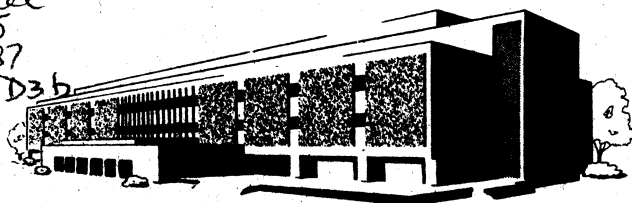




Del  
5  
87  
.D3b



**UNIVERSITY OF DELAWARE LIBRARY**









State Doc.

KFD

18A

1871

# JOURNAL OF THE SENATE

OF THE

## STATE OF DELAWARE.

At a session of the General Assembly of the State of Delaware, convened and held at Dover, on Tuesday, the third day of January, in the year of our Lord one thousand eight hundred and seventy-one, and of the independence of the United States of America the ninety-fifth,

Messrs. Charles Gooding, Allen V. Lesley, and Leonard G. Vandegrift, of New Castle county; and

Messrs. Thomas H. Denney, John Mustard, and Curtis S. Watson, of Kent county; and

Messrs. George Russel, Thomas E. Records, and Martin M. Ellis, of Sussex county, appeared and took their seats.

John C. Pennewill, late Clerk of the Senate, called the Senate to order.

On motion of Mr. Gooding,

Mr. Denney was appointed Speaker *pro tempore*.

On motion of Mr. Russel,

Mr. Records was appointed Clerk *pro tempore*.

On motion of Mr. Watson,

The returns of the elections for Senators of the several counties of the State were read.

By the returns of the officers of New Castle county, appointed by law judges of election, it appeared that on the Tuesday next after the first Monday in the month of November last, at the several and respective places appointed by law for holding the election in and for said county; Messrs. Allen V. Lesley and Leonard G. Vandegrift were duly chosen to represent the said county in the Senate of the State of Delaware, for the ensuing term of four years.

By the returns of the officers of Kent county, appointed by law judges of election, it appeared that on the Tuesday next after the first Monday in the month of November last, at the several and respective places appointed by law for holding the election in and for said county, Messrs. John Mustard and Curtis S. Watson were duly chosen to represent the said county in the Senate of the State of Delaware, for the ensuing term of four years.

By the returns of the officers of Sussex county, appointed by law judges of election, it appeared that on the Tuesday next after the first Monday in the month of November last, at the several and respective places appointed by law for holding the elections in and for said county, Messrs. Thomas E. Records and Martin M. Ellis, were duly chosen to represent the said county in the Senate of the State of Delaware, for the ensuing term of four years.

On motion of Mr. Mustard,

The Senate proceeded to elect, by ballot, a Speaker.

Mr. Russel moved

That two tellers be appointed to receive and count the votes,

Which motion

*Prevailed.*

Whereupon,

Messrs. Russel and Mustard were appointed said tellers.

Upon the ballots being counted, it appeared

That Charles Gooding had received eight votes.

Whereupon,

Charles Gooding, having received a majority of the votes cast, was declared to be duly elected Speaker of the Senate.

The Speaker and members elect were then qualified according to the Constitution and laws of the State, and the act of Congress entitled, "An act to regulate the time and manner of administering certain oaths," as appears by the following certificate, to wit:

I, Thomas H. Denney, a member of the Senate of the State of Delaware, from the county of Kent, do hereby certify that Charles Gooding, a member of the Senate, from the county of New Castle, was, previous to entering upon any other business, and previous to taking his seat as Speaker, duly sworn by me, on the Holy Evangelists of Almighty God, to support the Constitution of the United States, to support the Constitution of the State of Delaware, and to perform his duties as a member of the General Assembly of the said State with fidelity.

And I, Charles Gooding, Speaker of the Senate of the State of Delaware, do hereby certify that Allen V. Lesley and Leonard G. Vandegrift, of New Castle county, and John Mustard and Curtis S. Watson, of Kent county, and Martin M. Ellis and Thomas E. Records, of Sussex county, members elect (and present) of the Senate, were, previous to entering upon any other business, and previous to taking their seats, respectively sworn by me to support the Constitution of the United States, to support the Constitution of the State of Delaware, and to perform their duties as members of the General Assembly of said State with fidelity.

Witness our hands this third day of January, in the year of our Lord one thousand eight hundred and seventy-one.

THOS. H. DENNEY,  
CHARLES GOODING.

On motion of Mr. Russel,

The Senate proceeded to ballot for a Clerk.

The Speaker appointed Messrs. Russel and Mustard tellers, to receive and count the votes.

Upon the ballots being counted, it appeared

That J. R. Mitchell had received nine votes.

Whereupon,

James R. Mitchell, having received all the votes cast, was declared duly elected Clerk.

Mr. Ellis moved

That a committee of two be appointed to inform the Clerk of his election.

Which motion

*Prevailed.*

Whereupon,

Messrs. Ellis and Denney were appointed said committee.

James R. Mitchell, being introduced, was duly qualified.

On motion of Mr. Denney,

The Senate proceeded to ballot for Sergeant-at-Arms.

The Speaker appointed Messrs. Denney and Ellis tellers.

Upon the ballots being counted, it appeared

That Henry Skidmore had received nine votes.

Whereupon,

Henry Skidmore, having received all the votes cast, was declared duly elected, was qualified, and entered upon the duties of his office.

On motion of Mr. Watson,

Henry Pratt was appointed Messenger.

Mr. Watson offered a resolution,

Which,

On his motion,

Was read, as follows :

*Resolved*, That the Rev. Cyrus Huntington be invited to act as Chaplain of the Senate during the present session.

And further,

On his motion,

The resolution

Was

*Adopted.*

On motion of Mr. Denney,

The Clerk was directed to inform the House that the Senate was duly organized, and ready to proceed to business.

On motion of Mr. Russel,

A committee of two was appointed to wait upon the Rev. Cyrus Huntington and inform him of his election as Chaplain of the Senate.

Which motion

*Prevailed.*

Whereupon,

Messrs. Russel and Mustard were appointed said committee.

Mr. Lesley offered a resolution,

Which,

On his motion,

Was read, as follows :

*Resolved*, That the Clerk of the Senate be and he is hereby directed to furnish each member of the Senate with one daily newspaper of his choice, during the session of the Legislature, and also to furnish the Senate with one copy of each of the newspapers published in the State, during this session

And further,

On his motion,

The resolution

Was

*Adopted.*

Mr. Penington, Clerk of the House, being admitted, informed the Senate that the House was duly organized and ready to proceed to business.

