr. President, Messrs. Allison, Baker of Jackson, Barrington, Beard, Collier, Davis, Dilworth, Gettis, Lea of Madison, McNealey, Parkhill, Pelot, Rutland and Taylor—15.

So the ordinance was adopted.

The ordinance to raise money, &c., was taken up, and on motion, read by sections.

The first section was read and adopted.

The second section was read.

Mr. Sanderson of Duval moved to strike out “ten” in the fifth line, which was carried.

Mr. Sanderson moved to fill the blank with “twenty.”

Mr. Dilworth of Jefferson moved to amend said motion by filling the blank as follows: “Tens, fifteen and twenty;”

Which was not agreed to.

The motion to fill the blank with twenty was then adopted.

The third section was read and adopted.

The fourth section was read and adopted.

The fifth section was read and adopted.

The sixth section was read and adopted.

The seventh section was read, and on motion was stricken out.

The eight and ninth sections were read and adopted.

The tenth and eleventh sections were read and adopted.

Mr. Beard of Leon offered the following additional section:

Sec. — *Be it ordained*, That the whole of sections five, six and seven of an act of the General Assembly entitled an act providing for the issue of Treasury notes, be and they are hereby repealed; and that section eight be amended by striking out the words "The Banks enumerated in the (7) seventh section of this act," and insert in lieu thereof, "Banks that redeem their notes in specie;"

Which was not adopted.

The ordinance as read by sections, was, on motion, adopted as a whole.

Mr. Davis of Leon offered the following resolution:

*Resolved*, That the Committee on Enrolments be instructed to report to the Convention a list of such ordinances as are permanent and not subject to be repealed by the Legislature, and such as may be altered or repealed by such authority;

Which was adopted.

Mr. Taylor of Hernando County offered the following ordinance:

*Be it ordained by the people of the State of Florida in Convention assembled*, That the General Assembly be empowered to alter and repeal all ordinances adopted by this Convention after the expiration of two years, save such as directly concern the altering and amending of the Constitution of this State;

Which was read and placed among the orders of the day.

An ordinance relating to Courts held in Walton County, and which was reported adversely on by the Judiciary Committee, was called up by Mr. Morrison of Walton County, and read, whereupon Mr. Morrison offered the following as a substitute:

*Be it ordained by the People of the State of Florida in Convention assembled*, That the term of the Circuit Court of Walton county, held on the 12th day of March last, which Court was so held in place of the term as provided by law, to be held on the first Monday in March, be deemed and held valid, so far as civil cases are affected.

Upon a call of the Convention less than a quorum was present.

The Sergeant-at-Arms being sent for the absentees, returned and reported that the absentees were not to be found.

On motion the Convention adjourned until to-morrow, 9 o'clock, A. M.



## NINTH DAY.

SATURDAY, April 27th, 1861.

The Convention met pursuant to adjournment—a quorum present.

On motion, the reading of the journal of yesterday's proceedings was dispensed with.

Mr. Ward of Leon, who had been elected as a Representative to the Provisional Congress to supply the vacancy occasioned by the resignation of J. P. Anderson, rose and said:

MR. PRESIDENT—I am here to thank the Convention for the honor they have done me in electing me as their representative to the Congress at Montgomery. It is an honor of which any man may well be proud, and more than most men I am not insensible to this distinguished expression of your confidence.—Neither am I insensible of the duty which belongs to every citizen not to withhold himself from any duty which may appertain to him. But the circumstances of our country are of no ordinary character. War is upon us—the country is arming, and it may not be doubted that events are in progress which will tax every resource, and demand every energy of our people.

Connected with the military organization of the State, I prefer not to separate myself from my fellow-citizens, and to contribute my quota to the public service by meeting along with them whatever of responsibility and duty may be before us.

I beg, therefore, for these reasons, to thank the Convention for the honor they have done me, and to render back into their hands the appointment they have conferred.

Mr. Dawkins of Alachua offered the following ordinance:

WHEREAS, Emergencies have rendered it necessary to call into service military organizations of this State, and to arm, equip, and transport the same; *and whereas*, the Governor has expended certain monies for said purpose:

*Be it ordained by the people of the State of Florida in Convention assembled*, That the Comptroller of Public Accounts be and he is hereby required to audit and allow all expenses incident to and arising from the same, heretofore made by Governor M. S. Perry.

The rules being waived, it was put upon its passage and adopted.

## ORDERS OF THE DAY.

An ordinance to repeal sundry acts of the last General Assembly, was taken up and read.

