

On his motion,

Were read and filed with the bill.

Mr. Duncan presented the petition of Patrick Magarity and others, praying an act legalizing the action of the City Council of Wilmington in vacating a part of Read Street.

And also the remonstrance of J. P. Herdman and others, against the same.

Which,

On his motion,

Was read and referred to a committee of three, with leave to report by bill or otherwise,

Whereupon,

Messrs. Duncan, Slay and Fisher were appointed said committee.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had passed a bill entitled,

"An act to prevent recruiting in the State of Delaware, for the benefit of any other State, and for other purposes,"

And presented the same for the concurrence of the House.

On motion of Mr. Curtis,

The bill just received from the Senate,

Was read.

And,

On motion of Mr. Duncan,

Rule 12 was, by unanimous consent, suspended in order that the bill just read, might be read a second time by its title.

And the bill was so read.

On motion of Mr. Waples,

Rule 12 was, by unanimous consent, suspended in order that the bill entitled,

"An act to amend the act entitled 'An act appointing commissioners of the Great and Beach Marshes,'"

Might be read a third time, in order to pass the House,

And the bill was so read, and

Passed the House.

Ordered to the Senate for concurrence.

On motion,

The House adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the joint resolution appointing Zadock L. Butler to take charge of the Legislative chambers,

With an amendment,

And requested the concurrence of the House in said amendment.

On motion of Mr. Allen,

The Senate amendment to said Joint Resolution,

Was read, as follows :

“ IN SENATE, August 10, 1864.

“ ‘ Amend the preamble by striking out the words “ removed from this State ” in the fourth line, and inserting in lieu thereof the words, “ been absent,” and by striking out the word “ removal,” in the sixth line, and inserting in lieu thereof the word, “ absence.” ’ ”

“ Extract from the journal. For concurrence.

“ E. L. MARTIN,

“ *Clerk of the Senate.*”

On motion of Mr. Allen,

The amendment was

Concurred in.

Ordered that the Senate be informed thereof.

Mr. Horsey presented the petition of Thomas H. Burgess and others, for an act to appoint commissioners to lay out a ditch up the Pocomoke River,

Which,

On his motion,

Was read and referred to a committee of three, with leave to report by bill or otherwise,

Whereupon,

Messrs. Horsey, Paxson, and Slay were appointed said committee.

On motion of Mr. Allen,

Rule 12 was, by unanimous consent, suspended, in order that the Senate bill entitled,

"An act to prevent recruiting in the State of Delaware for the benefit of any other State, and for other purposes,"

Might be read a third time, in order to pass the House.

And the bill was so read, and

Passed the House.

Ordered that the Senate be informed thereof, and the bill returned to that body.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House bills entitled,

"An act to authorize and empower the Register for the Probate of Wills and granting letters of Administration in and for Sussex County, to procure a press and new seal of office,"

And,

"An act to amend the act entitled 'An act appointing Commissioners of the Great and Beach Marshes,'"

And returned the same to the House.

Mr. Horsey, from the committee to whom was referred the petition of Thomas H. Burgess and others, reported a bill entitled,

"An act appointing Commissioners to lay out a ditch and cross ditches in Broad Creek and Dagsborough Hundreds, in Sussex County,"

Which,

On his motion,

Was read.

Mr. Waples presented a claim of Edward Ridgely, Esq., against the State,

Which,

On his motion,

Was read and referred to the Committee on Claims.

Mr. Allen, from the committee to whom was referred the Message of the Governor of the 9th inst., reported and recommend the passage of a joint resolution.

Mr. Allen moved,

That the report be accepted, the committee discharged, and the joint resolution adopted.

Which motion he afterwards withdrew.

On motion of Mr. Horsey,

Rule 12 was, by unanimous consent, suspended, in order that the bill entitled,

"An act appointing commissioners to lay out a ditch and cross ditches in Broad Creek and Dagsborough Hundreds, in Sussex County,"

Might be read a second time by its title.

And the bill was so read.

On the further motion of Mr. Horsey,

Rule 12 was, by unanimous consent, again suspended, in order that the bill just read a second time by its title, might be read a third time, in order to pass the House,

And the bill was so read, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Duncan, from the committee to whom was referred the petition of Patrick Magarity and others, and the remonstrance of J. P. Herdman and others, reported a bill entitled,

"An act to legalize a certain act of the City Council of Wilmington,"

Which,

On his motion,

Was read.

On the further motion of Mr. Duncan,

Rule 8 of the Senate of the United States was adopted as Rule 25 of this House, substituting in lieu of the word "Senate," where it occurs in said Rule, the word "House."

Mr. Allen moved,

A call of the House,

Which, being made, the following members answered :

Present—Messrs. Allen, Bailey, Duncan, Fisher, Hayes, Horsey, Scribner, and Mr. Speaker—8.

Absent—Messrs. Bewley, Curtis, Gemmill, Gootee, Lattomus, Paxson, Raughley, Slay, Stubbs, Waples, Watson, Whitby, and Williams—13.

There not being a quorum,

On motion of Mr. Allen,

The Speaker was directed to issue his writ compelling the attendance of such members as he saw proper, to-morrow morning, at 9 o'clock.

The Speaker then issued a writ to George W. White to produce Messrs. John H. Bewley and Benjamin S. Gootee, Esqs., and a writ to Zadock L. Butler to produce Robert Raughley, Esq.

On motion of Mr. Horsey,

The House adjourned until 9 o'clock to-morrow morning.

THURSDAY, August 11, 1864.—9 o'clock, A. M.

The House met pursuant to adjournment.

The Speaker announced the return of the writs for Messrs. Bewley, Gootee and Raughley.

Messrs. Bewley and Gootee rendered an excuse for their absence from the House,

Which,

On motion of Mr. Allen,

Was

Accepted,

And the members excused.

Mr. Williams, from the committee, reported a bill entitled,

"An act to raise revenue for this State,"

Which,

Was read.

Mr. Allen, from the Committee on the Governor's Message, made a report condemnatory of the message of the 9th instant, in reply to a joint resolution asking information in regard to the enlistment of negroes, and a joint resolution directing that the message be returned to the Governor,

Which,

On his motion,

Was read.

Mr. Allen moved,

That the report be adopted.

On the question, "Shall the report be adopted?"

Mr. Curtis called for the yeas and nays,
Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Bewley, Fisher, Gootee, Horsey, Raughley, Scribner, Slay, Stubbs, Waples, Williams, and Mr. Speaker—13.

Nays—Messrs. Curtis, Duncan, Hayes, and Paxson—4.

Mr. Duncan presented the account of James Kirk, against the State,

Which,

On his motion,

Was read and referred to the Committee on Accounts.

Mr. Waples presented a claim of James Kirk, against the State,

Which,

On his motion,

Was read and referred to the Committee on Claims.

Mr. Bewley presented the account of James Cowgill & Son, with the House of Representatives,

Which,

On his motion,

Was referred to the Committee on Accounts.

On motion of Mr. Williams,

Rule 12 was, by unanimous consent, suspended, in order that the bill entitled,

“ An act to raise revenue for this State,”

Might be read a second time by its title,

And the bill was so read.

On motion of Mr. Duncan,

The bill entitled “ A further supplement to the act entitled ‘ An act to limit the debt of the city of Wilmington and to provide for the discharge thereof.’ ”

Was read a second time by its title.

On motion of Mr. Williams,

Rule 12 was, by unanimous consent, suspended, in order that the bill entitled,

“ An act to raise revenue for this State,”

Might be read a third time, and by paragraphs, in order to pass the House.

And,

On his further motion,

The bill was so read,

And

Passed the House.

Ordered to the Senate for concurrence.

Mr. Williams, from the Joint Committee on the Special Message of the Governor, submitted a report.

Mr. Martin, Clerk of the Senate, being admitted, presented for the concurrence of the House, the Senate bill entitled,

"An act to amend Chapter 105 of the Revised Code."

On motion of Mr. Bailey,

The Senate bill entitled "An act to amend Chapter 105 of the Revised Code,"

Was read.

On motion of Mr. Duncan,

Rule 12 was, by unanimous consent, suspended in order the bill just read might be read a second time by its title.

And,

On his further motion,

The bill was so read.

Mr. Waples presented the bills of George W. White and Zadock L. Butler against the House of Representatives,

Which,

On motion of Mr. Waples,

Were read and referred to the Committee on Accounts.

On motion of Mr. Duncan,

The Senate bill entitled "An act to legalize a certain act of the City Council of Wilmington,"

Was read a second time by its title.

And,

On his further motion,

Rule 12 was, by unanimous consent, suspended in order that the bill just read might be read a third time in order to pass the House,

And the bill was so read,

And

Passed the House.

Ordered that the Senate be informed thereof, and the bill returned to that body.

The report of the Joint Committee on the Governor's Message was then read, as follows :

The Committee to whom was referred the Message of the Governor of this State, upon the convening of the General Assembly in extraordinary session, having maturely considered the recommendations and suggestions therein contained, respectfully report to the two Houses that they find but little in said message which meets their approval, although much which the judgment of the people of the State will condemn. It appears by said message that the number of men required of this State, under the President's proclamation of the eighteenth of July last, is two thousand four hundred and forty-five ; and we are informed by the Governor that "the duty of furnishing to the National Government the number of men required, and of relieving the people of this State from the operation of the draft, and the necessity of legislative action for this purpose, constitute the extraordinary occasion upon which you (the legislature) have been convened." It has been the sincere desire of the members of this General Assembly, since they have been clothed with the responsible duty of legislating for the good of the people of the State, carefully to observe towards the present State Executive the proprieties of official intercourse that ought to exist between co-ordinate branches of the State government. They will not be provoked to a departure from a sense of what in their judgment is proper in this respect, notwithstanding the deliberate and premeditated insult which he, or those who have him in keeping, and do his writing for him, offered to the General Assembly in a message sent to the two Houses on the ninth instant, and returned to him by order of the General Assembly, as unworthy of their consideration and unfit to remain on the files of either House. The resolution to which said message purports to be responsive, was respectful in its terms, designed to be so in its purposes and objects, and called for information within the knowledge of the Executive, and necessary to enable the General Assembly properly to discharge their duties in reference to matters submitted for their consideration by the Executive himself. The transmission of such a message to the Legislature justifies them in dealing frankly and plainly with such a public functionary, however lenient they otherwise might have been disposed to be. And in such a spirit of plainness and frankness they say to the people of the State, that if the Governor is sincerely desirous to exempt the people from the operation of the draft, the proof of such sincerity would have been more manifest by the adoption of a public policy, on his part, in conjunction with the General Assembly and a majority of the people of the State, to stay the effusion of blood and to silence the clangor of arms by honest and persistent efforts peaceably to adjust sectional differences by compromise, concession, and the discharge of those obligations and the observance of those rights guaranteed by the Federal Constitution, which is the bond of union, and by the observance of which the Union alone can be restored or the liberties of the peo-

ple preserved. No one has contributed so much as he has done to the unjust and cruel oppression of the people of the State. By direct appeals to Federal power he has caused a majority of the legal voters of this State to be deprived by military force of the enjoyment of their constitutional rights as electors, that he and those with whom he politically acts might profit from their injuries. He has caused some of them unjustly and unlawfully to be dragged from their homes and to be incarcerated in military prisons, and to experience sufferings greater than those generally meted out to convicted felons.— He has caused fathers and mothers, wives and children, relatives and friends, to shed tears of bitterness on account of the wrongs inflicted through his agency, and from no nobler motive than that he and others, against the will of the people, might obtain and be continued in political power in this State. When this General Assembly passed an act to protect the people in the enjoyment of their constitutional rights, it was the Governor of the State that published a proclamation to the lawless portion of the community to disregard the law of the State, and that he would shield them from the consequences of their crimes by granting the executive pardon. He, that the innocent might be oppressed, defied the action of legislatures and of courts, and attempted the assumption of all the powers of government to himself. When this General Assembly, in deference to the popular will, and in accordance with the spirit of justice, provided means to assist those who should be drafted under a former call by the President to procure exemption, no word of approval of such action escaped the Executive of Delaware, but the same was professedly regarded by his friends, and doubtless by himself, as unpatriotic and disloyal. Men, not money, were wanted then. Whence the change in Executive views? Has there been any change? This General Assembly owes it to itself, and the people of the State, that neither it nor they shall be trifled with or mocked, and, although the task would with pleasure be avoided by your committee if it could be, an exposure of the folly and impropriety of the chief recommendation by the Executive is demanded by considerations of highest public interest. It is manifest from the message of the Governor that his principal, if not sole object, in convening the General Assembly was, that he might have an opportunity to recommend the passage of an act by them providing the ways and means to enable him to recruit negro soldiers in certain States which have assumed to secede from the Federal Union, thereby giving their sanction and the sanction of the State to abducting from their lawful owners negro slaves for the purpose of arming them for the destruction of their masters.

After reciting the fact that by act of Congress "authority has been given to the Executive of any of the States to send recruiting agents into any of the States declared to be in rebellion—except the States of Arkansas, Tennessee and Louisiana—to recruit volunteers," he recommends the passage of an act making an appropriation of

money to enable him "to conduct recruiting under the provisions of said act of Congress, and to compete with other States recruiting in like manner." Who are the persons whom the Governor wishes thus, through his agents, to recruit, and for whom he wishes the Legislature to provide bounties by an imposition of a tax upon the people? They are a class of beings but little elevated above savage tribes. A class whom we do not employ as soldiers in wars with foreign foes; a class whom the people of the seceded States, although there are several millions of them in those States, do not employ as soldiers against the white soldiers of the Federal Government. By the Constitution of the United States they are property as well as persons. They owe labor and service to their masters. Many of them belong to persons who have never resisted the authority of the United States, but who acknowledge that authority and who are and have been engaged in well meant effort to uphold and defend it. Being property, persons held to labor and service under the Constitution of the United States, they can make no valid contract whatever in law. The proposition of the Governor to the Legislature is therefore nothing more nor less than to sanction the abduction of rightful property; the spoliation of citizens of the United States of their property; the forcible taking of legal property from its owners without just compensation. It is a proposition to incite to insurrection and murder. It is a proposition to employ in a war between civilized peoples those as unfit for such service as the most savage tribes. The Governor knew full well that this General Assembly would never sanction such an outrage upon every just consideration that should influence the strifes of civilized men. He knew also, or might have known, that the attempt to obtain such recruits would prove abortive. The inability of larger and more wealthy States to procure such recruits is now generally confessed. The object of his recommendation is therefore apparent. It cannot be concealed. He and those with whom he politically acts persistently oppose the adoption of all peaceful measures for the adjustment of our sectional differences, and will not agree to the restoration of the union of the States unless upon the condition of the abolition of slavery in States where it exists and where it will continue to exist, even after rivers of blood shall have been shed in the vain effort to extirpate it. Your committee being compelled from principle to withhold their sanction from the adoption of this measure proposed by the Executive, will not discuss the fitness of negroes for the military service. Their unfitness for such service has been fully demonstrated by the sad experience of the present war. Nothing but a blind fanaticism and an ungovernable hate of others could cause the approval of their further employment in such service. This General Assembly will do no act in any manner to sanction it.