Mr. Lesley offered a joint resolution,

Which,

On his motion,

Was read, as follows :

*Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met*, That a committee of two, on the part of the Senate, be appointed to act jointly with a like committee on the part of the House, to wait on His Excellency, the Governor, and inform him that a quorum of both houses of the Legislature are convened, duly organized, and ready to receive any communication he may see proper to make.

And further,

On his motion,

The resolution,

Was

*Adopted.*

*Ordered* to the House for concurrence.

In pursuance of the foregoing resolution, the Speaker appointed Messrs. Lesley and Watson said committee on the part of the Senate.

Mr. Records offered a resolution,

Which,

On his motion,

Was read, as follows :

*Resolved*, That the following committees be appointed by the Chair, and reported to the Senate within the next three days of actual session, to act as standing committees during the present

session, to wit: A Committee on Corporations; a Committee on Enrolled Bills; a Committee on Elections; a Committee on Accounts; a Committee on Claims; a Committee on Divorces; a Committee on Finance; a Committee on Roads and Highways, and a Committee on Vacant Lands.

And further,

On his motion,

The resolution

Was

*Adopted.*

Mr. Russel moved

That a committee of three be appointed to draft rules for the government of the Senate during its present session.

Which motion

*Prevailed.*

Whereupon,

Messrs. Russel, Denney and Vandegrift were appointed said committee.

Mr. Penington, Clerk of the House, being admitted, informed the Senate that the House had concurred in the joint resolution to appoint a joint committee to wait upon His Excellency, the Governor.

On motion of Mr. Watson,

The Senate adjourned.

SAME DAY—3 o'clock, P. M.

The Senate met pursuant to adjournment.

Mr. Lesley, from the committee on the part of the Senate, to wait upon His Excellency, the Governor, reported that they had performed that duty, and that the Governor would send, through the Secretary of State, a written communication to the Senate in thirty minutes.

The Speaker announced the Standing Committees for the present session, under the rule authorizing the same, as follows:



## Committee on Corporations :

Messrs. Russel,  
Lesley,  
Watson.

## Committee on Enrolled Bills :

Messrs. Records,  
Vandegrift,  
Denney,  
Ellis.

## Committee on Elections :

Messrs. Mustard,  
Ellis,  
Vandegrift.

## Committee on Accounts :

Messrs. Denney,  
Lesley,  
Records.

## Committee on Claims :

Messrs. Vandegrift,  
Mustard,  
Russel.

## Committee on Finance :

Messrs. Lesley,  
Watson,  
Records.

## Committee on Divorces :

Messrs. Watson,  
Russel,  
Vandegrift.

## Committee on Vacant Lands :

Messrs. Ellis,  
Mustard,  
Lesley.

## Committee on Roads and Highways :

Messrs. Denney,  
Vandegrift,  
Ellis.

Custis W. Wright, Esq., Secretary of State, being admitted, presented a communication from His Excellency, the Governor, with accompanying documents.

On motion of Mr. Denney,

The message from the Governor

Was read, as follows :

*Fellow-citizens of the Senate and House of Representatives :*

In compliance with the requirements of our State Constitution, and in accordance with long established custom, I proceed to the performance of the duty required of the Governor, to give to you such information of the affairs of the State as has come to my knowledge since the last adjournment of the General Assembly, and to recommend to your consideration such measures as I deem expedient. The duty is a pleasant one, because it affords me the opportunity to assure you of the continued prosperity of the State and the happiness of our people, to congratulate you that good government and a sense of continued security are preserved within our limits, and to extend to you a cordial welcome to the position of law-makers for the State and guardians of the public interests, assigned you by an intelligent and confiding constituency.

It is our duty, as a Christian people, to make grateful recognition of the hand of a beneficent Providence in the dispensation of blessings which have so auspiciously attended the events of the year just closed.

The General Assembly has seldom convened under circumstances of so much encouragement and at the same time so great responsibility as at present. We may well indulge the hope, that, guided by an enlightened statemanship, your knowledge of the wants and interests of the people will lead you to the adoption of measures which will result in lasting benefit to the State.

#### FINANCES.

The first subject to which I propose to invite the attention of the Legislature is the condition of the State Finances, and it affords me great satisfaction to assure you of the continued prosperous condition of the Treasury. In my last biennial message I gave a detailed statement of the indebtedness and also of the investments of the State. To that statement I refer for details, intending in this communication to give only the aggregates of State liabilities and assets. At the date referred to, the State debt amounted to the sum of one million four hundred and fifty-six thousand dollars. Since which time bonds to the amount of one hundred and seventy-six thousand dollars have, under provisions of an act of the legislature-

passed at Dover, March 4th, 1865, been executed and delivered to the President of the Junction and Breakwater Railroad Company, for the use of that company, which increases the State debt by this amount, and makes the aggregate of the State debt, at the present time, one million six hundred and thirty-two thousand dollars. The aggregate of the investments of the State on the 6th day of January 1869, amounted to the sum of eight hundred and fifty thousand one hundred and fifty dollars, which sum has since been increased by the sum of one hundred and seventy-six thousand dollars loaned to the Junction and Breakwater Railroad Company, and also by the further sum of forty-eight thousand dollars invested in the bonds of this State by the Treasurer, which he now has in his possession subject to the order of the Legislature, being the same bonds which he was directed by the act of the Legislature above referred to to reserve for the payment of the interest for two years on the sum of four hundred thousand dollars loaned to the Junction and Breakwater Railroad Company, the payment of which is secured by first mortgage on the entire road. If we add these two sums, amounting to two hundred and twenty-four thousand dollars, to the sum of eight hundred and fifty thousand one hundred and fifty dollars, we have the present aggregate of the investments of the State, amounting to the sum of one million seventy-four thousand one hundred and fifty dollars; which, being deducted from the sum of one million six hundred and thirty-two thousand dollars, leaves a balance of State indebtedness, in excess of State investments, of five hundred and fifty-seven thousand eight hundred and fifty dollars; showing a decrease of the balance against the State since 1869 of forty-eight thousand dollars.