Mr. Love of Gadsden moved to strike out that part of the ordinance which relates to the per diem of members of the General Assembly ;

Which was adopted.

The ordinance was then put upon its passage, the yeas and nays being called for by Messrs. Palmer and ———, and were :

Yeas—Mr. President, Messrs. Alderman, Allison, Baker of Jackson, Barrington, Collier, Cooper, Davis, Dilworth, Finegan, Henry, Kirksey, Lea of Madison, Love, McNealey, Palmer, Sanderson, Spencer, Stephens and Ward—20.

Nays—Messrs. Baker of Calhoun, Chandler, Daniel, Dawkins, Devall, Gary, Gettis, Glazier, Hendricks, Lamb, McGahagin, Mays, Nicholson, Parkhill, Pelot, Rutland, Sever, Taylor, Turman, Wright and Yates—21.

So the ordinance was not adopted.

Mr. Beard of Leon offered the following ordinance :

AN ORDINANCE supplemental to an ordinance passed by this Convention April 26th, 1861, entitled "an ordinance to raise money for the exigencies of the State and for the payment of the public debt."

*Be it ordained by the people of the State of Florida in Convention assembled,* That the Register of Public Lands of this State be, and he is hereby directed and instructed to receive in payment for any lands heretofore sold, or that may hereafter be sold through or by his office, nothing but gold or silver coin, or the bills of solvent banks, anything that may be contained in any act of the General Assembly to the contrary notwithstanding.

*Be it further ordained,* That the Register of Public Lands be, and he is hereby required to give bond in the sum of thirty thousand dollars, with good and sufficient security, to be approved by the Governor of the State, for the faithful discharge of the duties of his office.

*Be it further ordained,* That the fractional townships of the public lands, lying along the boundary line between Florida and Georgia, shall be offered for sale in the same manner as is provided for by the ordinance for the sale of military and naval reserves, and in case any of the same shall not have been surveyed, it shall be the duty of the Register of public lands to cause the same to be surveyed.

The rules were waived, the ordinance put upon its passage and adopted.

An ordinance legalizing a term of the Circuit Court in Walton County,

Was taken up, read and adopted.

The ordinance on the Forts, Arsenals, Dock-yards, Navy-yards, &c., reported by the Special Committee, was taken up and read.

Mr. Stephens of Gadsden offered the following amendment:—  
“Except the Arsenal at Chattahoochee;”

Which was adopted.

Mr. Pelot of Alachua offered the following amendment: “After Chattahoochee “and the barracks at St. Augustine:”

Which was adopted.

Mr. Dawkins offered the following additional section:

*Be it further ordained,* That the Legislature be empowered to dispose of the Arsenal at Chattahoochee, and the Barracks at St. Augustine, to such uses and purposes as in their judgment may seem best;

Which was adopted.

The ordinance as amended was put upon its passage and adopted.

Mr. Ward of Leon called up an ordinance amendatory to an ordinance passed in Convention on the 19th day of April, 1861, to create a tribunal, &c.:

Which was read and adopted.

An ordinance to define and punish petty treason, sedition, &c., was read, and on motion adopted.

Mr. Parkhill of Leon, from the Military Committee, offered the following report:

✓The standing committee on Militia and Internal Police, to whom was referred the ordinance for military purposes, have had the same under consideration and report the following ordinance as a substitute therefor, and recommend that the same do pass:

AN ORDINANCE FOR MILITARY PURPOSES.

*Be it ordained by the people of the State of Florida in Convention assembled,* That whenever the protection of the people and defence of the State from sudden or apprehended invasion shall require, the Governor be and he is hereby authorized to call into service such number of troops as he may deem necessary for such purpose, and such troops, while in service, shall be subject to the rules and articles of war of the Confederate States; and he shall appoint the commanding officer of such force, with rank and pay to correspond with the number of troops called into service. The other commissioned officers shall be elected by the troops.

*Be it further ordained,* That the Governor shall have power to appoint and commission engineer and artillery officers, and

such other officers as may be necessary, to instruct the troops and militia in military tactics, and to prescribe their rank.

*Be it further ordained,* That all staff officers shall be appointed from among the citizens, either civil or military, at the discretion of the appointing power, and that all laws and parts of laws conflicting with this ordinance be and the same are hereby repealed.

*Be it further ordained,* That the officers and men of all ranks and grades in the service of Florida, when called into service or placed on duty, shall receive the same pay as officers and men of like rank in the army of the Confederate States.