In withholding their sanction from this recommendation of the Governor, your committee are aware that they subject themselves to the unjust and malicious misrepresentations of their political oppo-

nents. The object of the recommendation was to deceive those subject to draft by the representation that a sufficient number of substitutes could have been obtained in the revolted States if the General Assembly had yielded to the suggestion of the Governor. The people are too wise to be thus deceived. The experience of other States in this respect has fully shown that no considerable number of such substitutes can possibly be obtained.

A further objection to the measure proposed is, that an endorsement of it by General Assembly would be in contravention of the settled policy of the State from its first organization to the present time. The African race has ever been considered by us an inferior and subject race. While our laws have extended to them all the privileges to which the most prudent and humane could possibly consider them entitled in consideration of their condition and qualification for the enjoyment of political rights and privileges, and has afforded them the fullest protection in all their legal and just rights, vindicating those rights when infringed, and redressing all their wrongs where such have been inflicted, the enjoyment of certain privileges has wisely been denied. Public policy demanded, and legislative wisdom has uniformly declared that they should not be allowed the use of fire-arms and ammunition. The sentiment of the people of the State has uniformly approved this policy, and this General Assembly see no propriety in a departure from it at the present time.

A still further objection to the proposed measure of the Executive is, that in case he should appoint agents to recruit in the revolted States, neither he nor this State would have the power to afford them protection against the consequences of their act if apprehended by the authorities of the several States which they might enter. Their act being one of private plunder, inciting to murder and insurrection, would be considered by such authorities punishable by their local laws, and such agents could not claim and would not be entitled to the privileges of prisoners of war. The United States, by their intercourse with and conduct towards the so-called Confederate States, have acknowledged them as a belligerent power, entitled to all and every belligerent right. There is no doctrine more clearly recognized by the law of nations, and which has been more strongly asserted or successfully maintained by the Government of the United States, or more cheerfully acquiesced in by those foreign powers against which our Government has enforced it than this—that negro slaves, being private property, are not, by the laws of war, or the international code, subject to capture as prize of war, or for the purpose of depriving their lawful owners of their possession, or for any purpose whatever. During the last war between the United States and Great Britain, the army of the latter power, in many instances, did seize and carry away the slaves of the citizens of the former. Upon the cessation of hostilities, the Government of the United States demanded of the British Government compensation to the

amount of the value of the slaves abducted, on the ground that such abduction was in contravention of the laws of nations, and not sanctioned by the usage, practice, or laws of war. The British Government acknowledged the correctness of the principle asserted, and made just compensation for the injury done. But suppose this General Assembly should yield to the suggestion of the Governor, and by their approval, he should, by the stealth and wrongful acts of agents, procure a few recruits of ignorant and degraded slaves in the revolted States, what then would be the position and legal status of such slaves in case of capture by the Confederate army? Deluded by false promises of absolute freedom, they are clothed in the uniform of the American soldier, which is the badge and insignia of honor, and which, wherever seen, is justly respected by every true American, however unworthily worn. Stern, inflexible law must determine that condition and status. That law declares that in case a slave is by any means taken by one belligerent from the possession of a citizen of another, and is afterwards recaptured, he reverts by the *jus post liminii* to his original owner. He is again the slave of his former owner—legally his slave, and no authority can question his title. Shall this General Assembly lend its sanction, not only to the perpetration of a clearly illegal act, but, in addition, countenance duplicity towards the unfortunate victims of the avarice and falsehood of the proposed agents of the State Executive? Although many others might be suggested, your Committee will content themselves with one further objection to this proposed Executive measure. Are the negroes, free and slave, of this State, to be furnished with arms at the instance of the Executive, to be employed in the oppression of its white population for *political* purposes, and are they to be gathered wherever found, and brought into our limits, and armed for the same unjustifiable and dangerous purpose? The Federal Executive, at the instance of the State Executive, has forcibly deprived the legal, constitutional, white voter of his dearest political right—that of a free elector, by his armed white soldiery. Shall negro soldiers now become the instruments for the accomplishment of the same nefarious and treasonable purpose? That such an employment of them, under Federal authority, would be justified by the State Executive, and would, in fact, be made if his counsel can prevail, your Committee cannot doubt. Such an attempt would inevitably lead to universal armed resistance. To prevent the possibility of such result, if no other consideration could, would and ought to cause the General Assembly to withhold their consent from the measure proposed by the Executive.

Your committee having fully considered the main feature or recommendation of the Governor's message, deem it unnecessary to notice the minor subjects of which it treats. Your committee, however, recommend the passage of an act to prevent persons not authorized by the Federal authorities to recruit persons residing in this State for service to be credited to other States.

In reference to devising some mode of relief for persons liable to be drafted under the proclamation calling for five hundred thousand additional soldiers, your committee have experienced great difficulty and embarrassment. They have keenly felt in reference to the situation in which such persons are placed without any agency or consent of their own, but no plan has been suggested wholly free from objection. Sincerely desirous that whatever relief can be properly afforded may be afforded, your committee refer the whole subject back to the General Assembly for their unembarrassed consideration without any specific recommendation.

Here, perhaps, the report of your committee might appropriately end. But the momentous scenes through which we are now passing, and the still more dreadful ones which may await us in the future, may justify some reflections and suggestions legitimately connected with the subject matter of this report. How has it happened that in the brief period of four years the best and the freest government on earth has been dismembered, brought to the very verge of positive and final destruction? Why is it that all the safeguards of life, liberty and property, secured in the fundamental law by our ancestors, for themselves, for us, and our prosperity, have been destroyed, and leaden wings of despotism overshadow the whole land? But yesterday we were not only the freest and happiest, but mightiest nation on earth. To-day, we are a by-word of reproach throughout the world. Then, we could have defied all Europe in arms. Now, we are impotent to redress the wrongs inflicted upon or the insults offered us by the feeblest of the powers which divide that continent. Then we could proudly say to foreign powers, that the American continent was not to be considered open to European conquest or settlement, and that any attempt by foreign nations, inconsistent with this declaration, would not be considered with indifference by us, but would be resented as inimical to our just interest. Now our minister at a foreign court is instructed to say to the minister of that foreign power which has upon the ruins of the Mexican republic established a Franco-Austrian monarchy, that a similar declaration by the popular branch of Congress must not be considered as expressing the sense of the American people, and is compelled to submit to the insulting inquiry, "Do you bring us peace or war?" Why is it that he who seeks an asylum in our midst is, in the absence of treaty stipulation and without authority of international or municipal law, ruthlessly seized by our own agents and delivered over to the agents of a foreign power? Why are hundreds and thousands of unoffending citizens forcibly seized by an armed soldiery, by executive command, dragged from their homes and incarcerated in worse than Spanish or French bastilles, and there detained without trial, at the will of irresponsible power? Why have more than two millions of American citizens been summoned from their homes and sent to the battle-field, not to fight against a foreign foe, but against their own race and kindred? Why are five hundred thousand more soon to be compelled to leave

their homes and all that is dear to them to renew the fatal strife, and why the present call for negro slaves to join in the bloody work of death? Is it because the principles of the Federal Constitution, of civil liberty, have been legally changed? Is not our federal system of government constitutionally the same? Let the degenerate sons of noble sires, with shame confess the truth. Their fathers, representing separate, independent and sovereign States, for purposes of common interest, entered into a written contract, establishing a common government of limited delegated powers, reserving to themselves all powers not delegated, among which were the regulation of their own domestic affairs in their own way; the free right of suffrage, freedom of speech, of the press, of religion, of life, liberty and property. While the fathers lived, these rights of the States and of the people were respected. Every State, except one, at the time of the making of this contract of government, was a slave-holding State, but the framers of that instrument, foreseeing that the time might come when some of them might cease to be such, expressly provided in the instrument, not only against interference with the relation of master and slave, but for its defence and protection. In an evil hour the fell spirit of abolitionism entered our political Eden and ambitious and designing men commenced a war upon the principles of the Federal Constitution and the reserved rights of the States, which finally culminated in the elevation to power of a political party pledged to the overthrow of those principles and the destruction of those rights. Hence war, civil war, of proportions and magnitude such as the world has never witnessed. The party in power, through the declaration of their chosen chief, are committed against the cessation of hostilities, the return of peace, and the restoration of the Union, until negro slavery shall be abolished in every State. A long, dark and bloody future, if such policy is to prevail, awaits our once happy people. The people of Delaware, in common with their countrymen everywhere, have much of suffering to endure in the future. Let them in humble confidence in that Divine Providence which was the guide of our fathers, and in strict observance of law and order, and by the means secured to them in their Constitutions, State and Federal, contribute their part towards the legal displacement from power of those who have abused it, and the inauguration of a public policy through more faithful agencies, which shall re-establish peace and concord throughout our whole land under "the Constitution as it is, and the Union as it was."

G. SAULSBURY,
WM. HITCH,

Of the Senate.

JAS. WILLIAMS,
JOHN H. BEWLEY,
M. W. ALLEN,

Of the House of Representatives.

Mr. Gootee moved,

That the report be adopted.

On the question, "Shall the report be adopted?"

Mr. Curtis called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Bewley, Fisher, Gootee, Horsey, Raughley, Scribner, Slay, Stubbs, Waples, Williams, and Mr. Speaker—13.

Nays—Messrs. Curtis, Duncan, Hays, and Paxson—4.

So the question was decided in the affirmative,

And the report was

Adopted.

Ordered to the Senate for concurrence.

Mr. Bewley moved,

That 2000 copies of the report just adopted be printed for the use of the House.

On the question, "Shall 2000 copies of the report just adopted be printed for the use of the House?"

Mr. Curtis called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Bewley, Fisher, Gootee, Horsey, Raughley, Scribner, Slay, Stubbs, Waples, Williams, and Mr. Speaker—13.

Nays—Messrs. Curtis, Duncan, Hayes, and Paxson—4.

Mr. Williams moved,

That the House do now adjourn until 3 o'clock this afternoon.

On the question, "Will the House now adjourn until 3 o'clock this afternoon?"

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Bewley, Curtis, Duncan, Fisher, Hayes, Raughley, Scribner, Slay, Stubbs, Waples, Williams, and Mr. Speaker—14.

Nays—Messrs. Gootee, Horsey, and Paxson—3.

So the question was decided in the affirmative,

And the House adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Allen,

Rule 7 was, by unanimous consent, suspended in order that he might introduce a bill entitled,

“An act to relieve the people of this State from draft.”

And,

On his further motion,

The bill was read.

And,

Further on his motion,

Rule 12 was, by unanimous consent, suspended in order that the bill might be read a second time by its title.

And the bill was so read.

On the further motion of Mr. Allen,

The bill just read a second time by its title was taken up for consideration.

And,

On his motion,

The further consideration thereof was postponed until 7½ o'clock this evening.

Mr. Williams, from the Committee on Enrollment, reported a joint resolution and sundry bills duly and correctly enrolled and presented the same for the signature of the Speaker.

Mr. Waples presented the claims of Zadock L. Butler, John E. Parsons, Eli Saulsbury, and Joseph P. Comegys against the State,

Which,

On his motion,

Were read and referred to the Committee on Claims.

Mr. Duncan presented the accounts of James Kirk and James Cowgill & Son,

Which,

On his motion,

Were read and referred to the Committee on Accounts.

Mr. Waples presented a joint resolution appointing John D. Burton to purchase stationery, coal, &c., for the next General Assembly,

Which,

On his further motion,

Was read and

Adopted.

Ordered to the Senate for concurrence.

On motion of Mr. Waples,

The Senate bill entitled "An act to amend Chapter 125 of the Revised Code,"

Was read a third time, and by paragraphs, and

Passed the House.

Ordered that the Senate be informed thereof, and the bill returned to that body.

Mr. Bewley presented the account of Timothy C. Killen with the House of Representatives,

Which,

On motion of Mr. Bewley,

Was read and referred to the Committee on Accounts.

Mr. Waples offered a joint resolution appointing Joseph P. Comegys and Eli Saulsbury, Commissioners to assist the State Treasurer in the sale of State bonds.

On motion of Mr. Duncan,

The resolution was amended by adding the name of Jesse Sharpe as a Commissioner.

On motion of Mr. Waples,

The resolution as amended,

Passed the House.

Ordered to the Senate for concurrence.

Mr. Allen offered a resolution pledging the faith of the State to raise means by taxation to pay the bonds authorized to be issued,

Which,

On his motion,

Was read, and

Adopted.

Ordered to the Senate for concurrence.

On motion of Mr. Duncan,

The bill entitled "A further supplement to the act entitled 'An act to limit the city debt of Wilmington, and to provide for the discharge thereof,'"

Was ordered to be read a third time, with the view of passing the House.

Section 1 having been read,

On the question, "Shall that be Section 1 of the bill?"

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Curtis, Duncan, and Hayes—3.