From a statement submitted by the State Treasurer for the information of the Executive, it appears that there has been paid to the Treasurer, under the operation of the Acts of the Legislature to provide revenue for this State, passed at the session of 1869, the following sums :

From sales, manufactures, investments, private bankers, &c .....	\$72,547 01
From taxes on banks.....	9,050 28
From county officers, including taxes on process and collateral inheritances.....	9,528 06
From tax on insurance companies .....	3,598 18

Amounting in the aggregate to..... \$94,723 53

There has also been received, under the operation of the law of 1864, from the Philadelphia, Wilmington & Baltimore, and from the Junction and Breakwater Railroad Companies, the sum of..... 25,854 25

Making an aggregate from both these sources of..... \$120,577 78

Which sum has been applied by the Treasurer to the payment of installments of interest on the bonded debt of the State, the payment of the interest of which has not been otherwise provided for, amounting to the sum of one million four hundred and sixty-two thousand dollars. From the same statement, it appears that the Treasurer had, on the first day of December, 1870, in the hands of the collectors in the different counties of this State, duplicate assessments from July of the same year, amounting to the sum of forty-three thousand seven hundred and thirteen dollars and sixty-four cents, which he estimates to be about sufficient to pay the installment of interest on the same debt due on the first of the present month.

The Treasurer had not, at the time he submitted his statement, made a final settlement with the collectors of the different counties, and therefore could not give the precise cost of assessing and collecting the taxes, but expresses the opinion that it will not exceed the sum of four thousand nine hundred dollars. The report of the Treasurer further shows that he had received, since his settlement with the Committee of the Legislature in January, 1870, to the first of December of the same year, from sources the income from which is appropriated by law to the payment of the current expenses of the State, revenue to the amount of twenty-four thousand four hundred and forty-three dollars and ninety-six cents, of which sum he had paid at the same date for the support of the Executive, Judicial and Legislative Departments of the State government, including the salaries of the State Treasurer and Auditor of Accounts, the sum of seventeen thousand eight hundred and sixteen dollars and three cents, and that he had of this fund to his credit in the Farmers' Bank, the sum of seven thousand five hundred dollars, which he estimated would be increased by the first of the present month to about the sum of twenty-five thousand five hundred dollars.

The Treasurer, according to the statement referred to, had received to August last, from sources the income from which is appropriated to the support of free schools, the sum of thirty-seven thousand two hundred and fifty-four dollars and ninety-four cents, and distributed the same among the school districts entitled to receive it.

It also appears from the statement of the Treasurer, that there was due the State, on the first day of July last, from the Junction and Breakwater Railroad Company, an installment of interest amounting to the sum of six thousand dollars, and that on the first day of the present month there was due a second installment of twelve thousand dollars, these sums being the interest for nine months on the loan of four hundred thousand dollars made by the State to that company.

It also becomes my duty to inform you that no part of the taxes due the State from the Maryland and Delaware Railroad Company have been paid since November 30, 1868.

I regret that I am unable to state the amount of taxes due the State from the Philadelphia, Wilmington and Baltimore Railroad Company, as the officials of that company have failed, since the first of November, 1868, to make the reports required of them by the law of 1864, and that they have also failed to make the reports required by the law of 1869.

I have now, as accurately as the data furnished me by the State Treasurer has enabled me to do, submitted for your consideration the condition of the finances of the State. I regret that I have not at my command the means of information which would enable me to be more precise, but hope I have approximated the true condition of the finances with sufficient precision to enable the legislature intelligently to consider the subject with reference to the future necessities of the treasury.

It will be perceived by careful examination, that the laws enacted at the session of 1869, to provide revenue for this State, if faithfully complied with by the railroad companies of this State, would secure sufficient revenue to pay the interest on our public debt and leave a handsome annual surplus to be applied to the redemption of the State bonds.

In this connection I submit that in my judgment some of the provisions of the act entitled "An Act providing revenue for this State," passed at Dover, April 8th, 1869, ought to be modified and amended and other provisions repealed. The modes of assessment and collection of the taxes are inconvenient and unnecessarily complicated, and ought to be so altered as to make them conform to the convenience and interests of the tax-payers. The imposition of special taxes on particular classes is wrong in principle, unjust in its operation, and offensive to those to whom it is applied. I therefore submit that all the provisions of our laws imposing such taxes on particular classes, including the tax on collateral inheritances, should be speedily repealed. Tax laws are always odious, and submitted to willingly only for the purposes of meeting the necessities of government, therefore no greater amount of taxes should be levied for State purposes than will be sufficient to pay the current expenses of the State government, the interest on the public debt, and secure the gradual but certain extinguishment of the bonds of the State at maturity.

Tax laws should be uniform in their application and bear upon every variety of productive property alike. The proper adjustment of such laws is always difficult, requiring frequent changes, and it would have been unprecedented if the law passed at the last session

of the legislature had proved an exception. But while the imperfections of the law in some particulars are apparent, it must be conceded that the legislature succeeded beyond what ought to have been the reasonable expectation of experienced and reflecting men in the paramount object of equalizing taxation by exempting from the operation of the law property which had theretofore borne all the burden of taxation for county purposes, and levying the additional amount of taxes required of us for State purposes upon those classes of property which had not been previously taxed in this State. No law could have been prepared, under the same circumstances and with the same haste, that would have better answered the purposes for which it was intended without repealing all our revenue laws then existing and enacting an entirely new law, applicable to both State and County purposes. I had the honor, in my biennial message addressed to the legislature on the sixth day of January, 1869, to suggest that the measure of every man's tax should be the amount of his net wealth. Reflection and experience have strengthened the conviction I then entertained. I believe now that the repeal of all our existing revenue laws, for both State and County purposes, and the enactment of an entirely new law, retaining our system of poll tax, taxing annually every corporate franchise granted by the State on its real value, and every citizen of the State on the amount of his net wealth, making available every source of revenue from property in the State and continuing such a judicious and wholesome license system as will be calculated to protect the public morals and properly regulate business, would inure to the best interests of the people of the State and give more general satisfaction to taxpayers than any other revenue system that can be devised. No fair-minded citizen can be unwilling to bear his fair proportion of the public burdens according to the interests he has protected by the laws of the community in which he lives. Nor can any honest man desire that his fellow-citizen be made to pay the proportion of public taxes which rightfully pertain to himself. I commit this subject to the wisdom of the legislature, with full confidence that such consideration will be given it as will lead to a just solution of the perplexing questions involved.

#### SUITS AGAINST THE PHILADELPHIA, WILMINGTON AND BALTIMORE RAILROAD COMPANY.

Additional legislation will be required to give to the act of last session, taxing railroad and canal companies, the effect proposed by the law. That law taxes railroad and canal companies incorporated under the laws of this State, and doing business in the State, upon the shares of their capital stock and upon their net earnings, and also imposes upon such railroad companies a further tax upon their rolling stock.