*Be it further ordained,* That the officers created by this ordinance for special service, shall vacate their commissions whenever the service for which they have been called shall have terminated, and the men mustered out of service.

*Be it further ordained,* That the Governor shall have power to appoint the following staff officers: One Adjutant and Inspector-General, one Surgeon-General and four Aids-de-Camp, with the rank of Colonel; one Quartermaster-General, and one Paymaster-General, with the rank of Lieutenant-Colonel; and the said Quartermaster-General shall also perform the duties of Chief of Ordnance.

*Be it further ordained,* That the Surgeons and Assistant-Surgeons for all troops called into service, shall be appointed and commissioned by the Governor.

All of which is respectfully submitted.

G. W. PARKHILL, Chairman.

Which was read, and on motion adopted.

Mr. Parkhill of Leon offered the following ordinance:

AN ORDINANCE TO INSURE A SPEEDY COMMUNICATION WITH THE CAPITAL AND OTHER POINTS.

WHEREAS, In consideration of a threatened invasion and the difficulty in the way of a speedy communication between the Capital and the Eastern and Southern sections of our State, we, the people of the State of Florida in Convention assembled, do ordain, that the Governor be authorized to have constructed, without delay, a Telegraph Line along the Railroad to Baldwin, (where there is a centering of several telegraph lines) on condition that the Railroad Companies along the route furnish the posts;

Which was read and placed among the orders of the day.

Mr. Palmer moved that the Convention now go into an election for a member to Congress, to fill the vacancy of Mr. Ward, who declined;

Which was adopted.

Messrs. Wright and Baker were appointed tellers.

On the first ballot the vote stood: For W. G. M. DAVIS, 20; For JOHN BRARD, 8; Scattering, 11.

The President declared there was no election.

The Convention proceeded to second ballot, and the vote was:  
For W. G. M. DAVIS, 25; For JOHN BEARD, 9; Scattering 4.

The President declared there was no election.

The Convention proceeded to a third ballot, and the vote was:  
For W. G. M. DAVIS, 27; For J. BEARD, 6; Scattering, 6.

The President declared there was no election.

The Convention proceeded to fourth ballot, and the vote was:  
For W. G. M. DAVIS, 27; For JOHN BEARD, 8; Scattering, 6.

The President declared there was no election.

The Convention proceeded to a fifth ballot, and the vote was:  
For W. G. M. DAVIS, 24; JOHN BEARD, 11; Scattering 6.

Mr. Allison of Gadsden moved that Mr. Ward be requested to withdraw his resignation;

Which was unanimously adopted.

Mr. Ward being present, expressed his unwillingness to decline on his part the wishes of his "fellow-citizens" so unanimously expressed.

Resolutions with proposed alterations to the Constitution of the Confederate States were taken up, read and adopted.

Mr. Finegan of Nassau offered the following ordinance:

*Be it ordained*, That the Governor of this State be and he is hereby authorised to cause any funds in the Treasury or in his control to be applied to equipping the forces called or to be called into service by the Confederate States.

Which was put upon its passage and adopted.

Mr. Davis of Leon offered a resolution instructing the Committee on Finance to enquire whether or not the State of Florida ought to pay the debts due by the late United States to citizens of the State of Florida, &c., and asked its reference to the Committee of Finance;

Which was agreed to.

Mr. Turman of Hillsboro asked leave to have read to the Convention the following:

MONTGOMERY, April 26th, 1861.

HON. SIMON TURMAN:

Twelve months troops only accepted.

A. F. TIFT.

And thereupon asked leave to withdraw from the table a series of resolutions introduced on the 19th April, 1861, into this Convention.

Mr. Davis of Leon offered the following resolution:

*Resolved*, That the Committee on Enrolments be authorised to employ assistant Clerks to enrol the ordinances of the Convention.

Which was adopted.

Mr. Beard offered the following resolution:

*Resolved*, That the President of this Convention, with three other members to be designated by him, be and they are hereby authorized to examine the enrolled Constitution; and that after such examination the President be and he is authorized to sign the Constitution as enrolled and approved.

Mr. Davis offered the following amendment:

*Resolved*, That the Convention will not adjourn until the Constitution and ordinances have been reported as being correctly enrolled by the Committee on Enrolments.

Which was accepted.

The resolution as amended was then read and adopted.

The Constitution of the State as reported from the Committee of the Whole was taken up and read.

Mr. Beard moved to strike out the preamble;

Which was agreed to.