Nays—Messrs. Allen, Bailey, Bewley, Horsey, Raughley, Scribner, Slay, Stubbs, Waples, Williams and Mr. Speaker—11.

So the question was decided in the negative,

And Section 1 was

Lost,

And the bill was lost.

Mr. Allen asked,

And,

On motion,

Obtained leave to introduce a bill entitled,

"An act to carry out certain public improvements to which the faith of the State had heretofore been pledged."

Which,

On motion of Mr. Allen,

Was read.

Mr. Allen further moved,

To suspend Rule 12 in order that the bill just read, might be read a second time by its title.

On the question, "Shall Rule 12 be suspended for that purpose?"

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Fisher, Horsey, Scribner, Slay, Waples, and Mr. Speaker—8.

Nays—Messrs. Bewley, Curtis, Duncan, Hayes, Raughley, Stubbs, and Williams—7.

So the question not having received a two-third vote of those present, was decided in the negative,

And the motion was

Lost.

Mr. Bewley, from the Committee on Accounts, made a report,

Which, was read, as follows :

DOVER, August 12th, 1864.

We, the undersigned, appointed as a Committee for the House of Representatives, beg leave to submit the following allowances as accounts against the House of Representatives, viz :

John Sordon, Speaker, 41 miles, 13 days	\$64 30
John Hayes, 51 " 13 "	54 30
John A. Duncan, 50 " 13 "	54 00
Solomon M. Curtis, 62 " 13 "	57 60
David W. Gemmill, 43 " 13 "	51 90
Merritt H. Paxson, 32 " 13 "	48 60
John Whitby, 25 " 13 "	46 50
Levi W. Lattomus, 20 " 13 "	45 00
John H. Bewley, 12 " 11 "	36 60
Benjamin F. Gootee, 12 " 11 "	36 60
James Williams, 9 " 11 "	35 70
John Slay, 9 " 11 "	35 70
William B. Stubbs, 7 " 11 "	35 10
Robert Raughley, 25 " 13 "	46 50
Curtis S. Watson, 25 " 13 "	46 50
William A. Scribner, 25 " 13 "	46 50
Luther W. Fisher, 33 " 13 "	48 90
Major W. Allen, 40 " 13 "	51 00
Isaac H. Bailey, 47 " 13 "	53 10
George W. Horsey, 42 " 13 "	51 60
William D. Waples, 50 " 13 "	54 00
John B. Penington, Clerk, for his duties, transcribing, engrossing and other services,	140 00
Rev. Cyrus Huntington, Chaplain, of the House of Representatives,	20 00
William Wyatt, Messenger, to order of John B. Penington	15 00
George W. White, Sergeant-at-Arms and Doorkeeper, &c.,	37 50
Zadock L. Butler, for washing towels, &c., for the House of Representatives.	2 50
J. H. Bateman, for postage stamps for the House of Representatives.	65 00
James Kirk, for printing reports for the House of Representatives.	36 00
George W. White, for serving writs on John H. Bewley and Benj. S. Gootee, members absenting themselves from the House.	6 44

Amount carried forward..... \$1,322 50

<i>Amount brought forward.....</i>	<i>\$1,322 50</i>
Zadock L. Butler, for serving writ on Robert Raughley, a member absenting himself from the House.....	7 40
Jas. Cowgill & Son, bill furnished the two Houses.....	123 07
Timothy C. Killen, bill for furnishing locks, and repairing desk locks, for the House of Representatives.....	5 00
Henry Eckel, for publishing acts in relation to illegal arrests, freedom of election, and free negroes.....	171 00
	<hr/>
	\$1,628 97

And,

On motion of Mr. Bewley

Adopted.

Mr. Waples, from the Committee on Claims, reported a bill entitled,
 "An act for the payment of Claims against the State."

Which,

On his motion,

Was read.

And,

On his further motion,

By unanimous consent, read a second and third times,

And

Passed the House.

Ordered to the Senate for concurrence.

Mr. Martin, Clerk of the Senate, being admitted informed the House that the Senate had concurred in the House bill entitled,

"An act for the payment of Claims against the State,"

And,

The "Joint Resolution authorizing the Clerks to publish their Journals,"

Which were duly and correctly enrolled and signed by the Speakers of the respective Houses.

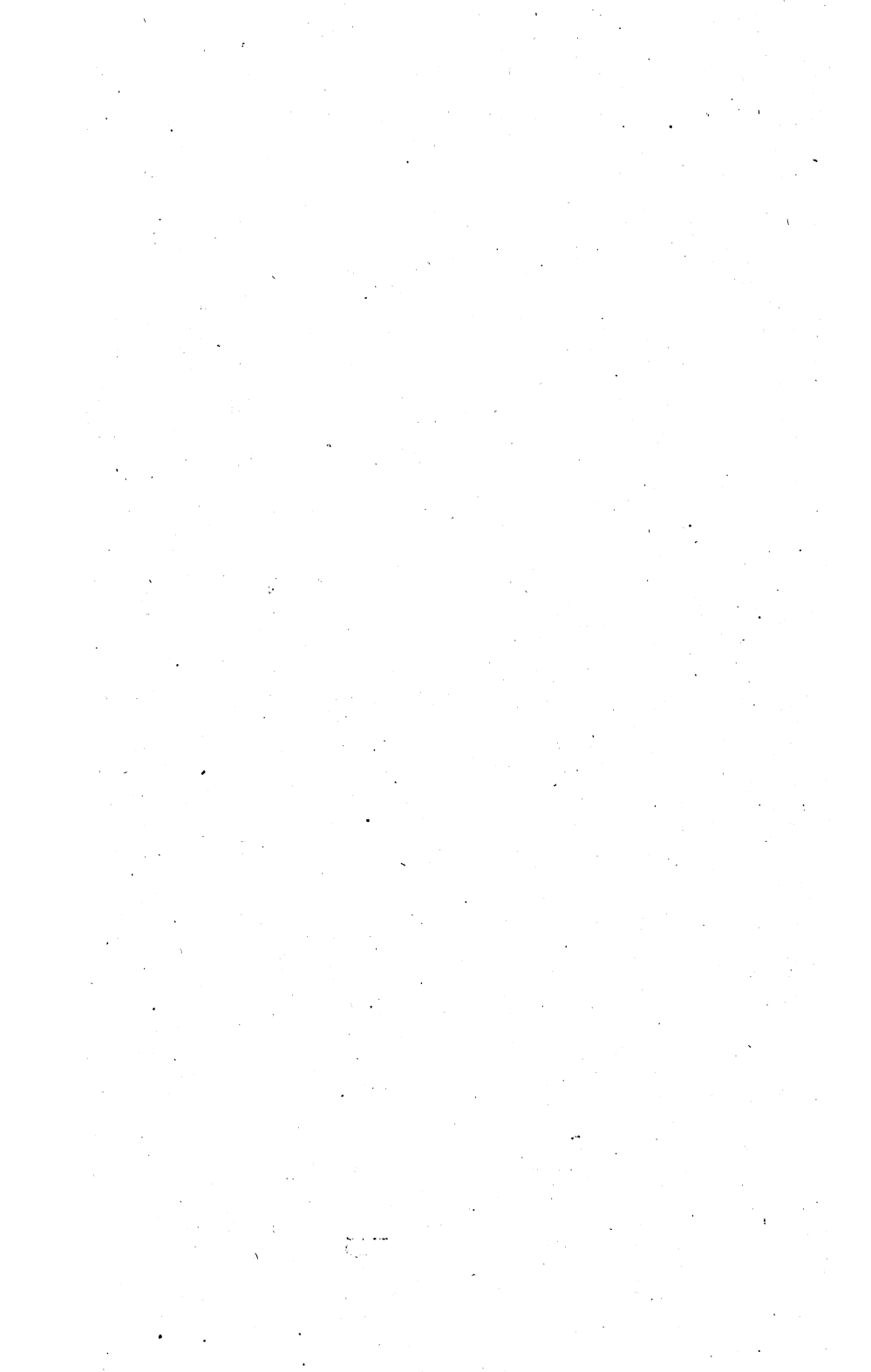
On motion,

The House adjourned until the third Tuesday in October at 10 o'clock, A. M.

ATTEST:

JOHN B. PENINGTON,

Clerk of the House of Representatives.



ADJOURNED AND SPECIAL SESSION.

In pursuance of a joint resolution of the General Assembly, passed August 12th, 1864, the House of Representatives convened on TUESDAY, October 18th, 1864.

In the absence of the Speaker, the Clerk called the House to order at 10 o'clock, A. M.

On motion of Mr. Allen,

Mr. Curtis was appointed Speaker *pro tem*.

Upon a call of the roll it appeared that

Messrs. Allen, Bailey, Curtis, Duncan, Horsey, Scribner, Waples, and Whitby—8, were present,

And Messrs. Bewley, Fisher, Gemmill, Gootee, Hayes, Lattomus, Paxson, Raughley, Slay, Stubbs, Watson, Williams, and Mr. Speaker—13, were absent.

There not being a quorum present.

On motion of Mr. Duncan,

The House took a recess until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

On the reassembling of the House, and a call of the roll, it appeared that Messrs. Allen, Bailey, Bewley, Curtis, Duncan, Gemmill, Gootee, Hayes, Horsey, Lattomus, Raughley, Slay, Stubbs, Waples, and Whitby—15, were present,

And Messrs. Fisher, Paxson, Scribner, Watson, Williams, and Mr. Speaker—6, were absent.

There being a quorum,

Mr. Bewley presented the petition of George W. Cummins, for an act relieving him from the payment of certain ditch taxes,

Which,

On motion of Mr. Bewley,

Was read and referred to a committee of three, with leave to report by bill or otherwise,

And,

Messrs. Bewley, Bailey, and Whitby were appointed said committee.

Mr. Bewley presented the petition of James R. Donovan and others, of School District No. 4, in Kent County, for an act to enable the commissioners of said District to sell and convey a certain piece of land,

Which,

On motion of Mr. Bewley,

Was read and referred to a committee of three, with leave to report by bill or otherwise,

And,

Messrs. Bewley, Raughley and Hayes were appointed said committee.

Mr. Slay presented the petition of Jonathan Pratt and others, for the passage of an act increasing the fees of Constables and Justices of the Peace,

Which,

On motion of Mr. Slay,

Was read and referred to a committee of three, with leave to report by bill or otherwise,

And,

Messrs. Slay, Waples, and Lattomus were appointed said committee.

Mr. Bewley presented the petition of Virginia C. Richards, for an act divorcing her from her husband, William R. Richards, *a vinculo matrimonii*,

Which,

On motion of Mr. Bewley,

Was read and referred to a committee of three, with leave to report by bill or otherwise,

And,

Messrs. Bewley, Stubbs and Duncan were appointed said committee.

On motion of Mr. Duncan,

Rule 7 was, by unanimous consent, suspended in order that he might introduce a bill,

When he sent to the Clerk's table a bill entitled,

"An act in relation to recognizances in the Orphans' Court,"

Which,

On motion of Mr. Duncan,

Was read.

And,

On the further motion of Mr. Duncan,

Rule 7 was again, by unanimous consent, suspended in order that he might introduce a bill,

When he sent to the Clerk's table a bill entitled,

"An act to enable the qualified electors of this State, absent therefrom in the military service of the United States, in the army or navy thereof, to vote,"

Which,

On motion of Mr. Duncan,

Was read.

Mr. Duncan presented the petition of William McCaulley and others, for the passage of an act appointing commissioners to divide the lands and premises late of Samuel McCaulley, deceased, in accordance with the will of said deceased,

Which,

On motion of Mr. Duncan,

Was read and referred to a committee of three, with leave to report by bill or otherwise,

And,

Messrs. Duncan, Allen, and Horsey were appointed said committee.

Mr. Duncan, from the committee to whom was referred the petition of William McCaulley and others, reported a bill entitled,

"An act for the benefit of the devisees of Samuel McCaulley, deceased,"

Which,

On his motion,

Was read.

On motion,

The House adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, October 19, 1864.—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Waples,

Rule 7 was, by unanimous consent, suspended in order that he might introduce a bill,

When he sent to the Clerk's table a bill entitled,

"An act to amend Section 20 of Chapter 12 of the Revised Statutes of the State of Delaware."

Which,

On motion of Mr. Waples,

Was read.

On motion of Mr. Duncan,

Rule 7 was suspended, by unanimous consent, in order that he might introduce a bill,

When he sent to the Clerk's table a bill entitled,

"An act to incorporate the Historical Society of Delaware."

Which,

On motion of Mr. Duncan,

Was read.

Mr. Allen presented the petitions of George R. Riddle and others, and Joshua Clayton and others, for the passage of an act amending the act providing for the payment of money to volunteers or those who have put in substitutes in the Army of the United States.

Which,

On his motion,

Were read and referred to a committee of three, with leave to report by bill or otherwise,

And,

Messrs. Allen, Gootee and Paxson were appointed said committee.

Mr. Duncan presented the petition of Peter B. Vandever and others, for the same purpose,

Which,

On motion of Mr. Duncan,

Was read and referred to the committee already raised on that subject.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had passed, and requested the concurrence of the House in a "Joint Resolution appointing a joint committee to prepare a bill to effect certain changes in the State bonds,"

Also,

A bill entitled, "An act to incorporate 'The Kiamensi Woollen Company.'"

On motion of Mr. Duncan,

The bill entitled "An act for the benefit of the devisees of Samuel McCaulley, deceased,"

Was read a second time by its title.

On motion of Mr. Curtis,

The Senate bill entitled "An act to incorporate 'The Kiamensi Woollen Company;'"

Was read.

Mr. Duncan presented the claims of Henry Eckel, and of Allen & Biddle against the State,

Which,

On motion of Mr. Duncan,

Was read and referred to the Committee on Claims:

On motion of Mr. Duncan,

The bill entitled "An act to enable the qualified electors of this State, absent therefrom in the military service of the United States, in the the army or navy thereof, to vote,"

Was read a second time.

On motion of Mr. Waples,

Rule 12 was, by unanimous consent, suspended in order that the bill entitled,

"An act to amend Section 20 of Chapter 12 of the Revised Statutes of the State of Delaware,"

Might be read a second time by its title,

And,

On his further motion,

The bill was so read.