The Philadelphia, Wilmington and Baltimore Railroad Company, claiming an exemption from liability to taxation by the State under provisions of its charter, denied the constitutionality of the law so far as it applied to that company, and one of its stockholders instituted proceedings in the Circuit Court of the United States for this District to restrain the collection by the State Treasurer of the taxes due from the company under the law. The case presented to the Court, involving the question of the company's liability to taxation as well as the constitutionality of the law on other grounds, was heard in October last, and has recently been decided. The decision affirms the right of the State to tax the company, and also the constitutionality of two of the modes of taxation provided in the law. From this decision of the Circuit Court an appeal, I understand, has been taken by the company to the Supreme Court of the United States, more, it is presumed, for the purpose of delay than with any expectation of reversing the judgment of the Circuit Court.

This decision, if sustained by the Supreme Court, disposes finally of the claim of exemption from taxation set up by the company, and while disallowing the tax on rolling stock, sustains the tax on net earnings and shares of capital stock, from which, with proper amendments of the law, our railroad companies can be compelled to bear their fair proportion of the public burdens. I recommend such amendments of the law as will render it efficient for that purpose.

Under a resolution of the last General Assembly, the State Treasurer brought suit against the said Philadelphia, Wilmington and Baltimore Railroad Company to recover the amount of taxes due the State under the law of August 11th, 1864. The case was fully argued at the last term of the Court of Errors and Appeals, but the opinion of the Court has not yet been delivered.

#### RAILROADS.

It is gratifying to be able to inform the Legislature that the railroads of this State are all in a condition of increasing prosperity and usefulness. The railway of the Philadelphia, Wilmington and Baltimore Railroad Company, while it traverses only a little over twenty-three miles of our territory, is the medium which connects the railroads of this State directly with the cities of Philadelphia and Baltimore, and with railroads going to every section of this great country. This company, being the lessee of the Delaware Railroad, which is the central artery or trunk of the system of railway communication threading the counties of this State and the Eastern Shore of Maryland, receives the emoluments of the travel and freights from every section of this Peninsula to and from the great cities and vast manufacturing regions of the North and East. This patronage, in addition to its very large business between the

cities of Philadelphia and Baltimore, makes this one of the wealthiest and most prosperous companies of this country, rendering the franchise granted to the company by this State one of very great value.

The Delaware Railroad passes through nearly the entire length of this State, and is connected by its junction with the Eastern Shore Railroad, and by branch roads from different points on its route, with almost every section of the Eastern Shore of Maryland. The various connections of this railroad, linking it with every portion of this State and the Eastern Shore of Maryland, will make it, at no distant day, a work of great value in a commercial point of view, highly remunerative to its stockholders, and indispensable as a link in the great chain of railway communication of the country.

The Junction and Breakwater Railroad is now completed from its junction with the Delaware Railroad, at Harrington, to its terminus, on the ocean, at Lewes, from which point there is regular steamboat communication with the city of New York. I am informed that surveys and soundings have been made at or near the southern terminus of this road, by agents of the Federal government, with a view to the erection of an iron or stone pier, under the provisions of an act passed at the last session of Congress, appropriating two hundred and twenty-five thousand dollars for that purpose. This work, when completed, will greatly enhance the value of the Junction and Breakwater Railroad, and thereby afford increased security for the mortgage of four hundred thousand dollars held by the State on that road. I congratulate the Legislature on the consummation of this valuable improvement, so long and anxiously desired by the people of that portion of the State through which it passes.

#### OYSTER BEDS AND FISHERIES.

In many of the larger States of the Union, as well as in some of the governments of Europe, their fisheries, under the fostering care of wise legislation, have been made not only the source of remunerative revenue to the treasury, but of great commercial enterprise and wealth to their citizens. Our State possesses resources in her oyster beds and planting grounds and in her rivers and inland streams, which are inhabited by the most delicious and profitable varieties of migratory fish, surpassed by few of her sister States. It scarcely admits of doubt that the oyster culture, under State supervision and protection would, in the course of a very few years, engage the attention of men of enterprise and capital, and that the Delaware beds would greatly increase in productiveness and afford employment for many hundreds of our people in the business of dredging, planting, canning and transportation. Delaware oysters are now sought for in the markets of many of our large cities and towns, and there can be no doubt that the business would, under judicious legislation, within a comparatively short time, afford compensating revenue to



the State. The laws of the State have not been adequate for the protection of our oyster beds, planting grounds and fisheries from depredation by non-residents. Other laws should be passed, or existing ones so amended as to secure the objects for which they were enacted. The fisheries along the courses of our inland streams have, in some sections of our State, been abandoned. Formerly our supplies of fish were caught from our own waters and preserved by our own people,—now almost our entire supply is imported from other States. Whatever may be the cause of the failure of our fisheries, it is a subject worthy the consideration of the Legislature. I therefore recommend the appointment of a practical but competent person, at a moderate salary, as commissioner, to inspect not only our bay fisheries but those along our inland streams, and make such suggestions and recommendations as in his judgment will be most conducive to the objects contemplated. I also suggest whether such legislation as will secure to the State all the revenue properly derivable from this source would not benefit such of our own citizens as may be engaged in the oyster trade. The adjoining States of Maryland and Virginia have heretofore enjoyed almost an entire monopoly of the oyster trade on this continent. In proportion to extent of territory Delaware has an interest in this business not inferior to either of them. Our proximity to large cities and means of transportation affords us advantages which should not be neglected. The production of our vast beds and the judicious letting of our planting grounds, extending along more than two-thirds of the eastern border of the State, might, under judicious legislation, be increased to ten-fold their present productiveness. The demand for oysters as an article of food has been steadily in advance of the supply. It is a duty we owe ourselves to make available the resources of wealth which a beneficent Providence has confided to us. It is as much the duty of the Legislature to protect our inhabitants in proximity to our rivers and inland streams, and the proprietors of the soil along our coasts, and all engaged in the business of fishing and culture of oysters, in all the rights which their location and business entitle them to, as it is to protect our fruit growers or the producers of any other of our staple products. Our oyster beds and planting fields, being the property of the State, should be made available as a source of revenue to the State. In my judgment the best interests of those engaged in the oyster trade would be promoted by such a policy, for the reason that unless the protection of this interest be advantageous to the State it will not be given. It cannot be expected that the State will assume the responsibility and incur the expense of protecting an interest not remunerative to the treasury? I earnestly commend this subject to your consideration, in the hope that it will lead to such investigation and result in such action as shall secure to our State and people substantial and lasting benefit.

