

4. All officers, civil and military, now holding their offices and appointments in the Territory under the authority of the United States, or under the authority of the Territory, shall continue to hold and exercise their respective offices and appointments until superseded under this constitution; and all actions at law or suits in chancery, or any proceeding pending, or which may be pending, in any court of the Territory of Florida, may be commenced in or transferred to such court of the State as may have jurisdiction of the subject-matter thereof.

5. This constitution shall be submitted to the people, for ratification, at the election for delegate on the first Monday of May next. Each qualified voter shall express his assent or dissent to the constitution, by directing the managers of said election to write, opposite to his name, on the poll-book, either the word "constitution" or "no constitution." And in case the time of election for delegate be changed to any other day than the first Monday of May next, then the judges or clerks of the county courts, respectively, shall appoint managers to hold an election on the said first Monday of May, for ratification of the constitution; and said managers shall conduct said election in the manner provided by the laws of the Territory respecting elections, and make return of the result of such vote forthwith, by depositing the original poll-book in the clerk's office of their counties, respectively, and by transmitting a certificate of the result to the president of the convention, who shall forthwith make proclamation of the same; and in case the constitution be ratified by the people, and immediately after official information shall have been received that Congress have approved the constitution, and provided for the admission of Florida, the president of this convention shall issue writs of election to the proper officers, in the different counties, enjoining them to cause an election to be held for Governor, Representative in Congress, and members of the General Assembly, in each of their respective counties. The election shall be held on the first Monday after the lapse of sixty days following the day of the date of the President's proclamation, and shall take place on the same day throughout the State. The said election shall be conducted according to the then existing election laws of the Territory of Florida; provided, however, that in case of the absence or disability of the president of the convention to cause the said election to be carried into effect, the secretary of this convention shall discharge the duties hereby imposed upon the president; and, in case of the absence or disability of the secretary, a committee consisting of five, to wit: Leigh Read, George T. Ward, James D. Westcott, Jr., Thomas Brown, and Leslie A. Thompson, or a majority of them, shall discharge the duties herein imposed on the secretary of the convention; and the members of the General Assembly, so elected, shall assemble on the fourth Monday thereafter at the seat of Government. The Governor, Representative in Congress, and members of the General Assembly, shall enter upon the duties of their respective offices immediately after their election under the provisions of this constitution, and shall continue in office in the same manner and during the same period, they would have done had they been elected on the first Monday in October.

6. The General Assembly shall have power, by the votes of two-thirds of both Houses, to accede to such propositions as may be made by the Congress of the United States upon the admission of the State of Florida into the national Confederacy and Union, if they shall be deemed reasonable and just, and to make declaration of such assent by law; and such declaration, when made, shall be binding upon the people and the State of Florida as a compact: and the Governor of the State of Florida shall notify the President of the United States of the acts of the General Assembly relating thereto; and in case of declining to accede to such propositions, or any part thereof, the General Assembly shall instruct the Senators and Representatives of the State of Florida in Congress to procure such modification or alteration thereof as may be deemed reasonable and just, and assent thereto subject to the ratification of the General Assembly by law as aforesaid.

7. The courts of this State shall never entertain jurisdiction of any grants of land in the Floridas made by the King of Spain, or by his authority, subsequent to the twenty-fourth day of January, eighteen hundred and eighteen; nor shall the said courts receive as evidence, in any case, certain grants said to have been made by the said King of Spain in favour of the Duke of Alagon, the Count Punon Rostro, and Don Pedro de Vargas, or any title derived from either of said grants, unless with the express assent of the Congress of the United States.

Done in convention, held in pursuance of an act of the Governor and Legislative Council of the Territory of Florida, entitled "An act to call a convention for the purpose of organizing a State Government," passed 30th day of January, 1838, and approved 2d February, eighteen hundred and thirty-eight.

JOSHUA KNOWLES, *Secretary.*

ROBERT RAYMOND REID, *President.*