On motion of Mr. Curtis,

The Senate Joint Resolution entitled "A Joint Resolution appointing a joint committee to prepare a bill to effect certain changes in the State Bonds,"

Was read and

Concurred in,

And,

Messrs. Allen and Curtis appointed the committee on the part of the House.

Ordered that the Senate be informed thereof, and the resolution returned to that body.

On motion of Mr. Duncan,

The bill entitled, "An act in relation to recognizances in the Orphans' Court,"

Was read a second time by its title.

Mr. Duncan moved,

That Rule 12 be suspended in order that the bill just read a second time, might be read a third time in order to pass the House.

And on the question, "Shall Rule 12 be suspended for that purpose?"

The yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Curtis, Duncan, Fisher, Hayes, Horsey, Lattomus, Paxson, Scribner, Stubbs, Waples, Watson, Whitby, and Mr. Speaker—14.

Nays—Messrs. Bailey, Gootee, and Raughley—3.

So the question was decided in the affirmative,

And the Rule was suspended for that purpose.

And,

On the further motion of Mr. Duncan,

The bill was read a third time, and by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Bailey moved,

That the House adjourn until 10 o'clock to-morrow morning.

On the question, "Will the House adjourn until 10 o'clock to-morrow morning?"

Mr. Curtis called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Bailey, Fisher, Gootee, Scribner, Waples, and Watson—6.

Nays—Messrs. Allen, Curtis, Duncan, Hayes, Horsey, Lattomus, Paxson, Raughley, Stubbs, Whitby and Mr. Speaker—11.

So the question was decided in the negative,

And the motion

Lost.

On motion,

The House adjourned until 7 o'clock this evening.

SAME DAY—7 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in the Senate Joint Resolution in reference to the election laws of this State.

On motion of Mr. Watson,

The Joint Resolution just received from the Senate

Was read and

Concurred in.

And,

Messrs. Whitby, Watson and Waples, were appointed the Committee under said resolution on the part of the House.

Ordered that the Senate be informed thereof, and the resolution returned to that body.

On motion of Mr. Curtis,

Rule 12 was suspended, in order that the bill entitled,

"An act to incorporate the Kiamensi Woollen Company,"

Might be read a second time.

On motion of Mr. Duncan,

Rule 12 was, by unanimous consent, suspended, in order that the bill entitled,

"An act for the benefit of the devisees of Samuel McCaulley, deceased,"

Might be read a third time, in order to pass the House,

And the bill was so read, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House bill entitled,

"An act in relation to recognizances in the Orphans Court,"

And returned the same to the House.

On motion of Mr. Duncan,

Rule 12 was, by unanimous consent, suspended in order that the bill entitled,

"An act to incorporate 'The Historical Society of Delaware,'"

Might be read a second time by its title.

And the bill was so read.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in a Joint Resolution adjourning the two Houses of the General Assembly over until the 26th instant.

On motion of Mr. Curtis,

The Senate bill entitled, "An act to incorporate the Kiamensi Woollen Company,"

Was taken up for consideration.

Mr. Curtis offered the following amendments to said bill,

Which,

On his motion,

Were read, as follows :

"Amend the bill by adding to the first Section thereof, the words 'Provided that each and every stockholder shall be individually liable for the debts of the Corporation.'

"And amend Section 7 by adding these words 'And the right to revoke the same is hereby reserved by the Legislature,'"

Which,

On motion of Mr. Curtis,

Were

Adopted.

And,

On the further motion of Mr. Curtis,

Rule 12 was, by unanimous consent, suspended in order that the said bill, as amended, might be read a third time in order to pass the House.

On motion of Mr. Allen,

The bill entitled, "An act to carry out certain works of public improvement to which the faith of the State has heretofore been pledged,"

Was read a second time by its title.

On motion,

The House adjourned until 10 o'clock to-morrow morning.

THURSDAY, October 20, 1864—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Curtis,

The Senate bill entitled "An act to incorporate the Kiamensi Woollen Company,"

Was read a third time, as amended, and by paragraphs, in order to pass the House.

And on the question, "Shall the bill pass the House?"

The yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Curtis, Duncan, Fisher, Gootee, Hayes, Horsey, Lattomus, Raughley, Scribner, Waples, Watson, Whitby and Mr. Speaker—14.

Nays—None.

So the bill having received the constitutional majority,

Passed the House.

Ordered that the Senate be informed thereof, and their concurrence in the amendments requested.

On motion of Mr. Allen,

The Senate bill entitled, "An act to amend Chapter 105 of the Revised Statutes of the State of Delaware,"

Was read a third time, and by paragraphs, and

Passed the House.

Ordered that the Senate be informed thereof and the bill returned to that body.

On motion of Mr. Waples,

The bill entitled, "An act to amend Section 20 of Chapter 12 of the Revised Code,"

Was read a third time, and by paragraphs, in order to pass the House.

On the question, "Shall this bill pass the House?"

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bewley, Fisher, Gootee, Horsey, Raughley, Waples, and Watson—8.

Nays—Messrs. Curtis, Duncan, Hayes, Lattomus, Scribner, Whitby, and Mr. Speaker—7.

So the question was decided in the affirmative.

And the bill

Passed the House.

Ordered to the Senate for concurrence.

Mr. Allen presented a report from the State Treasurer.

Mr. Allen offered a Joint Resolution adjourning the two Houses of the General Assembly over until Monday evening next the 24th instant, at 8 o'clock,

Which,

On his motion,

Was read and

Adopted.

Ordered to the Senate for concurrence.

On motion of Mr. Bewley,

Rule 7 was, by unanimous consent, suspended in order that he might introduce a bill,

When he sent to the Clerk's table a bill entitled,

"An act authorizing the appointment of additional Notaries Public in the State of Delaware,"

Which,

On his motion,

Was read.

Mr. Bewley, on behalf of the committee to whom was referred the petition of Virginia C. Richards, for a divorce,

Asked,

And,

On motion of Mr. Watson,

Obtained further time to report.

On motion of Mr. Duncan,

The bill entitled, "An act to incorporate 'The Historical Society of Delaware,'"

Was read a third time, and by paragraphs, in order to pass the House.

On the question, "Shall this bill pass the House?"

The yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Bewley, Curtis, Duncan, Fisher, Gootee, Hayes, Horsey, Lattomus, Raughley, Scribner, Waples, Watson, Whitby, and Mr. Speaker—15.

Nays—None.

So the bill having received the constitutional majority.

Passed the House.

Ordered to the Senate for concurrence.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House amendments to the Senate bill entitled,

"An act to incorporate the Kiamensi Woolen Company,"

And had also concurred in the House "Joint Resolution adjourning the two Houses of the General Assembly over until Monday evening next, the 24th instant, at 8 o'clock,

And returned said resolution to the House.

Mr. Bewley, on behalf of the Committee to whom was referred the petition of George W. Cummins,

Asked,

And,

On motion of Mr. Watson,
Obtained further time to report.

Mr. Bewley, further, on behalf of the Committee to whom was referred the petition of sundry school voters in School District No. 4, in Kent County,

Asked,

And,

On motion of Mr. Watson,
Obtained further time to report.

On motion,

The House adjourned until 8 o'clock on Monday evening next.

MONDAY, October 24, 1864—8 o'clock, P. M.

The House met pursuant to adjournment.

Upon a call of the roll it appeared that

Messrs. Allen, Waples, and Mr. Speaker—3, were present,

And Messrs. Bailey, Bewley, Curtis, Duncan, Fisher, Gemmill, Gootee, Hayes, Horsey, Lattomus, Paxson, Raughley, Scribner, Slay, Stubbs, Watson, Whitby, and Williams—18, were absent.

On motion,

The House adjourned until 10 o'clock to-morrow morning.

TUESDAY, October 25, 1864—10 o'clock, A. M.

The House met pursuant to adjournment.

There not being a quorum present.

On motion,

The House adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, October 26, 1864—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Allen,

The bill entitled, "An act to carry out certain works of public improvement to which the faith of the State has heretofore been pledged,"

Was read a third time, and by paragraphs, in order to pass the House.

On the question, "Shall this bill pass the House?"

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Fisher, Scribner, Waples, Watson, and Mr. Speaker—7.

Nays—Messrs. Bewley, Curtis, Duncan, Gootee, Horsey, Raughley and Slay—7.

So the question was decided in the negative,

And the bill was

Lost.

On motion of Mr. Slay,

Rule 7 was, by unanimous consent, suspended in order that he might introduce a bill,

When he sent to the Clerk's table a bill entitled,

"An act to amend Section 42 of Chapter 99 of the Revised Statutes of the State of Delaware,"

Which,

On his motion,

Was read.

On motion of Mr. Allen,

The report of the State Treasurer,

Was read.

Mr. Bewley, from the committee to whom was referred the petition of Virginia C. Richards for a divorce, reported a bill entitled,

"An act to divorce William R. Richards and Virginia C. Richards from the bonds of matrimony,"

Which,

On his motion,

Was read.

On motion of Mr. Allen,

That portion of the report of the State Treasurer which referred to his expenses,

Was referred to the Committee on Claims.

On motion of Mr. Duncan,

That portion of the State Treasurer's report which referred to the issuing of State bonds,

Was referred to the committee already raised on that subject.

On motion of Mr. Bewley,

Rule 12 was, by unanimous consent, suspended in order that the bill entitled,

"An act to divorce William R. Richards and Virginia C. Richards, from the bonds of matrimony,"

Might be read a second time by its title,

And the bill was so read.

On motion,

The House adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Horsey presented sundry petitions for the passage of an act amending the act giving to volunteers and persons who may be drafted, a certain sum of money,

Which,

On his motion,

Were read and referred to the committee already raised on that subject.

Mr. Bewley, from the committee to whom was referred the petition of George W. Cummins, reported a bill entitled,

"A supplement to Chapter 29 of the Revised Code, entitled 'Of Ditches.'"

On motion of Mr. Bewley,

Rule 12 was, by unanimous consent, suspended, in order that the bill just read might be read a second time by its title,

And the bill was so read.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House bill entitled,

"An act to amend Section 20 of Chapter 12 of the Revised Statutes of the State of Delaware,"

And returned the same to the House.

(Mr. Curtis in the chair.)

On motion of Mr. Sorden,

The bill entitled "A supplement to Chapter 59 of the Revised Code, entitled 'Of Ditches,'"

Was taken up for consideration.

On motion of Mr. Bewley,

Rule 12 was, by unanimous consent, suspended, in order that the bill under consideration, might be read a third time, and by paragraphs, in order to pass the House,

And the bill was so read, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Slay,

Rule 12 was, by unanimous consent, suspended, in order that the bill entitled,

"An act to amend Section 42 of Chapter 99 of the Revised Statutes of the State of Delaware,"

Might be read a second time by its title.

And the bill was so read.

On motion of Mr. Duncan,

Rule 7 was, by unanimous consent, suspended, in order that he might introduce a bill, when he sent to the Clerk's table a bill entitled,

"An act concerning the Mayor and Alderman of Wilmington,"

Which,

On his motion,

Was read.

On motion of Mr. Bewley,

Rule 12 was, by unanimous consent, suspended, in order that the bill entitled,

"An act to incorporate the Historical Society of Delaware,"

Might be read a third time in order to pass the House.

And the bill was so read, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Duncan,

Rule 12 was, by unanimous consent, suspended, in order that the bill entitled,

"An act concerning the Mayor and Alderman of Wilmington,"

Might be read a second time by its title,

And the bill was so read.

On motion of Mr. Bewley,

Rule 12 was, by unanimous consent, suspended, in order that the bill entitled,

"An act to divorce William R. Richards and Virginia C. Richards from the bonds of matrimony,"

Might be read a third time in order to pass the House.

And the bill was so read, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Slay,

Rule 12 was, by unanimous consent, suspended, in order that the bill entitled,

"An act to amend Section 42 of Chapter 99 of the Revised Statutes of the State of Delaware,"

Might be read a third time in order to pass the House,

And the bill was so read.

And on the question, "Shall this bill pass the House?"

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Gootee, Horsey, Scribner, Slay, Waples, Whitby, and Mr. Speaker—7.

Nays—Messrs. Allen, Bewley, Curtis, Duncan, Fisher, Raughley, and Watson—7.

So the question was decided in the negative,

And the bill was

Lost.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House bill entitled,

“An act to incorporate ‘The Historical Society of Delaware.’”

And returned the same to the House.

On motion,

The House adjourned until 10 o'clock to-morrow morning.

THURSDAY, October 27, 1864—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Allen,

The reading of the Journal of yesterday was postponed until to-morrow.

The Speaker presented the claim of Charles Tunnell against the State,

Which,

Was read and referred to the Committee on Claims.

Mr. Horsey moved,

That the vote by which the bill entitled, “An act to carry out certain works of public improvement to which the faith of the State has heretofore been pledged,” was lost,

Be reconsidered.

And on the question, “Shall the vote be reconsidered?”

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Fisher, Horsey, Scribner, Stubbs, Waples, Watson, and Mr. Speaker—8.

Nays—Messrs. Curtis, Duncan, and Whitby—3.

So the question was decided in the affirmative.

And the vote was

Reconsidered.

The question recurring, "Shall this bill pass the House?"

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Fisher, Horsey, Scribner, Waples, Watson, and Mr. Speaker—7.

Nays—Messrs. Curtis, Duncan, Stubbs, and Whitby—4.

So the question was decided in the affirmative.

And the bill

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Duncan,

The bill entitled, "An act for the benefit of the Mayor and Alderman of the city of Wilmington,"

Was read a third time, and by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House bill entitled,

"An act for the benefit of the devisees of Samuel McCaulley, deceased,"

With an amendment, and requested the concurrence of the House in said amendment.

And that the Senate had indefinitely postponed the House bill entitled,

"An act to carry out certain works of public improvement to which the faith of the State had heretofore been pledged."

And returned the same to the House.