## DELAWARE COLLEGE.

The Legislature, on the seventh day of February, 1867, passed an act accepting the grant offered to the State by the United States, under the provisions of an act of Congress entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and mechanic arts." At the same session of the Legislature, an act was passed accepting a proposition of Delaware College "to convey to the State of Delaware a joint and equal interest in the grounds, buildings, libraries, apparatus and vested funds of said College proper, upon the condition that the State shall vest the income to be derived from the sale of the said lands in a board of trustees, not more than one-half of whom shall be the representatives of the State, and the remainder the representatives of the present board, for the purpose of establishing at Newark, in connection with said College, an institution which shall meet the requirements of the act of Congress, and extend to the people of this State the benefits of its provisions." Section 2 of the last mentioned act provides "that the State Treasurer, in conjunction with the Governor of the State and the President of the Board of Trustees of Delaware College, is hereby authorized and required to sell and assign, upon such terms and conditions as they may deem best for the interests of the State of Delaware, the whole or any part of the scrip or land warrants issued or to be issued to the State by virtue of said act of Congress." In compliance with the requirements of this act of the Legislature, the State Treasurer, in the month of April, 1869, contracted to sell to G. F. Lewis, of Cleveland, Ohio, all the college land scrip donated to this State by the act of Congress above referred to, being scrip for ninety thousand acres of land, for the sum of eighty thousand dollars. The purchaser, owing to an unexpected decline in the price of land scrip, was unable to comply with the conditions of his contract in reference to the time of payments, and on the fifth day of July, 1870, the terms of the contract in reference to the time of payment were changed and the time for the last payment extended to the fifth of July, 1871. The State Treasurer has received from the sale of this scrip the sum of sixty-four thousand nine hundred and eight dollars, leaving the balance, to be paid on the fifth day of July next, only fifteen thousand and ninety-two dollars.

I am informed by the Treasurer that he has purchased and paid for, out of the funds received from the sale of this scrip, forty bonds of this State of the denomination of one thousand dollars each, bearing interest at the rate of six per cent., for which he paid the sum of thirty-eight thousand two hundred and eight dollars and sixty-seven cents, leaving a balance in his hands of twenty-seven thousand six hundred and twenty-six dollars and thirty-three cents,

which it is his purpose to invest in the bonds of this State during the present month, expecting to secure the bonds on more advantageous terms than he could have done previously. It was our effort to make the most advantageous sale for the College, and the most secure investment for the State which was possible under then existing circumstances; and if I am not misinformed, we obtained as high, if not the highest price that was paid for the scrip of any State in the Union, and the investment of the proceeds in our own bonds we considered the safest that could be made for the State.

For information in reference to the present condition of Delaware College, I refer you to a communication from its able and enterprising President, which I herewith transmit, and to which I invite your consideration. It will be perceived from examination of this communication of the President that the College has been opened under circumstances of as much encouragement as could have been expected, and being the only institution of the kind in the State, as a matter of State pride, as well as from the benefit it promises to exert upon the educational interests of the State, it becomes our people, and especially our public men, to aid it by all suitable and proper means. It is greatly desired upon the part of the Faculty of the College that the vacancies in the number of students which the members of the Legislature are entitled to appoint to receive instruction without charge for tuition, should be filled as early as possible. I therefore respectfully but earnestly urge upon you the importance of early attention to this matter. I herewith transmit a communication from the Professor of Chemistry, suggesting the establishment of a State Laboratory in connection with the College, for the purpose of analyzing our natural fertilizers, soils, &c., and also one from several of the Trustees in reference to the purchase of land for agricultural experiments and instruction, to both of which I respectfully invite attention.

#### PUBLIC SCHOOLS.

It is not without hesitation that I call your attention to the condition of our system of public school education. Changes in long established and well understood laws, especially when they are to be necessarily interpreted and executed by persons making no pretensions to legal learning, should not be made incautiously or without mature consideration.

The amount of public money appropriated to the support and maintenance of our public schools is an index to the interest felt by our people in their prosperity. I respectfully suggest that common school education is a subject which calls for your most careful and patient consideration. That there is need for changes in our present system cannot be doubted, but we should be careful that in attempting to cure existing defects we do not run into other and greater

ones. The property holders of the State pay the taxes levied for the support and maintenance of free schools, and have a right to know that the funds thus raised are faithfully disbursed and honestly applied to the objects for which they are paid. I therefore suggest that some superintendence should be had by the State, through a legally authorized agent, over this whole subject. The supervisory power over our school system should not be entrusted to incompetent or negligent agents, and the duties of those entrusted with this power should be clearly defined by law, and their performance strictly enjoined. The advantages and success of public schools depend upon the qualification and character of their teachers. I therefore think that some means should be devised to secure the employment of none but competent and attentive teachers. I withhold, however, any specific recommendation, desiring simply to present for your consideration the magnitude of the interests involved in this subject, with a full conviction that, after an interchange and comparison of views, you will take such action as your better judgment indicates as proper.

#### ELECTIONS.

I respectfully invite your attention to the subject of elections, all laws for the government of which should be framed with the view to secure to every qualified voter the right to give expression to his sentiments through the ballot-box, and at the same time guard against the perpetration of frauds at the polls. This subject, in my judgment, should not be overlooked or lightly considered, for upon the preservation of the purity of elections depends the perpetuity of our form of free government. I suggest for your consideration whether our polling districts are not too large, and whether their division into smaller districts, so as to afford the opportunity to challenge and canvass the legality of every vote offered, where there is the slightest doubt of the qualifications of the person presenting it legally to exercise the right of voting. The unwarrantable interference of the Federal government with the freedom of elections in this State, by assuming to determine the qualification of electors in the several States, and making voters of our negro population, against the provisions of our State Constitution and laws, calls for legislative action such as I have suggested. Would it not be well to consider whether application for assessment, either to Assessors or to the Levy Court, should not uniformly be made in person by those claiming the right to be assessed, and not through a third party?

I have learned through the public prints, and also from the representation of reliable citizens, that there were, on the day of the last general election in this State, persons at or near the polls in Appoquinimink hundred, and several other voting places in this State, falsely claiming to act as marshals under authority from the Federal

government, and assuming the right to interfere with the lawfully chosen election officers in the discharge of their duties. I recommend the passage of a law making such an offence a felony, punishable with the forfeiture of the right of suffrage, with such other penalties as the Legislature may deem expedient and proper, and the application of its provisions to all who may secure, solicit or encourage the perpetration of such offence.