Mr. Davis of Leon moved to strike out the 3d section of the 5th article of the Constitution:

Which was agreed to.

Mr. Allison of Gadsden moved to strike out of the 1st section of the 6th article of the Constitution, the words "and shall have paid all taxes due by him at least five days before the day of election;"

Upon the adoption of which the yeas and nays were called for by Messrs. Allison and Davis, and were:

Yeas—Messrs. Allison, Gettis and Taylor—3.

Nays—Mr. President, Messrs. Alderman, Baker of Jackson Beard, Chandler, Collier, Daniel, Davis, Dawkins, Devall, Finegan, Gary, Glazier, Hendricks, Henry, Hunter, Kirksey, Lamb, Lea of Madison, Love, McGahagin, McNealey, Mays, Newman, Nicholson, Palmer, Parkhill, Pelot, Rutland, Sanderson, Sever, Spencer, Stephens, Turman and Yates—35.

So the Convention refused to strike out.

Mr. Taylor of Hernando moved to strike out all of section 2d of article 6;

Which was agreed to and said section stricken out.

Mr. Allison of Gadsden moved to strike out the last clause of section 4 of article 6;

Upon which the yeas and nays were called by Messrs. Allison and Davis, and were:

Yea—Mr. Allison—1.

Nays—Mr. President, Messrs. Alderman, Baker of Calhoun, Baker of Jackson, Barrington, Beard, Chandler, Collier, Cooper, Daniel, Davis, Dawkins, Dilworth, Finegan, Gary, Gettis, Glazier, Hendricks, Henry, Hunter, Kirksey, Lamb, Lea of Madison, Love, McGahagin, Mays, Newman, Nicholson, Palmer, Parkhill, Pelot, Rutland, Sever, Stephens, Taylor and Turman—36.

So the motion was not agreed to.

Mr. Davis of Leon moved to strike out all of section 4, of Article 6, and the yeas and nays being called on said motion were:

Yeas—Messrs. Alderman, Allison, Baker of Calhoun, Baker of Jackson, Cooper, Davis, Dawkins, Dilworth, Finegan, Henry, Hunter, McGahagin, McNealey, Mays, Palmer, Parkhill, Rutland, Sanderson and Spencer—19.

Nays—Mr. President, Messrs. Barrington, Beard, Chandler, Collier, Daniel, Gary, Gettis, Glazier, Hendricks, Kirksey, Lamb, Lea of Madison, Love, Newman, Nicholson, Pelot, Sever, Taylor, Stephens and Turman—20.

So the Convention refused to strike out.

On motion the 15th article of said Constitution was stricken out.

On motion of Mr. Davis of Leon the second section of the 16th article was stricken out.

On motion the Constitution as read and amended was adopted as the "Constitution or Form of Government for the People of Florida."

Mr. Beard of Leon moved that the ordinance of secession be substituted in lieu of the preamble which had been stricken out:

Which motion was adopted.

Mr. Allison of Gadsden offered the following ordinance:

AN ORDINANCE SUBMITTING THE CONSTITUTION TO THE PEOPLE.

*Be it ordained,* That before this Constitution shall take effect, (except such parts thereof as may relate to, or in any wise affect the ordinance of secession) the same shall be submitted to the qualified electors of this State for their ratification or rejection, at an election to be held on the first Monday in October next, said election to be conducted in the same manner and governed by the same rules and regulations as are now provided by law, governing the election of members of the most numerous branch of the General Assembly.

*Be it further ordained,* That such electors as may be in favor of adopting the same shall signify it by voting "Ratification," and those against its adoption "No Ratification;" and if a majority of the legal votes cast at said election shall be for ratification, then the same shall upon the proclamation of the Governor to that effect, be the Constitution of this State, otherwise it shall not;

And moved that the rules be waived and that said ordinance be put on its passage, seconded by Mr. Wright of Escambia. On the motion to waive the rules, the yeas and nays were called by Messrs. Allison and Wright, and were:

Yeas—Messrs. Alderman, Allison, Baker of Jackson, Collier, Cooper, Daniel, Davis, Gettis, Glazier, Henry, Lamb, Lea of

Madison, McNealey, Newman, Palmer, Sanderson, Sever, Ward and Wright—19.

Nays—Mr. President, Messrs. Baker of Calhoun, Barrington, Beard, Chandler, Dawkins, Devall, Finegan, Gary, Hendricks, Hunter, Kirksey, Love, McGahagin, Mays, Nicholson, Parkhill, Pelot, Rutland, Spencer, Stephens, Taylor and Turman—23.