On motion,

The House adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Duncan,

The Senate amendment to the House bill entitled, "An act for the benefit of the devisees of Samuel McCaulley, deceased,"

Was read and

Concurred in.

Ordered that the Senate be informed thereof.

Mr. Duncan asked,

And,

On motion of Mr. Curtis,

Obtained leave to withdraw from the files of the House the copy of the will of Samuel McCaulley, deceased.

On motion of Mr. Watson,

The Clerk was instructed to carry to the Senate the Report of the State Treasurer, submitted to the House at this session.

Mr. Allen offered a Joint Resolution authorizing the payment of a certain sum of money to the Governor and Secretary of State,

Which,

On his motion,

Was read.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House bill entitled,

"A supplement to Chapter 59 of the Revised Code, entitled 'Of Ditches,'"

With an amendment, and presented the same for the concurrence of the House.

Mr. Horsey, from the Committee on Enrollment, asked that an additional member be added to said committee.

Whereupon,

The Speaker appointed Mr. Curtis on said committee.

Mr. Allen, from the committee to whom was referred the petition of George Read Riddle and others, and other petitions, reported a bill entitled,

"An act to relieve the people of this State from draft."

Which,

On his motion,

Was read.

On motion of Mr. Duncan,

The Senate bill entitled, "A supplement to an act entitled 'An act to raise revenue for this State, passed at Dover, August 11, 1864,'"

Was read.

On motion of Mr. Duncan,

Rule 12 was, by unanimous consent, suspended, in order that the bill just read might be read a second time by its title.

And the bill was so read.

On motion of Mr. Duncan,

The bill just read a second time by its title,

Was taken up for consideration.

And,

On his further motion,

Rule 12 was, by unanimous consent, suspended,

And the bill read a third time, and by paragraphs, and

Passed the House.

Ordered that the Senate be informed thereof, and the bill returned to that body.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in a bill entitled,

"An act for the exchange of State bonds, and to exempt them from taxation,"

And presented the same for the concurrence of the House.

On motion of Mr. Duncan,

Rule 7 was, by unanimous consent, suspended, in order that he might introduce a bill,

When he sent to the Clerk's table a bill entitled,

"An act to relieve the State Treasurer from the performance of a certain duty, and for other purposes,"

Which,

On his motion,

Was read.

On the further motion of Mr. Duncan,

Rule 12 was, by unanimous consent, suspended, in order that the bill just read might be read a second time by its title.

And the bill was so read.

And,

Further on his motion,

Rule 12 was again suspended, in order that the bill just read a second time by its title might be read a third time in order to pass the House.

And the bill was so read, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Watson,

The Senate bill entitled, "An act for the exchange of State bonds and to exempt them from taxation."

Was read.

On the further motion of Mr. Watson,

Rule 12 was suspended, in order that the bill might be read a second time by its title.

And the bill was so read.

And,

Further on his motion,

Rule 12 was suspended, in order that the bill might be read a third time in order to pass the House,

And the bill was so read, and

Passed the House.

Ordered to the Senate for concurrence.

On motion,

The House adjourned until 10 o'clock to-morrow morning.

FRIDAY, October 28, 1864—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House bill entitled,

"An act for the benefit of the Junction and Breakwater Railroad Company,"

With amendments thereto.

Which,

On motion of Mr. Watson,

Was read, and

Concurred in.

Ordered that the Senate be informed thereof.

Mr. Horsey, from the Committee on Enrollment, reported sundry House bills as duly and correctly enrolled and presented the same for the signature of the Speaker of the House, and also two Joint Resolutions as duly and correctly enrolled, and presented the same for the signature of the Speaker of the House.

On motion of Mr. Watson,

Rule 7 was, by unanimous consent, suspended in order that he might introduce a bill,

When he sent to the Clerk's table a bill entitled,

"An act to amend Section 42 of Chapter 99 of the Revised Code,"

Which,

On his motion,

Was read.

And,

On his further motion,

Rule 12 was, by unanimous consent, suspended, in order that the bill just read might be read a second time by its title.

And the bill was so read.

On motion of Mr. Curtis,

The Joint Resolution appropriating a sum of money to the Governor and Secretary of State, for signing the bonds authorized to be issued by the General Assembly,

Was taken up for consideration,

And,

On his further motion,

The blank making the appropriation to the Secretary of State, was filled with the sum of two hundred dollars.

Mr. Duncan moved,

That the blank for the appropriation to the Governor be filled with the sum of one hundred dollars.

Mr. Watson moved,

To amend the motion by striking out "one hundred," and inserting "fifty" in lieu thereof.

Mr. Watson, by the unanimous consent of the House, withdrew said amendment.

Mr. Duncan, also, by the unanimous consent of the House, withdrew his motion to fill the blank making an appropriation to the Governor.

And,

On his further motion,

The Joint Resolution was so amended as to provide for the payment of a certain sum of money to the Secretary of State alone.

Mr. Bewley presented a claim of John Wyatt against the State, Which,

On his motion,

Was read and referred to the Committee on Claims.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House bill entitled,

"An act concerning the Mayor and Alderman of Wilmington,"

And also,

"An act to amend the act passed on the eleventh day of August last, entitled 'An act to raise revenue for this State,'"

With an amendment.

On motion of Mr. Allen,

Rule 7 was suspended, in order to introduce a bill entitled,

"An act to protect the free exercise of the elective franchise."

Which,

On his motion,

Was read.

On motion of Mr. Allen,

Rule 12 was suspended, by unanimous consent, that the bill just read might be read a second time by its title,

And the bill was so read.

On motion of Mr. Bewley,

The Senate amendment to the bill entitled, "A supplement to Chapter 59 of the Revised Code, entitled 'Of ditches,'"

Was read and

Concurred in.

Ordered that the Senate be informed thereof.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House bill entitled,

"An act to divorce William R. Richards and Virginia C. Richards from the bonds of matrimony."

On motion of Mr. Duncan,

The Senate amendment to the House bill entitled, "An act to amend the act passed on the eleventh day of August last, entitled, 'An act to raise revenue for this State,'"

Was read.

And,

On his further motion,

The amendment was non-concurred in.

Ordered that the Senate be informed thereof, and the bill together with the amendment, returned to that body.

On motion of Mr. Allen,

Rule 12 was, by unanimous consent, suspended, in order that the bill entitled,

"An act to protect the free exercise of the elective franchise."

Might be read a third time in order to pass the House.

And the bill was so read.

On the question, "Shall this bill pass the House?"

Mr. Allen called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Bewley, Horsey, Scribner, Slay, Stubbs, Waples, and Mr. Speaker—8.

Nays—Messrs. Curtis, Duncan, and Whitby—3.

So the question prevailed,
And the bill

Passed the House.

Ordered to the Senate for concurrence.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate insisted upon its amendment to the bill entitled,

"An act to amend the act passed on the eleventh day of August last, entitled 'An act to raise revenue for this State,'"

And returned the bill and amendments to the House.

Mr. Curtis moved,

That the House adhere to its non-concurrence in the Senate amendment to the bill just received from the Senate.

Pending the question, "Will the House adhere to its non-concurrence in the amendment to said bill?"

On motion,

The House adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House "Joint Resolution of compensation to the Secretary of State for certain services,"

With an amendment, and requested the concurrence of the House in said amendment.

On motion of Mr. Watson,

The Senate amendment to said Joint Resolution,

Was read and

Concurred in.

Ordered that the Senate be informed thereof.

Mr. Curtis renewed his motion that the House adhere to its non-concurrence in the Senate amendment to the House bill entitled,

"An act to amend the act passed on the eleventh day of August last, entitled 'An act to raise revenue for this State.'"

Mr. Bewley moved,

That the House recede from its amendment to said bill,

Which he afterwards withdrew,

And Mr. Curtis withdrew his motion to adhere.

When,

Mr. Duncan moved,

That the Senate amendment to the bill just read be amended as follows :

" Amend the amendment by striking out 'twenty-five days' and inserting in lieu thereof 'within the following month.'"

Which,

On motion of Mr. Duncan,

Was read and

Adopted.

Ordered that the Senate be informed thereof, and the bill returned to that body, and its concurrence in the amendment to the amendment requested.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House amendment to the Senate amendment to said bill.

Mr. Bewley, from the committee to whom was referred the petition of sundry school voters of School District No. 4, in Kent county, reported a bill entitled,

"An act authorizing the Clerk and Commissioners of School District No. 4, in Kent County, to convey a certain lot of land,"

Which,

On motion of Mr. Bewley,

Was read.

On the further motion of Mr. Bewley,

Rule 12 was, by unanimous consent, suspended, in order that the bill just read might be read a second time by its title.

And the bill was so read.

And,

Further on his motion,

Rule 12 was, by unanimous consent, suspended, in order that the bill just read a second time by its title, might be read a third time in order to pass the House.

When,

On his motion,

The bill was so read, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Bewley presented the account of John M. Stant, for hauling ice from Camden.

Which,

On motion of Mr. Bewley,

Was read and referred to the Committee on Accounts.

On motion of Mr. Watson,

Rule 12 was, by unanimous consent, suspended, in order that he might introduce a bill,

When he sent to the Clerk's table a bill entitled,

"An act to amend Section 42 of Chapter 99 of the Revised Statutes of the State of Delaware,"

And the said bill was read.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House bill entitled,

"An act to amend the act passed on the eleventh day of August last, entitled, 'An act to raise revenue for this State,'"

Together with the amendment to the Senate amendment, and returned the same to the House.

Mr. Watson moved,

To commit the bill entitled, "An act to amend Section 42 of Chapter 99,"

To a committee of three with leave to report by bill or otherwise.

Whereupon,

Messrs. Watson, Duncan, and Horsey were appointed said committee.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had passed, and requested the concurrence of the House in a bill entitled;

"An act to amend Chapter 24 of the Revised Statutes of the State of Delaware,"

Which,

On motion of Mr. Allen,

Was read.

Mr. Watson, from the committee to whom was referred the bill entitled,

"An act to amend Section 42 of Chapter 99 of the Revised Statutes of the State of Delaware,"

Reported the bill back with an amendment,

And the amendment,

Was read, and

Adopted.

On motion of Mr. Watson,

The reading of the bill a second time was dispensed with.

And,

On his further motion,

Rule 12 was, by unanimous consent, suspended, in order that the bill might be read a third time, as amended,

When the bill was so read, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Duncan moved,

That the bill entitled, "An act to enable the qualified electors of this State, absent therefrom in the military service of the United States, in the army or navy thereof, to vote,"

Be read a third time in order to pass the House.

On the question, "Shall the bill be read a third time in order to pass the House?"

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Curtis, Duncan and Whitby—3.

Nays—Messrs. Allen, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—9.

So the question was decided in the negative,

And the House refused to read the bill a third time.

On motion of Mr. Curtis,

The House adjourned until 7 o'clock this evening.

SAME DAY—7 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House bills entitled,

"An act to relieve the State Treasurer from the performance of a certain duty, and for other purposes,"

And,

"An act to protect the free exercise of the elective franchise,"

And returned the same to the House.

He also presented for the signature of the Speaker of the House, sundry enrolled bills, which had been signed by the Speaker of the Senate.

Mr. Watson presented the claim of Messrs. Cowgill & Son, against the State,

Which,

On his motion,

Was read and referred to the Committee on Claims.

Mr. Bewley presented the account of Zadock L. Butler with the State.

Which,

On motion of Mr. Bewley,

Was read and referred to the Committee on Accounts.

And also the account of Timothy C. Killen, which was likewise read and referred to the same committee.

On motion of Mr. Allen,

Rule 12 was, by unanimous consent, suspended, in order that the Senate bill entitled,

"An act to amend Chapter 24 of the Revised Statutes of the State of Delaware."

Might be read a second time by its title by its title.

And the bill was so read.

And,

On his further motion,

Rule 12 was again suspended, in order that the bill just read a second time by its title might be read a third time in order to pass the House,

And the bill was so read, and

Passed the House.

Ordered that the Senate be informed thereof and the bill returned to that body.

On motion of Mr. Watson,

The Senate amendment to the House bill entitled, "An act to relieve the State Treasurer from the performance of a certain duty, and for other purposes,"

Was read.

And,

On his further motion,

The amendment was

Concurred in.

Ordered that the Senate be informed thereof.

Mr. Curtis, from the Committee on Enrollment, reported the following bills duly and correctly enrolled, and presented the same for the signature of the Speaker of the House :

"An act for the exchange of State bonds and to exempt them from taxation."

"A supplement to an act entitled, 'An act to raise revenue for this State, passed at Dover, August 11, 1864.'"

"An act to divorce William R. Richards and Virginia C. Richards from the bonds of matrimony."

"An act to amend Section 20 of Chapter 12 of the Revised Statutes of the State of Delaware."

"An act concerning the Mayor and Alderman of Wilmington,"

"An act for the benefit of the Junction and Breakwater Railroad Company."

On motion of Mr. Bewley,

The bill entitled, "An act authorizing the appointment of additional Notaries Public in the State of Delaware,"

Was read a second time by its title.

And,

On his further motion,

Rule 12 was, by unanimous consent, suspended, in order that the bill just read a second time by its title might be read a third time in order to pass the House,

And the bill was so read.

The question being, "Shall that be Section 1 of the bill?"

It was decided in the negative,

And Section 1 was

Lost.

And the bill was lost.

Mr. Horsey, from the Committee on Enrollment, reported the following bill duly and correctly enrolled, and presented the same for the signature of the Speaker :

"An act to incorporate 'The Historical Society of Delaware.'"

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had postponed the House bill entitled,

"An act to amend Section 42 of Chapter 99 of the Revised Statutes of the State of Delaware," until January next,

And that the Senate had concurred in the House bill entitled,

"An act to authorize the Clerk and Commissioners of School District No. 4, in Kent County, to convey a certain lot of land,"

And returned the same to the House.

And also returned sundry enrolled House bills with the signature of the Speaker of the Senate thereto.