#### STATE LINE.

On the first day of April, 1869, the General Assembly enacted a law entitled "An act to settle and determine the dividing line between this State and the Commonwealth of Pennsylvania." The first section of this act is as follows: "That his Excellency the Governor be, and he is hereby authorized to appoint two commissioners, to act in conjunction with like commissioners on the part of the Commonwealth of Pennsylvania, to settle, determine, and locate the line between this State and the Commonwealth of Pennsylvania, by extending the southern line of the Commonwealth of Pennsylvania until it intersects the circular line of this State, and such line shall, with the approval of the Congress of the United States, be forever deemed and held to be the true boundary of the said States." Being cognizant of the condition of the State finances, and knowing that the Treasurer was in doubt as to whether he would be able promptly to pay the interest on the State debt, while recognizing the fact that the enactment of the law might be interpreted as an expression of the legislative will, I was not without difficulty in determining what my official duty required. I soon became convinced, by consultation with persons familiar with the subject, that the cost of the surveys and other duties imposed by the act would be greatly in excess of the estimate of the Legislature, and not regarding the law as mandatory upon the Governor in reference to the time at which the duties imposed upon him should be performed, I determined to remit the whole subject to the Legislature, expressing my entire readiness to perform any duty which they may impose upon the Executive in reference to this subject. If it shall still be the will of the Legislature that the commissioners be appointed, and the surveys made, and other duties required by the law be performed, I beg to suggest that the law be modified in two particulars: first, that the Legislature fix the compensation of the commissioners, and limit the amount beyond which the Governor shall not draw to meet the entire expenses of the commission, surveys, and other duties connected therewith, leaving the final settlement to the Legislature; secondly, I suggest that the approval of the line, after it shall have been surveyed and marked, shall not be left exclusively with the Governor, but that some member or members of the Judiciary shall be appointed to act with the Governor in determining the question of the approval of such line.

## PENITENTIARY.

I recommended in two former biennial messages, for reasons therein stated, the establishment and maintenance of a penitentiary in this State. Much reflection, and an experience of six years in a position in which I have been required by constitutional provision "to take care that the laws be faithfully executed," have strengthened and confirmed the convictions heretofore entertained and expressed to the Legislature. In my opinion, the controlling motive in the enactment of criminal laws and the imposition of penalties as a punishment for crime, should be the protection of society. But the duty to protect society by the enactment of law for that purpose, imposes upon the law-making power another duty scarcely less imperative—to provide for the proper discipline, and afford the necessary means for the reformation of criminal convicts. While the law should be faithfully enforced, as a terror to evil-doers, it should be tempered with humanity, and mercifully directed to the reformation of its unfortunate victims, and their preparation for usefulness after its penalties shall have been exhausted. The separation of transgressors, and especially youthful ones, from wicked and depraved associates, is calculated to awaken their better sensibilities, and lead to reflection and self-examination, which have not unfrequently resulted in permanent reformation and the transformation of the indolent and vicious into useful and exemplary citizens.

No better discipline can be provided for the inmates of prisons than the requiring them to perform manual labor in some useful and profitable vocation during a reasonable number of hours of each day. Such exercise gives vigor to the body and food to the mind, and at the same time compels convicts to contribute, by daily toil, to their own support. I earnestly commend this subject to your consideration. If, after a comparison of views, you should be of opinion that the present condition of the State is not such as to justify an outlay sufficient for the consummation of such an enterprise, I respectfully recommend that a commission be appointed to examine the whole subject and report their conclusions at the next meeting of the Legislature. I further suggest the propriety of ascertaining, through some authorized agency, whether an arrangement can be effected with any penitentiary in one of the neighboring States, to receive, employ and take care of the convicts of this State, during such terms of imprisonment as may be imposed upon them by the courts.

## REVISED STATUTES.

I feel it my duty again to present for your consideration the importance of a revision of the statute laws of this State. Such a work, collecting together all State laws of a general nature, and the various acts relating to the same subject, in a consolidated and pro-

perly arranged form, would be of great public convenience and utility. The Revised Code of this State has been so altered and amended since its adoption as greatly to impair its usefulness. But if the Legislature should be of opinion that the importance of a new revision is not sufficient to justify the expenditure necessary to its accomplishment, I suggest that the publication of the Revised Code, as amended, would add greatly to the convenience of our courts, and public officers generally, but especially Justices of the Peace residing at a distance from the seats of justice, making it inconvenient to obtain the aid of legal advice.

#### PUBLIC BUILDINGS.

I cannot fail again to call the attention of the Legislature to the condition of the public buildings of the State. They require early attention, and should, at least, be put in a condition necessary to preserve them from unnecessary decay. I suggest whether the appointment of a superintendent of these buildings, with the authority to keep them in a proper state of preservation, would not be economy in the State.

#### STATE LIBRARY.

The State Library should receive prompt attention. The room appropriated for the purposes of the Library is entirely too small to enable the Librarian to keep the books in a proper state of preservation and convenience for reference. Hundreds of volumes of valuable books are packed in boxes or placed in the garret of the State House for want of space in the Library room to receive them. I respectfully suggest that the consideration of this subject should not be deferred. The large number of valuable books now on hand, with those we are constantly receiving through the courtesy of our sister States, ought not to be ruined or defaced for the want of means to preserve them.

#### REPRIEVES AND PARDONS.

In obedience to the requirements of the Constitution of this State, I herewith transmit a list of pardons, reprieves and remissions granted since the session of the Legislature in 1869, together with my reasons therefor. It may not be amiss in this connection to remark that the exercise of the pardoning power causes more anxious solicitude and perplexity than any duty devolved upon the Executive. The sympathies of society, claims of humanity, and appeals of relatives and friends, are often presented in such a way as to awaken the keenest and most touching sensibilities of our natures, and without the exercise of the greatest caution, there is great danger of being led into error by allowing sympathy for the unfortunate to induce too much interference with the judgment of the

Courts. This error I have tried to avoid, but at the same time have not been regardless of the appeals of justice or claims of humanity.

#### IMMIGRATION.

The subject of immigration has, since the termination of the late war, engaged the attention of the people of every section of this country, and especially of the north-western States, to an extent before unknown. The interest felt in this subject led to a convention of delegates at Indianapolis, in the State of Indiana, on the twenty-third day of November last, from twenty-two States and two Territories. At the request of this convention I have the honor herewith to transmit for your consideration the report of its committee on resolutions.