So the Convention refused to waive the rules, and the ordinance was placed among the orders of the day.

The President announced the following Committee, under the resolution passed in Convention to raise a committee to examine and report upon enrolled bills—Messrs. Beard, Davis and Stephens.

On motion, the Convention took a recess until 7 o'clock, this P. M.

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#### 7 O'CLOCK, P. M.

The Convention resumed its session—a quorum present.

An ordinance for the relief of Railroad Companies,

Was taken up and read.

Mr. Finegan of Nassau moved to amend said ordinance by striking out "Companies," and insert the "Georgia & Pensacola and Alabama and Florida Railroads ;"

Which amendment was agreed to.

The ordinance as amended was put on its passage and adopted.

Mr. Davis of Leon offered the following ordinance :

*Be it ordained by the people of the State of Florida in Convention assembled,* That all persons now holding office in thi States be continued in office until the term expires for which they were elected or appointed, unless sooner removed in the manner provided by the Constitution and laws of this State.

The rules were waived, the ordinance put on its passage and adopted.

An ordinance relating to Railroad Connections with Georgia, Was taken up and read.

Mr. Davis of Leon called from the President's desk a communication from Mr. J. B. Galbraith, the Attorney General, in answer to a resolution of the Convention of the 25th inst., which was read, as follows :



OFFICE OF THE ATTORNEY GENERAL, }  
TALLAHASSEE, April 26th, 1861. }

HON. J. C. McGEHEE,

*President of the State Convention:*

SIR—The following resolution has been transmitted to me by the Secretary of the Convention:

“*Resolved*, That the Attorney General be requested to give to the Convention his opinion whether the accompanying proposed ordinance will, if passed, interfere with the vested rights of any Railroad Company incorporated in the State; also whether there has been any decision of the Supreme Court made in any case in which the right of the Pensacola and Georgia Railroad Company to construct their line of road to any point on the boundary line of the State of Georgia has been decided, and if so that he state what such decision has been, and annex to his opinion a copy thereof.”

The proposed ordinance provides “that no railroad shall be constructed connecting the lines of roads specified in the Act to provide for and encourage a liberal system of Internal Improvement in this State, with the line of the State of Georgia, until the several roads in the system created by the act aforesaid shall be completed and in operation,” &c.

It is obvious that the effect of the proposed ordinance will be to prevent the Pensacola and Georgia Railroad Company, which is the only company that has accepted the provisions of the Internal Improvement act which can extend its line of road to the line of the State of Georgia, from constructing its road to said line until certain circumstances and conditions shall have arisen specified in the proposed ordinance. The simple question to be determined then is, Has the Pensacola and Georgia Railroad Company the present right to construct their road to the Georgia line? This question has been decided affirmatively by the Supreme Court in the case of Johnson, appellant, vs. the Pensacola and Georgia Railroad Company, January Term, 1860. It is not necessary, therefore, that I should review the argument of the subject, it having been determined by the highest judicial tribunal of the State.

It would seem, therefore, that the passage of the proposed ordinance would necessarily prevent the Pensacola and Georgia Railroad Company from exercising a right which the Supreme Court has decided to be vested in it. If the decision of the Supreme Court is conclusive, and that it is there can be no doubt, the passage of the proposed ordinance “will interfere with the vested right” of the Pensacola and Georgia Railroad Company.

I enclose, according to the request of the resolution, a copy

of the decision of the Supreme Court in the case of Johnson vs. the Pensacola and Georgia Railroad Company.

Very respectfully,

JNO. B. GALBRAITH.

Mr. Davis moved to indefinitely postpone said ordinance ;

Upon which the yeas and nays were called by Messrs. Davis and Stephens, and were :

Yeas—Messrs. Baker of Calhoun, Collier, Davis, Devall, Kirksey, Lea of Madison, Nicholson, Palmer, Rutland, Stephens and Ward—11.

Nays—Mr. President, Messrs. Allison, Barrington, Beard, Chandler, Cooper, Daniel, Dawkins, Finegan, Gary, Gettis, Glazier, Hendricks, Henry, Hunter, Lamb, McGahagin, Newman, Pelot, Sanderson, Sever, Taylor, Turman and Wright—24.

So the Convention refused to postpone.

Mr. Wright of Escambia offered the following amendment :

It being further provided that the line or lines of said road or roads shall be within the limits of the State of Florida ;

Which was accepted.