Mr. Horsey, from the Committee on Enrollment, reported the following Senate bill duly and correctly enrolled, and presented the same for the signature of the Speaker of the House :

"An act to amend Chapter 24 of the Revised Code of the State of Delaware."

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had received the report of a Joint Committee, together with a Joint Resolution entitled,

"A Joint Resolution in relation to military interference with elections,"

And had adopted the same, and presented it for the concurrence of the House,

Which,

On motion of Mr. Bewley,

Was read, as follows :

The Joint Committee of the two Houses of the General Assembly of the State of Delaware, to inquire whether further legislation is necessary to secure to the citizens of the State the legal right to vote, respectfully submit the following report :

That by the Constitution of this State, Section 3, Article 1, it is provided that "all elections shall be free and equal." That by Section 1, Article 4, the qualifications of voters in this State are thus defined: "Every free white male citizen, of the age of twenty-two years or upwards, having resided in the State one year next before the election, and the last month thereof in the county where he offers to vote, and having within two years next before the election paid a county tax, which shall have been assessed at least six months before the election, shall enjoy the right of an elector; and every free white male citizen of the age of twenty-one years and under the age of twenty-two years, having resided as aforesaid, shall be entitled to vote without the payment of any tax: *Provided* that no person in the military, naval, or marine service of the United States shall be considered as acquiring a residence in this State by being stationed in any garrison, barrack, or military or naval place or station within this State; and no idiot, or insane person, pauper, or person convicted of a crime deemed by law felony, shall enjoy the right of an elector; and that the legislature may impose the forfeiture of the right of suffrage as a punishment for crime."

The security of the voter from arrest is provided for by Section 2, of said Article 4, as follows: "Electors shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning from them."

Notwithstanding these plain constitutional provisions, evil disposed persons, influenced solely by selfish and partisan considerations, by false and scandalous misrepresentations, procured the attendance of large numbers of armed soldiers, in the service of the United States, at the different voting places in this State at the election held in November, 1862, under the false pretense that the presence of the military, as aforesaid, was necessary to preserve the public peace. By the presence of said military, on said occasion, the election then held was rendered unfair. Many peaceable citizens were assaulted, arrested, or driven from the polls; the public peace disturbed; the Constitution and laws of the State violated, and the enjoyment of the dearest rights of the citizen denied him. By the same false and scandalous misrepresentations, the same persons, actuated by the same dishonorable motives, to accomplish the same dishonorable purposes—the obtaining of a political party triumph by the sacrifice of the constitutional rights of the qualified electors of the State, procured the attendance of the Federal military at the different voting places in this State at the special election, held in the month of November, 1863, and also procured an order from General Schenck, then commanding the military department in which this State is included, requiring a test oath to be administered to the voters in this State, by which means a majority of the legal voters of the State were deprived of their constitutional right to vote for a Representative in the Congress of the United States. The same

persons, influenced by the same motives, for the sole purpose of procuring a party triumph at the approaching election are, as we are informed and believe, now busily engaged in the dishonorable effort to procure military interference with the freedom of said election in this State. Wherefore it becomes the duty of this General Assembly, as the guardian of the rights of the people, to declare publicly before the world, as they now most solemnly do, that there never has been, at any time since the commencement of the existing deplorable civil war, and is not now any necessity or justification whatever for the presence of any military force whatever at the elections held or to be held in this State, for the preservation of the public peace or for any purpose whatever. That there never has been, at any time, and is not now, any disposition, desire, or intention, on the part of those against whom the charge has been falsely made, to render any election in this State illegal or unfair, and none whatever to deprive any voter of the exercise of his constitutional right to vote, or in any manner to disturb the public peace.

Your committee can truly say without fear of successful contradiction that, notwithstanding the many grievous wrongs and acts of oppression to which a portion of the people of this State have been subjected since the commencement of the present war, solely on account of their political opinions, there has been on their part no riot, disturbance of the public peace, disorder, or resistance to the execution of a Federal or State law, or even the execution of any military order, however unjust or oppressive in its application or operation. The peace of the State has been willingly observed by the oppressed for opinions sake, and it is the determination of the same persons, notwithstanding the false misrepresentations made in reference to them by unscrupulous partisans, to observe in the future, as in the past, all their obligations as peaceable citizens to the government of the State of Delaware and of the United States. The legislature of the State, when in session, or when it can be convened, is the only department of the State Government having the constitutional authority to ask protection from the United States against domestic violence, as appears from Section 4, Article 4, of the Constitution of the United States, which reads as follows: "The United States shall guarantee to every State in this Union a republican form of government, and shall protect each against invasion, and on application of the Legislature, or of the Executive (when the legislature cannot be convened) against domestic violence." There has not been, is not now, and is not likely to be, any domestic violence in this State, and the civil authorities of the State are, in the opinion of the committee, fully adequate to preserve the public peace. Your committee therefore submit the following form of protest against any future interference with elections in this State:

Resolved, by the Senate and House of Representatives of the State of Delaware in General Assembly met, That the General Assembly, in behalf of the people of the State, do hereby most

solemnly protest against any future military interference with the freedom of elections in this State, and against the introduction of soldiers in the military service of the United States into this State for the purpose of being stationed at or near any voting place in this State, on the day of any general or special election hereafter to be held in this State, for the purpose of interfering with the right of the citizen to vote at any such election, and against any and every attempt in the future, on the part of the Federal Executive, or any person whomsoever engaged in the service of the United States, to apply, administer, or enforce any test oath, or oath of any kind whatever, not authorized by the Constitution and laws of this State as a qualification or condition of voting.

Resolved, That a copy of this protest and report, signed by the Speaker of the Senate and the Speaker of the House of Representatives, and attested by the Clerks of the respective Houses, be forwarded to the President of the United States, the Secretary of War, and the General Commanding this Military Department.

Mr. Allen moved,

That the report be adopted by the House.

On the question, "Shall the report and Joint Resolution be adopted?"

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bewley, Gootee, Horsey, Scribner, Slay, Waples, Watson, and Mr. Speaker—9.

Nays—Messrs. Curtis, Duncan, and Whitby—3.

So the question

Prevailed,

And the Report and Resolution,

Were

Adopted.

Ordered that the Senate be informed thereof.

On motion of Mr. Allen,

The Clerk was authorized to have one thousand copies printed for the use of the House.

On motion,

The House adjourned until 8 o'clock and 30 minutes to-morrow morning.

SATURDAY, October 29, 1864—8.30 o'clock, A. M.

The House met pursuant to adjournment.

Mr. Watson moved,

That the reading of the Journal of yesterday be dispensed with until Monday evening next, at 8½ o'clock, P. M.

On the question, "Shall the reading of the Journal be dispensed with until that time?"

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Bewley, Gootee, Horsey, Scribner, Slay, Watson, and Mr. Speaker—8.

Nays—Messrs. Curtis, Duncan and Whitby—3.

So question was decided in the affirmative,

And the reading of the Journal was so dispensed with.

Mr. Curtis, from the Committee on Enrollment, reported the following House bills as duly and correctly enrolled, and presented the same for the signature of the Speaker, viz:

"An act to amend the act passed on the 11th day of August last, entitled, 'An act to raise revenue for this State.'"

"An act authorizing the Clerk and Commissioners of School District No. 4, in Kent County, to convey a certain lot of land."

"An act to relieve the State Treasurer from the performance of a certain duty and for other purposes."

"An act in relation to recognizances in the Orphans' Court."

And,

A "Joint Resolution of compensation to the Secretary of State for certain services."

On motion of Mr. Watson,

The Clerk was instructed to deliver to Henderson Collins, Sr., all papers on the files of the House having any relation to the Potter estate.

On motion of Mr. Watson,

The account of the Postmaster at Dover with the House of Representatives,

Was presented, read and referred to the Committee on Accounts.

Mr. Martin, Clerk of the Senate, being admitted, presented for the signature of the Speaker of the House the Senate "Joint Resolution in relation to military interference with elections."

Mr. Curtis, from the Committee on Enrollment, reported the following bills and joint resolution duly and correctly enrolled, and presented the same for the signature of the Speaker of the House :

"An act further to protect the free exercise of the elective franchise."

"An act for the benefit of the devisees of Samuel McCaulley, deceased."

And,

A "Joint Resolution in relation to military interference with elections."

On motion of Mr. Allen,

The Clerk was instructed to have printed 300 copies of the bill, and to cause the same to be printed in all the papers of this State for one week.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had passed, and requested the concurrence of the House in a bill entitled,

"An act for the payment of claims against the State,"

Which,

On motion of Mr. Watson,

Was read.

On motion of Mr. Watson,

Rule 12 was, by unanimous consent, suspended, in order that the bill just read might be read a second time by its title,

And the bill was so read.

And,

On the further motion of Mr. Watson,

Rule 12 was again suspended, in order that the bill might be read a third time in order to pass the House.

And the bill was so read, and

Passed the House.

Ordered that the Senate be informed thereof, and the bill returned to that body.

On motion of Mr. Allen,

The House adjourned until 8 o'clock on Monday evening next.

MONDAY, October 31, 1864—8 o'clock, P. M.

The House met pursuant to adjournment.

On a call of the roll,

Messrs. Allen, Fisher, Horsey, Raughley, Scribner, Waples, Watson, and Mr. Speaker—8, answered to their names,

And Messrs. Bailey, Bewley, Curtis, Duncan, Gemmill, Gootee, Hayes, Lattomus, Paxson, Slay, Stubbs, Whitby, and Williams—13, did not answer.

There being no quorum,

On motion of Mr. Horsey,

The Speaker was directed to issue writs for the production of John H. Bewley, Benjamin S. Gootee, John Slay and William B. Stubbs before the bar of the House to-morrow morning at 10 o'clock, to show cause, if any they have, why they absent themselves from attendance upon the House.

And the Speaker issued said writs to George W. White for John H. Bewley and Benjamin S. Gootee, and to Zadock L. Butler for John Slay and William B. Stubbs.

On motion,

The House adjourned until 10 o'clock to-morrow morning.

TUESDAY, November 1, 1864—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Martin, Clerk of the Senate, being admitted, returned to the House the following enrolled House bills and joint resolution with the signature of the Speaker of the Senate thereto :

"An act to relieve the State Treasurer from the performance of a certain duty, and for other purposes."

"An act for the benefit of the devisees of Samuel McCaulley, deceased."

"An act authorizing the Clerk and Commissioners of School District No. 4, in Kent County, to convey a certain lot of land."

"An act in relation to recognizances in the Orphans' Court."

"An act further to protect the free exercise of the elective franchise."

"An act to amend the act passed on the eleventh day of August last, entitled 'An act to raise revenue for this State.'"

And,

A "Joint Resolution of compensation to the Secretary of State for certain services."

Mr. Watson moved,

That Rule 7 be suspended in order that he might introduce a bill, Which he afterwards withdrew.

The Speaker announced that George W. White, Sergeant-at-arms, had returned the writ issued to him *cepi corpus*. And that Zadock L. Butler had returned the writ issued to him *cepi corpus* as to John Slay, and a copy of the writ left at the house of William B. Stubbs.

Mr. Bewley rendered his excuse to the House.

Mr. Slay rendered his excuse to the House.

Mr. Horsey moved,

That the House adjourn until 3 o'clock this afternoon.

On the question, "Will the House adjourn until 3 o'clock this afternoon?"

Mr. Bewley called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Fisher, Horsey, Raughley, Scribner, Waples, Watson, and Mr. Speaker—8.

Nays—Messrs. Bewley, Gootee, and Slay—3.

So the question

Prevailed,

And the House adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Allen,

Rule 7 was, by unanimous consent, suspended in order that he might introduce a bill,

When he sent to the Clerk's table a bill entitled,

"An act farther to secure the free exercise of the right to vote at elections."

Which,

On his motion,

Was read.

On motion of Mr. Horsey,

Messrs. Bewley, Gootee and Slay were excused from the payment of any fine in consequence of their non-attendance upon the General Assembly.

The Speaker presented an account of Zadock L. Butler, and also of George W. White with the House of Representatives,

Which,

Were read and referred to the Committee on Accounts.

Mr. Bewley offered a Joint Resolution of compensation to the State Treasurer.

Which,

On his motion,

Was read and postponed until this evening.

On motion of Mr. Allen,

Rule 12 was, by unanimous consent, suspended in order that the bill entitled,

"An act further to secure the free exercise of the right to vote at elections,"

Might be read a second time by its title.

And the bill was so read.

On motion of Mr. Horsey,

The Clerk was instructed to strike from the Journal of the House all matters in relation to the absence of Messrs. Bewley, Gootee, Slay and Stubbs.

On motion,

The House adjourned until 8 o'clock this evening.

SAME DAY—8 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Allen,

Rule 12 was, by unanimous consent, suspended, in order that the bill entitled,

"An act further to secure the free exercise of the right to vote at elections,"

Might be read a third time, in order to pass the House,

And the bill was so read, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Bewley,

The Joint Resolution of compensation to the State Treasurer:

Was read and

Adopted.

Ordered to the Senate for concurrence.

Mr. Bewley, from the Committee on Accounts, made a report,

Which, was read, as follows :

DOVER, November 2, 1864.