#### IMPROPER LEGISLATION.

Before closing this message, I believe it to be my duty to call attention to a class of legislation recently introduced in this State, which, in my judgment, is wrong in principle and unjust to our sister States. I allude to the granting of charters of incorporation for the transacting of business beyond the limits of this State, the majority of the corporators being non-residents of this and citizens of other States. The Legislature of each State is the proper authority to determine what corporations shall exist and transact business under corporate authority within its limits, and it will seldom happen that acts of incorporation will be refused by the Legislature of a State where the objects proposed are in consonance with the wishes or interest of the people thereof. While experience has shown that acts of incorporation are often necessary to facilitate the transaction of business, grave doubts exist as to the wisdom of multiplying them beyond the actual necessities of the business community. Corporate privileges tend to the aggregation of capital and the encouragement of combinations for the promotion of particular interests, which have led in other States to the exercise of dangerous influences upon legislation.

#### FEDERAL AFFAIRS.

The people of this State are deeply interested in the management of Federal affairs, and have the right to insist upon a wise and just administration of the Federal government under and within the limitations of the Constitution, and to demand that neither intimidation or coercion be resorted to to defeat or nullify the wish of the people of any State or any number of States having the right to speak in reference to any question where the interests of the whole are concerned.

In disregard of constitutional obligations, Congress and the Federal Executive have sought, by revolutionary means, to centralize and consolidate all political power in their own hands by attempting to



control elections in the States. Without the power by direct act to amend the Constitution or alter its provisions, and unable to secure the voluntary consent of the number of States requisite for that purpose, they have forced some of the Southern States to consent to proposed amendments of the Constitution as condition to representation in Congress, and have thereby nullified the legally expressed will of other States whose consent could not be secured and whose proper and legal relations with the Federal government had never been interrupted. Such action is a fraud upon the non-consenting States and upon the people of the whole country. It is a subject of congratulation, however, that the people in the late elections rebuked these acts of usurpation and tyranny, and we may well indulge the hope that the spirit of true patriotism will assert its superiority over party subserviency and remove from power the representatives of a political organization which has failed, during a period of five years of profound peace, to bring the country back to the healthy condition in which it found it at the time of its advent to power in 1860.

#### SUFFRAGE.

The question of suffrage has received so much attention for the last few years, and was so fully discussed in the late political canvass in this State, that I deem it unnecessary to do more than allude to the subject. Until recently no political party in the country has ventured to claim for the Federal government any authority to determine the qualification of electors in the States, or to interfere with the just rights of the people of every State to determine all matters connected with their own local elections. The "Fifteenth Amendment," adopted by fraud and coercion, and in opposition to the will of the white people of the country, has been condemned by the popular voice in almost every State of the Union, and in none more signally than our own. Its effects upon both races must prove injurious, and it is to be hoped that its condemnation by the people of the country will, at no distant day, lead to its repeal as a part of the Federal Constitution.

Having submitted these views, upon such subjects as seem to require your consideration, I cannot, in conclusion of this last official communication which it will become my duty to make to the Representatives of the people, fail to express my profound obligation to the officers in the different departments of the State government for the aid they have constantly given me in the discharge of the responsible duties of the office from which I am soon to retire, and to the people of the State for their uniform kindness and encouragement in the performance of duties where conflicting interests rendered differences of opinion unavoidable.

GOVE SAULSBURY.

Dover, January 3, 1871.

*A LIST of Reprieves and Pardons granted by the Governor of the State of Delaware since the Sixth day of January, A. D. 1869.*

NAME.	CRIME.	In what Court convicted & sentenced.	SENTENCE.	Action Of Governor.	DATE.	Grounds of Reprieve, Pardon and Remission.
Collingwood Hallett.	An Assault.	General Sessions of the Peace and Jail Delivery, Oct. Term, A. D. 1869, Sussex Co.	To pay costs of prosecution, a fine of \$200, and be imprisoned 3 years.	Remission of imprisonment.	1869. Febru'y 16	The Governor was induced to make this remission by the urgent solicitations of many respectable citizens of Sussex county, but principally because the payment of the fine and costs of prosecution was a punishment sufficient for the offence committed.
Charles Davis..	Highway Robbery.	General Sessions of the Peace and Jail Delivery, Nov. Term, A. D. 1866, New Castle Co.	Pay costs of prosecution, a fine of \$500, stand in pillory 1 hour, be whipped with 40 lashes and imprisoned four years.	Remission of all the sentence that had not been executed.	1870. March 28.	The Governor granted the remission in this case because it had been represented to him that the said Davis was induced by others to commit this crime while in a state of intoxication. The Governor also believed that the prisoner had suffered a punishment sufficient by his long imprisonment and whipping inflicted.
Henry. McKennon.	Larceny.	General Sessions of the Peace and Jail Delivery, May Term, A. D. 1870, New Castle Co.	Pay restitution money, costs, be whipped with 10 lashes, and imprisoned two months.	Pardon.	1870. May 25.	The Attorney-General made written application to the Governor to grant the pardon in this case, stating that the said Henry McKennon by some misunderstanding had pleaded guilty, and was unjustly sentenced by said Court in his (the Attorney-General's) absence.
Wm. Peckering.	Larceny.	General Sessions of the Peace and Jail Delivery, May Term, A. D. 1868, New Castle Co.	Pay restitution money and costs, be whipped and imprisoned.	Remission of all the sentence that had not been executed.	1870. August 10.	The prisoner having suffered from the lash, his long term of imprisonment having expired, and his conduct in prison being exemplary, were the facts which, in connection with the earnest solicitations in his behalf by many good citizens, induced the Governor to grant the remission in this case.
Wm. Peckering.	Larceny.	General Sessions of the Peace and Jail Delivery, May Term, A. D. 1868, New Castle Co.	Pay restitution money and costs, be whipped and imprisoned.	Remission of all the sentence that had not been executed.	1870. August 10.	This is the prisoner to whom the Governor granted the remission here next above mentioned. The reasons assigned for Executive interference in that case are the controlling reasons for the issuing the pardon in this.