Mr. Allison of Gadsden offered the following amendment :

Provided, also, That nothing herein contained shall be so construed as to interfere with, or in any wise disparage any vested rights acquired under, and by virtue of the laws of this State ;

Which was read.

Mr. Pelot of Alachua called the previous question.

Mr. Davis of Leon claimed the floor and the President so decided.

Mr. Pelot appealed from the decision of the Chair, upon which appeal the yeas and nays were called, and the question being, "Will the Convention sustain the decision of the Chair?" the vote was :

Yeas—Messrs. Baker of Calhoun, Barrington, Beard, Cooper, Davis, Dawkins, Devall, Finegan, Gary, Gettis, Glazier, Henry, Hunter, Kirksey, Lea of Madison, Love, McGahagin, Newman, Nicholson, Palmer, Rutland, Sever, Taylor, Stephens, Turman, and Ward—27.

Nays—Messrs. Allison, Chandler, Daniel, Hendricks, Lamb, Pelot, Sanderson and Wright—8.

So the decision of the Chair was sustained.

Mr. Turman of Hillsboro moved to adjourn until 9 o'clock Monday morning, upon which motion the yeas and nays were called, and were :

Yeas—Mr. President, Messrs. Barrington, Beard, Davis, Gettis, Glazier, Henry, Kirksey, McGahagin, Nicholson, Rutland, Stephens, Turman and Ward—14.

Nays—Messrs. Allison, Baker of Calhoun, Chandler, Cooper,

Daniel, Dawkins, Devall, Finegan, Gary, Hendricks, Hunter, Lamb, Lea of Madison, Love, Newman, Palmer, Pelot, Sanderson, Sever, Taylor and Wright—21.

So the Convention refused to adjourn.

Mr. Dawkins of Alachua offered the following resolution :

*Be it resolved*, That for the want of time the consideration of the ordinance now before the Convention be postponed ;

Which was adopted.

Mr. Rutland moved to adjourn, which motion was not agreed to.

Mr. Daniel of Duval moved to take up the ordinance from the table relating to a telegraph line between Tallahassee and Baldwin, which was agreed to. The ordinance was read and put upon its passage, upon which the yeas and nays were called, and were :

Yeas—Mr. President, Messrs. Allison, Baker of Calhoun, Barrington, Beard, Chandler, Cooper, Daniel, Davis, Dawkins, Finegan, Glazier, Hendricks, Henry, Kirksey, Lea of Madison, Pelot, Sanderson, Taylor, Ward and Wright—21.

Nays—Messrs. Devall, Gary, Gettis, Hunter, Lamb, Love, McGahagin, Newman, Nicholson, Palmer, Rutland, Sever, Stephens and Turman—14.

So the ordinance was adopted.

An ordinance empowering the Legislature to repeal certain ordinances of this Convention, was read, put upon its passage and lost.

Mr. Daniel of Duval offered the following resolution :

*Resolved*, That in view of the increased and arduous labors performed by the Chief Secretary of this Convention during the present session, he shall be allowed six dollars per day for the same.

The rules were waived and the resolution adopted.

Mr. Daniel offered the following resolution :

*Resolved*, That the Chief Secretary of this Convention be, and he is hereby instructed to have printed 1000 copies of the amended constitution and the ordinances and resolutions passed by this Convention at its session on 26th of February, 1861, as well as its present session ; that he cause 10 copies of the same to be sent to each member of the Convention, and 10 to the Clerks of the Circuit Courts of the several Counties of this State.

The rules were waived and the resolution adopted.

Mr. Dawkins of Alachua offered the following resolution :

*Resolved*, That a Special Committee on Enrolment to consist of three, be appointed, to attend to the enrolment of all ordinances and resolutions passed by this Convention.

Which was adopted, and Messrs. Davis, Beard and Stephens were appointed said Committee.

Mr. Daniel of Duval offered the following resolution:

*Resolved*, That the Secretary of this Convention be authorized to audit the accounts of members, and that the same be paid by the Treasurer upon the warrant of the Comptroller.

The rules were waived and the resolution adopted.

Mr. Henry of Gadsden offered the following resolution:

*Resolved*, That the thanks of this Convention are hereby tendered to the Hon. J. C. McGehee for the patient, unremitting, and dignified manner in which he has presided over the present Convention.

Which was unanimously adopted.

Mr. Love of Gadsden moved that this Convention now adjourn *sine die* unless convened by the President on or before the 25th of December next;

Which was adopted.

The President then announced that the Convention stood adjourned in accordance therewith.





