We, the undersigned, appointed as a Committee of the House of Representatives, beg leave to submit the following allowances as accounts against the House of Representatives, viz :

John Sorden, Speaker, 16 days, 41 miles.....	\$76 30
John Hayes, 16 " 51 "	63 30
John A. Duncan, 16 " 50 "	63 00
Solomon M. Curtis, 16 " 62 "	66 60
David W. Gemmill, 16 " 43 "	60 90
Merritt H. Paxson, 16 " 32 "	57 60
John Whitby, 16 " 25 "	55 50
Levi W. Lattomus, 16 " 20 "	54 00
John H. Bewley, 16 " 12 "	51 60
Benjamin S. Gootee, 16 " 12 "	51 60
James Williams, 16 " 9 "	50 70
John Slay, 16 " 9 "	50 70
William B. Stubbs, 16 " 7 "	50 10
Robert Raughley, 16 " 25 "	55 50
Curtis S. Watson, 16 " 25 "	55 50
William A. Scribner, 16 " 25 "	55 50
Luther W. Fisher, 16 " 33 "	57 90
Major W. Allen, 16 " 40 "	60 00
Isaac H. Bailey, 16 " 47 "	62 10
George W. Horsey, 16 " 42 "	60 60
William D. Waples, 16 " 50 "	63 00
John B. Penington, for duties as Clerk of the House of Representatives.....	175 00
Charles P. Wetherby, for enrolling bills, &c.....	40 00
Rev. Cyrus Huntington, as Chaplain of the House.....	20 00
William Wyatt, Messenger, pay to order of John B. Pen- ton.....	10 00
George W. White, Sergeant-at-arms and Doorkeeper....	60 00
John M. Stant, bill for ice.....	4 00
T. C. Killen, for repairing locks of House door and desks	5 00
Z. L. Butler for fitting up hall for extra session.....	10 00
J. H. Bateman, bill of stamps for the House.....	15 00
Jas. Cowgill & Son, bill of candles and sundries.....	6 00
Z. L. Butler, making fires for House during present session	15 00
James Kirk, bill printing.....	35 00
Z. L. Butler, for services rendered.....	5 20
G. W. White, for services rendered.....	5 94

 \$1,628 14

 JOHN H. BEWLEY,
 LUTHER W. FISHER,

Committee.

On motion of Mr. Gootee,

The report was

Adopted.

Mr. Dickson, Clerk of the Senate, *pro tem*, being admitted, informed the House that the Senate had concurred in the Joint Resolution of compensation to the State Treasurer,

And returned the same to the House.

On motion,

The House adjourned until 9 o'clock to-morrow morning.

WEDNESDAY, Nov. 2, 1864.

The House met pursuant to adjournment.

Mr. Horsey, from the Committee on Enrollment, reported the following Joint Resolution duly and correctly enrolled, and presented the same for the signature of the Speaker:

“Joint Resolution of compensation to the State Treasurer.”

Mr. Bewley presented an account of James Kirk with the House of Representatives,

Which,

On his motion,

Was read and referred to the Committee on Accounts.

Mr. Bewley, from the Committee on Accounts, moved that the Committee have leave to amend their report,

Which,

Was granted.

And the report was amended.

And,

On his further motion,

The report as amended was

Adopted.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House bill entitled,

“An act further to secure the free exercise of the right to vote at elections,”

With sundry amendments thereto, which he presented for the concurrence of the House.

And also returned the enrolled "Joint Resolution of compensation to the State Treasurer," with the signature of the Speaker of the Senate thereto.

On motion of Mr. Bewley,

The Senate amendments to the House bill entitled,

"An act further to secure the free exercise of the right to vote at elections,"

Were read, as follows, viz :

"Amend the bill as follows :

" '1st. In the eighteenth line of the first Section insert the word 'there' immediately before the words 'their respective ballots.' "

" '2d. Strike out all between the words 'twenty-two years,' in line 25, and the word 'and,' in the 30th line, in said Section, and insert in lieu thereof the following : 'An oath or affirmation in the following words, that is to say : *You do solemnly swear (or affirm) that you are of the age of twenty-one years, and not arrived at the age of twenty-two years, and that you at this time reside in this Hundred, and that you have not voted, and will not vote on this day at any other place in this or any other Hundred, and that you have resided in this County one month, and in this State one year next before this election ;* and to every person offering to vote on the ground of having paid a tax and being otherwise qualified according to the Constitution, the following : *You do solemnly swear (or affirm) that you are of the age of twenty-two years, and that you at this time reside in this Hundred, and that you have not voted and will not vote on this day at any other place in this or any other Hundred, and that you have resided in this County one month, and in this State one year next before this election ; and that you have, within two years, paid a County tax which was assessed at least six months before this election.*' "

" '3d. Between the words 'shall be' and the word 'kept,' in the 3d line of Section 2, insert these words, '*held at the place where they are opened, unless it be impracticable to hold them there, in which event they shall be adjourned to some other place, or places (if necessary) in the election district where they are opened, and there held, and shall be*' "

" '4th. In the second sentence of Section 2, strike out the words 'and for whom given,' and insert the following in lieu thereof, '*and for whom and for what office the votes were given*' "

" '5th. Add to the end of the oath, in Section 2, these words : '*and that he determined every matter that came before him and per-*' "

formed every act and duty required of him by law touching the election held by him, truly, faithfully, and impartially, according to the best of his skill and judgment.'

"'6th. Strike out the words and figures ' of Section 28,' in Section 3, and immediately after the words 'received by him' therein, insert the words '*and for whom and what office the votes were given.*'"

"'7th. Strike out the words 'the ballots certified,' in the 10th and 11th lines of Section 3 and insert the words '*the votes given.*'"

"'8th. Strike out the word 'cast,' the first and second time it occurs in Section 3, and insert the word '*given*' in lieu thereof."

"'9th. Strike out the word 'legal,' in Section 3."

"'10th. Strike out all in the first sentence of Section 6, after the words 'an oath or affirmation,' and insert in lieu thereof '*in these words: You do solemnly swear (or affirm) that as Clerk of this election you will not use nor assent to any falsehood, fraud, or deceit, and that you will keep the polls and perform all your duties truly, faithfully, and impartially, so help you God, (or so you solemnly affirm).*'"

And the bill, as amended,

Was read.

And,

On motion of Mr. Bewley,

The amendments were

Concurred in.

Ordered that the Senate be informed thereof.

Mr. Bewley offered a "Joint Resolution adjourning the two Houses of the General Assembly *sine die* this day, at 4 o'clock, P. M."

Which,

On his motion,

Was

Adopted.

Ordered to the Senate for concurrence.

On motion,

The House adjourned until 2 o'clock this afternoon.

SAME DAY—2 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had passed, and requested the concurrence of the House in a joint resolution adjourning the two Houses *sine die*.

Which,

On motion of Mr. Bewley,

Was read, and

Concurred in.

Ordered that the Senate be informed thereof, and the resolution returned to that body.

Mr. Horsey, from the Committee on Enrollment, reported the following House bill duly and correctly enrolled, and presented the same for the signature of the Speaker, viz:

"An act further to secure the free exercise of the right to vote at elections."

Mr. Saulsbury, member of the Senate, being admitted, presented for the signature of the Speaker of the House the enrolled Senate joint resolution of adjournment and the enrolled Senate bill entitled,

"An act further to secure the free exercise of the right to vote at elections."

Mr. Horsey, from the Committee on Enrollment, reported the foregoing joint resolution and bill duly and correctly enrolled, and presented the same for the signature of the Speaker.

On motion of Mr. Bewley,

The Clerk was directed to inform the Senate that the House would be ready in five minutes to adjourn *sine die*.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate would be ready to adjourn *sine die* in five minutes.

Mr. Bewley offered a resolution of thanks to the Speaker for the ability and impartiality with which he had performed the duties of the office,

Which,

On motion of Mr. Allen,

Was

Unanimously Adopted.

The Speaker then, in a brief and appropriate speech, returned his thanks to the members of the House for the honor conferred upon him, and in accordance with the joint resolution adopted by two Houses, declared the House adjourned *sine die*.

ATTEST :

JOHN B. PENINGTON,
Clerk of the House of Representatives.

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Recorder of Deeds, An act extending the term of office of—notice of intention to introduce given, 97; introduced and read, 102; read second time, 110; Section 1 read third time and lost and the bill lost, 140–141; vote by which lost reconsidered, 147–148; taken up for consideration and passed, 157–158; returned concurred in, with an amendment, amendment read and concurred in, 165–166.

Recruiting, An act to prevent, in the State of Delaware, for the benefit of any other State, and for other purposes—received and read first and second times, 205; read third time and passed, 206–207.

Revenue, An act to raise, for the State of Delaware—introduced and read first and second time, 167; read third time, yeas and nays and passed, 177; opinion of J. P. Comegys and Eli Saulsbury, Esqrs., on the bill, read, 178.

————— An act to raise, for this State,—reported and read, 209; read second and third time and passed, 210–211.

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Revised Code, An act to amend Section 16 of Chapter 16 of the —notice of intention to introduce given, 30.

————— An act to amend Section 1 of Chapter 59 of the, entitled “Of ditches”—notice of intention to introduce given, 49; introduced and read, 56; read second time, 70; read third time and passed, 77; returned concurred in, 116; enrolled, 131; signed, 146.

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Revised Code, An act to amend Section 3 of Chapter 42 of the, entitled of "Free Schools,"—notice of intention to introduce given, 60; introduced and read, 70; read second time, 73; read third time and passed, 79; returned concurred in, 91; signed, 146.

An act to repeal and supply Section 1 of Chapter 63 of the, entitled "General Provisions respecting Trade"—notice of intention to introduce given, 81; introduced and read, 85; read second time, 97; read third time, 102–103; taken up for consideration, Section 1 read first time and lost, and the bill lost, 105–106.

An act to amend Chapter 125 of the—read third time and passed, 221.

A supplement to Chapter 59 of the, entitled "Of Ditches"—reported and read first and second times, taken up for consideration, read third time and passed, 241; returned concurred in with an amendment, 245; amendment read and concurred in, 250.

An act to amend Section 42 of Chapter 99 of the—introduced and read first and second times, 248; re-introduced and committed, 253; reported back with an amendment, amendment adopted, second reading dispensed with, read third time and passed, 254; returned postponed, 257.

Revised Statutes, An act to amend Section 5 of Chapter 34 of the—notice of intention to introduce given, 27; introduced and read, 32; read second time, 38; read third time and passed, 54; returned concurred in, 79; enrolled, 111; signed, 146.

An act to amend Section 34 of Chapter 60 of the, relative to the repairs of bridges over any mill-dam erected on a public road"—taken up for consideration and consideration postponed, 103; Section 1 read third time and lost and the bill lost, 108.

An act to amend Chapter 105 of the, of the State of Delaware—received and read first and second times, 211; read third time and passed, 236.

An act to amend Section 20 of Chapter 12 of the, of the State of Delaware—introduced and read, 230; read second time, 232; read third time, yeas and nays and passed, 236; returned concurred in, 241; enrolled, 256.

An act to amend Section 42 of Chapter 99 of the, of the State of Delaware—introduced and read, 239; read

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Revised Statutes, An act to amend Chapter 24 of the, of the State of Delaware—received and read, 253; read second and third times and passed, 255-256; enrolled, 257.

Right to Vote at Elections, An act further to secure the free exercise of the—introduced and read, 265; read second and third times and passed, 266; returned concurred in with sundry amendments, amendments read and concurred in, 268-270; enrolled, 271.

Road, An act to straighten a, in Cedar Creek Hundred—notice of intention to introduce given, 25.

— An act to straighten a, in Cedar Creek Hundred, Sussex County—notice of intention to introduce given, 31; introduced and read, 41; read second time, 49-50; read third time and passed, 57; Senate amendment concurred in, 131; enrolled, 148; signed, 150.

— *county*, An act vacating a part of a, in Sussex County, State of Delaware—reported and read, 46; read second time, 50; read third time and passed, 62; returned concurred in, 91; enrolled, 111; signed, 146.

Road, public, An act to authorize John M. Rawlins to change the location of, straighten and shorten a certain, in North West Fork Hundred, Sussex County—reported and read, 28; read second time, 41; read third time and passed, 60; returned concurred in, 79; enrolled, 110; signed, 146.

— An act to enable certain persons therein named to erect a gate across a—notice of intention to introduce given, 30; introduced and read, 32; taken up for consideration, petition read and bill read second time, 42-43; consideration, of postponed, 54; taken up for consideration, read third time, yeas and nays on passage of, and lost, 82-83.

— An act to authorize the laying out a, in Broadkirk Hundred—reported and read, 59; read second time, 70; taken up for consideration and laid over, 82, committed, 85; reported back with an amendment, amendment adopted, bill read third time and passed, 97; returned concurred in, 120; enrolled, 134; signed, 150.

— An act to lay out a, in Little Creek Hundred, Kent County—notice of intention to introduce given, 90; introduced

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and read first and second times, and remonstrance against passage of, read, 107; read third time, yeas and nays, and passed, 112; returned concurred in, 150; enrolled, 169; signed, 171.

— An act appointing Commissioners to lay out a, in Sussex County—reported and read, 99; read second time, 109; returned concurred in, 163.

— An act to change the location of a certain, in St. Georges Hundred, New Castle County—read second time, 108; read third time and passed, 110; returned concurred in with an amendment, 134; amendment read and concurred in, 140; enrolled, 148; signed, 150.

— An act to authorize the laying out of a, in Dagsboro' Hundred, Sussex County—received, 118; read first and second times, 133; committed, 138; reported back without amendment, and lost, 143; Clerk instructed to request the Senate to return to the House the bill, 147; bill returned, 148; vote by which lost reconsidered and committed, 149, amendments reported, read and adopted; read third time and passed, 154; concurrence of Senate in amendment, 159; enrolled and signed, 169.

— An act appointing Commissioners to change and straighten the course of a, in Kent County, received, 118; read first and second time, 169; read third time and passed, 170.

— An act to lay out a, in Lewes and Rehoboth Hundred, in Sussex County—reported and read first and second times, 159-160; read third time and passed, 164; returned concurred in, 170.

Roads, public. An act supplementary to the act entitled, "An act to enable the citizens of the town of South Milford, in Sussex County, to keep in repair the,"—introduced and read, 48; read second time, 59; read third time and passed, 65; returned non-concurred in, 86.

School District No. 4. An act authorizing the Clerk and Commissioners of, to convey a certain lot of land—reported, read first, second and third times and passed, 252; returned concurred in, 257, enrolled, 261; signed, 264.

Seaford. An act appointing Commissioners to lay out a public street in the town of, to be called East street—reported and read, 28; read second and third times, and passed, 39-40; returned concurred in, 66; enrolled, 81; returned signed, 90.

Seaford Academy. An act to authorize the Trustees of the, to sell and convey the old academy building—reported and read,

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60; read second and third times and passed, 67; returned concurred in, 101; enrolled, 131; signed, 146.

Sheep, An act for laying a tax on dogs and for the better protection of—reported and read, 48; read second time, 70; Section 1 read third time and lost and bill lost, 108.

Slaughter, Thomas, An act to enable, to survey and locate certain salt marsh—received and read, 26; read second time, 32; read third time and passed, 39; enrolled, 134.

State Bonds, An act for the exchange of, and to exempt them from taxation—received, 246; read first, second and third times, and passed, 247; enrolled, 256.

State of Delaware, An act for the benefit of the—notice of intention to introduce given, 45; introduced and read, 54; read second time, 61; taken up for consideration, amendment offered and read, 116–118; motions to indefinitely postpone lost, motions to adjourn lost, and amendments offered and adopted, &c., 118–130; taken up for consideration and consideration postponed, 144–145; taken up for consideration, yeas and nays and lost, 152–153; motion to reconsider vote by which bill was lost, and that motion laid on the table, 153.

State Treasurer, An act to relieve the, from the performance of a certain duty, &c.—introduced, read first, second and third times, and passed, 246–247; returned concurred in with an amendment, 255; amendment read and concurred in, 256; enrolled, 261; signed, 264.

St. Jones' Branch Ditch Company, An act entitled a supplement to Chapter 25, entitled "An act to incorporate the—introduced on leave and read, 59; read second time, 69; read third time, yeas and nays and passed, 79–80.

Swine, An act to prevent, from running at large within certain limits in Murderkill Hundred, North Election District—reported and read, 109; read second time, 132; read third time and passed, 141; returned non-concurred in, 159; request to return to Senate 163; returned, 165.

Swine, An act to repeal an act entitled "An act to prevent, running at large within certain limits in Kent County—read first and second times, 170; read third time and passed, 172.

Vacant Land, An act to enable Wm. W. Dashiell to locate certain, in Broad Creek Hundred—reported and read, 28; read

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Vacant Land, An act to revive and continue in force the bill entitled "An act to enable Waitman Jones to locate certain, in North West Fork Hundred, Sussex County, and to complete his title to the same,"—notice of intention to introduce given, 36-37; introduced and read, 40; read second time, 50; read third time and passed, 58-59; returned concurred in, 101; signed, 150.

An act to enable James A. Dodd, et al., to locate certain, in Lewes & Rehoboth Hundred, Sussex County—reported and read, 53; read second time, 61; taken up for consideration, amended, read third time and passed, 66; returned non-concurred in, 86; returned to Senate by request, 101; returned concurred in, 115; enrolled, 131; signed, 147.

An act to enable Greensbury M. Truitt, Sarah Truitt, and George M. Carey to locate certain, in Broad Creek Hundred—presented for concurrence, 78; read, 82; read second time, 85; taken up for consideration, amended, read third time, yeas and nays and lost, 100.

Volunteers, An act to provide bounties for—reported and read, 66; read second time, 79; motion to read third time lost, 87; taken up for consideration and consideration postponed, 88; taken up for consideration, amended, substitute offered and read, and further consideration of postponed, 112-114; taken up for consideration, 115; substitute withdrawn, motion to read third time lost, 130; motion to erase substitute from journal lost, 132.

An act for the relief of families of—notice of intention to introduce given, 97; introduced and read, 100; read second time, 115; taken up for consideration, amended, Section 1 read, yeas and nays, and lost, and bill lost, 136.

Wilmington, An act to limit the debt of the city of, and to provide for the discharge thereof,—notice of intention to introduce given, 197; introduced and read and sundry documents filed with the, 204; read second time, 210; read third time, yeas and nays and lost, 222.

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Wilmington City Passenger Railway Company, An act to incorporate the—notice of intention to introduce given, 81; introduced and read, 92-93; read second time, 96; read third time, yeas and nays, and passed, 102; returned concurred in, 128; enrolled, 155; signed, 163.

Wilmington Connection Railroad, An act to incorporate the,—notice of intention to introduce given, 51.

Young Men's Association, An act to amend an act entitled "An act to incorporate the, of the city of Wilmington,"—notice of intention to introduce given, 70; introduced and read, 80; read second time, 86; read third time, yeas and nays, passed, 104; returned concurred in, 150; enrolled, 155; signed, 163.

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Rawlins, James, and others, on the petition of : appointed, 27 ; reported, 27-28.

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Stuart, James, and others, on the petition of : appointed, 19 ; reported, 28.

Taylor, Elias, on the petition of : appointed, 37 ; reported, 46.

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Blackiston, Ezekiel, of, for a divorce—presented, read and referred, 36 ; report on the, 46.

Buchanan, George W., of, for a divorce—presented, read and referred, 23 ; report on the, 29.

Burgess, Thomas H., and others, of, for an act to appoint Commissions to lay out a ditch up the Pocomoke River—presented, read and referred, 206 ; report on the, 207.

Campbell, Mary, and others, for an act to repair a ditch in Cedar Creek Hundred—presented, read and referred, 61 ; report on the, 66.

Cummins, George W., of, for an act relieving him of the payment of certain ditch taxes—presented, read and referred, 228 ; report on the, 241.

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Dashiell, William W., of, for an act to locate certain vacant lands—presented, read and referred, 25 ; report on the, 28.

Dickerson, Matilda, of, for a divorce—presented, read and referred, 27 ; report on the, 49, 65.

Dickson, George B., of, for an act to make index to marriage record—presented, read and referred, 31 ; report on the, 43.

Dodd, James A., and others, of, for an act to enable them to locate certain vacant land—presented, read and referred, 40 ; report on the, 53.

Donovan, James R., and others, of, for an act to enable the Commissioners of School District No. 4, in Kent County, to sell and convey a certain piece of land—presented, read and referred, 228 ; report on the, 252.

Fisher, James Bayard, (n) of, for a divorce—presented, read, motion to indefinitely postpone consideration of, yeas and nays, and consideration indefinitely postponed, 24–25 ; motion to reconsider, yeas and nays, and lost, 26.

Gooden, William, and others, of, for a law to prevent swine running at large in a part of North Murderkill Hundred—presented, read and referred, 80 ; report on the, 109.

Hallett, James, for a divorce,—presented, read and referred, 52 ; report on the, 60.

Hazel, Matthew, and others, of, for an act to lay out a public road in Kent County—presented, read and referred, 133–134 ; report on the 144.

Hill, William, and others, in favor of an act to grant bounty to volunteers—presented, read and filed, 73.

Houston, S. P., and others, of, for an act to lay out a public road in Sussex County,—presented, read and referred, 156 ; report on the, 159.

Jefferson, Samuel, and others, for an act to change the location of a certain road—presented, read and referred, 89.

Lambson, Moses, and others, of, for an act authorizing the executors of Giles Lambson to sell certain real estate—presented, read and referred, 18 ; report on the, 19.

Leslie, Allen V., and others, of, for an act authorizing the opening of a street in the town of New Castle—presented, read and referred, 19 ; report on the, 31.

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Levy Court Commissioners of New Castle County, of, for the passage of an act to authorize the erection of a public bridge over Blackbird creek—presented, read and referred, 42-43; report on the, 58.

Magarity, Patrick, of, for an act legalizing the action of the City Council of Wilmington in vacating a part of Reed street—presented, read and referred, 205; report on the, 208.

Marshall, Davis, and others, of, for an act vesting certain rights,—presented, read and referred, 36.

Marvel, Aaron B., and others, of, for an act authorizing the binding of a certain index—presented, read and referred, 38; report on the, 51.

McCaulley, William, and others, of, for an act appointing Commissioners to divide the lands and premises late of Samuel McCaulley, deceased—presented, read and referred, and report on the, 229.

McGill, Mary Jane, of, for a divorce—presented, read and referred, 147; report on the, 149.

Milby, Mary A., of, for a divorce—presented, read and referred, 36-37; report on the, 53.

New Castle, of Commissioners of the town of, for an act amending act of incorporation of said town—presented, read and referred, 25; report on the, 37.

Quigley, Thos. J., and others, of, for a modification of the law in regard to free negroes and mulattoes—presented, read and referred, 82; report on the, 107.

Pratt, Jonathan, and others, of, for an act increasing the fees of Constables and Justices of the Peace—presented, read and referred, 228.

Rawlins, James, and others, of, for an act authorizing John M. Rawlins to straighten and shorten a certain public road in North West Fork Hundred, Sussex County—presented, read and referred, and report on the, 27-28.

Richards, Virginia C., of, for a divorce—presented, read and referred, 228; report on the, 239.

Riddle, George Read, and others, and Joshua Clayton, and others, and Peter B. Vandever, and others, of, for the passage of an act amending the act providing for the payment of money to volunteers, &c.—presented, read and referred, 230-231; other petitions on the same subject presented and referred, 240.

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Scotten, Joshua, of, for a divorce—presented, read and referred, 24; report on the, 36.

Shannon, Abraham P., of, for an act authorizing the Levy Court to have constructed a tight bridge across the Christiana Creek—presented, read and referred, 27; report on the, 81.

Shockley, William, Jr., and others, of, for an act to protect sheep—presented, read and referred, 38.

Springer, John P., and others, of, for an act to repeal the law requiring prepayment of municipal taxes before voting—presented, read and referred, 51; report on the, 149.

Stockley, John, and others, of, for an act to authorize the laying out a street in Milton—presented, read and referred, 39; report on the, 47-48.

Stout, Henry, of, for a divorce—withdrawn, 170.

Stuart, James, and others, of, for an act to lay out a public street in Seaford—presented, read and referred, 19; report on the, 28.

Sundry Citizens of Wilmington, of, for an act to relieve the people of this State from draft—presented, read and referred, 203.

Taylor, Elias, and others, of, for an act to vacate a public road in Sussex County—presented, read and referred, 37; report on the, 46.

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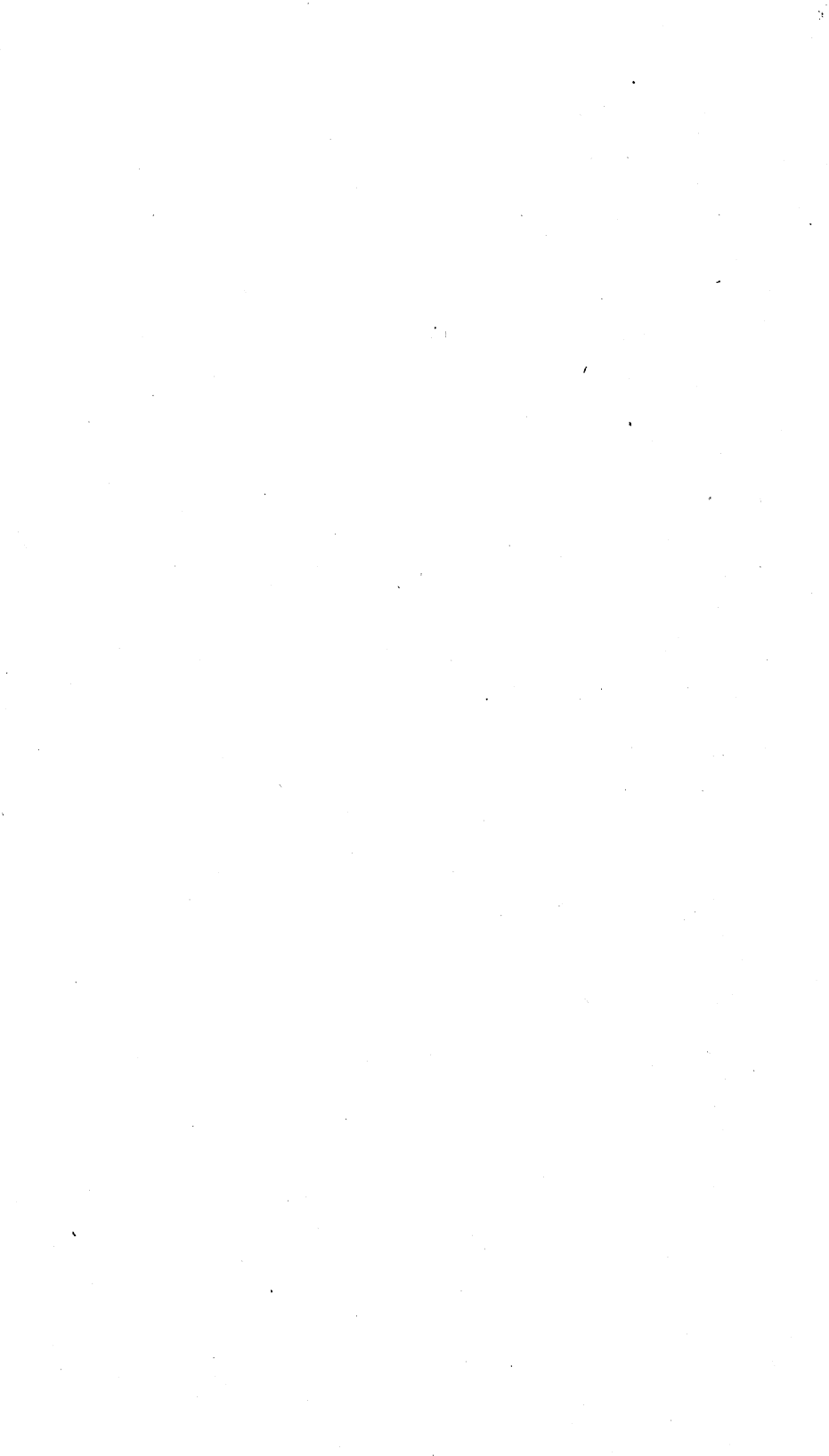
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CERTIFICATE.

By authority in me vested by a Joint Resolution of the General Assembly of the State of Delaware, entitled "A Joint Resolution authorizing the Clerks to publish their Journals," adopted at Dover, August 12, 1864, and the provisions of Section 4 of Chapter 4 of the Revised Statutes of the State of Delaware, I appointed James Kirk to print the foregoing Journal and Index.

JOHN B. PENINGTON,
Clerk of the House of Representatives.

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