Jacob Leimberger.	Larceny.	General Sessions of the Peace and Jail Delivery, Nov. Term, A. D. 1859, New Castle Co.	Pay restitution money and costs, be whipped with 20 lashes and imprisoned 1 year, commencing Dec. 7, 1859, and ending Dec. 6, 1860.	Pardon.	1870. October 3.	Under said sentence the said Jacob Leimberger received the twenty lashes and served out one month and twenty-one days of his imprisonment. The remainder of said term having been remitted by Governor Burton on the 28th day of January, A. D. 1860. Governor Saulsbury believed that the law had been fully vindicated by the punishment already suffered, without carrying into execution, at this late day, the remainder of said sentence, and therefore granted a full pardon of the offence committed.
Lucias T. F. Reed.	Larceny.	General Sessions of the Peace and Jail Delivery, Nov. Term, A. D. 1870, New Castle Co.	Pay restitution money and costs, be whipped with 10 lashes, imprisoned 6 months.	Remission of whipping.	1870. December 6.	This remission was made upon the representation of the Jail Physician that the prisoner had lost an arm, and had received a gun-shot wound in the breast, which is still unhealed and open, and that by reason thereof he is very feeble in health and incapable of sustaining the infliction of the ten lashes imposed by the sentence and judgment of said Court. The Chief Justice, Associate Judges, Attorney-General and the twelve Jurors empanelled in the case also recommended the remission of that portion of the sentence which requires the said Reed to be whipped with ten lashes.
Hugh Sweeney.	Assault, with intent to kill.	General Sessions of the Peace and Jail Delivery, Nov. Term, A. D. 1870, New Castle Co.	Pay costs of prosecution and a fine of \$1000, stand in pillory one hour and be imprisoned 5 years.	Remission of Pillory.	1870. December 8.	This remission was made upon the representation and petition of the most respectable and responsible citizens of New Castle county.— Their representation of a belief on the part of the prisoner that the person upon whom the assault was committed had been instrumental in inveigling from her home the daughter of the prisoner, and causing her to be conveyed away beyond the reach or knowledge of her parents. The expression of opinion of the petitioners that there was some reason to believe he was wrongfully convicted, which opinion was founded in part upon the avowal of a younger brother that he alone had committed the assault; and further, that if under the circumstances, the prisoner was guilty, the Governor considered the imposition of a fine of \$1000, and imprisonment for five years adequate punishment.

A LIST OF BOOKS RECEIVED FOR THE USE OF THE  
STATE OF DELAWARE SINCE JANUARY 5, A. D.  
1869.

ALABAMA.	Vol.	No. of Vols.
State Reports,.....	42	1
“ “ .....	43	1
Laws of 1868,.....		2
ARKANSAS.		
State Constitution,.....		1
Constitutional Debates, 1868.....		1
Laws of 1868-9.....		1
CALIFORNIA.		
Reports, (Hale,).....	34	1
“ “ .....	35	1
“ “ .....	36	1
“ (Robinson,).....	38	1
Laws of 1869-70.....		2
Supplement to Laws, 1869-70.....		2
Senate Journal, 18th Session,.....		2
Assembly Journal, 18th Session,.....		2
Appendix to Journal of Senate and Assembly,.....		2
COLORADO.		
Laws of 1870,.....		1
Council Journal, 1870,.....		1
House “ “ .....		1
CONNECTICUT.		
State Reports,.....	34	1
“ “ .....	35	1
Public Laws, 1866 to 1870,.....		4
Private Laws,.....		1
Agricultural Report, 1869.....		1
Colonial Records, 1706-1716.....		1
FLORIDA.		
State Reports,.....	12	1
Laws of 1868.....		1

## GEORGIA.

	Vol.	No. of Vols.
Reports, (Lester,).....	32	1
“ (Bleckley,).....	34	1
“ “.....	35	1
“ (Hammond,).....	36	1
“ “.....	37	1
“ “.....	31	1
Digest of State Reports, (Bacon,).....		1
Laws of 1868-9.....		2
Code, 1868, (Irwin).....		1
Senate Journals, 1868-9.....		2
House “ “.....		2
Library Catalogue.....		1

## ILLINOIS.

Reports, (Freeman). ....	41	1
“ “.....	42	1
“ “.....	43	1
“ “.....	44	1
“ “.....	45	1
“ “.....	46	1
“ “.....	47	1
“ “.....	48	1
“ “.....	49	1
Laws of 1869.....		2
Private Laws, 1864.....		4
Senate Journal, 1869.....		2
House “ “.....		3
Reports of General Assembly, 1869....		3
Agricultural Report, 1867-8.....		1

## INDIANA.

Reports, (Harrison).....	28	1
“ “.....	29	1
“ (Black).....	30	1
“ “.....	31	1
Laws, 1861 to 1869.....		6
Adjutant-General's Report, (Terrell)...		8

## IOWA.

Reports, (Stiles).....	23	1
“ “.....	24	1
“ “.....	25	1
“ “.....	26	1
House Journal, 1868.....		2
Senate “ “.....		2

## KANSAS.

	Vol.	No. of Vols.
Reports, (Banks).....	4	1
General Statutes, 1868.....		2
Laws of 1870.....		2
Senate Journal, 1870.....		1
House " ".....		1

## KENTUCKY.

Reports, (Bush).....	1	1
" ".....	2	1
" ".....	3	1
" ".....	4	1
" ".....	5	1

## MAINE.

State Reports.....	54	1
" ".....	55	1
Laws of 1868-9.....		2
Collections of Historical Society.....	1	1
Agricultural Report, 1868.....		1
Legislative Manual, 1869.....		1

## MARYLAND.

State Reports.....	23	1
" ".....	25	1
" ".....	26	1
" ".....	28	1
Reports, (Stockett).....	27	1
" ".....	29	1
" ".....	30	1
" ".....	31	1
Alexander's British Statutes.....		1
Laws of 1870.....		1
Senate Journal, 1870.....		1
House " ".....		1

## MASSACHUSETTS.

State Reports.....	97	1
" ".....	99	1
" ".....	100	1
Reports, (Allen).....	14	1
" (Gray).....	15	1
State Reports.....	98	1
Laws of 1860-5.....		2
Acts and Resolves, 1868-9-70.....		6
Laws and Resolves, 1870.....		2

## MASSACHUSETTS—CONTINUED.

Vol. No. of Vols.

Acts and Resolves of the Province of Massachusetts Bay, 1692-1714.....		1
Public documents, 1867 to 1869.....		12

## MICHIGAN.

Reports, (Jannison).....	17	1
“ “ .....	18	1
Laws of 1868-9-70.....		4
School Laws, 1869.....		1
School Reports, 1868-9.....		2
Agricultural Reports, 1868-69.....		2
Senate Journal, 1869.....		2
House “ “ .....		3
Joint Documents, 1868-9.....		2

## MINNESOTA.

State Reports.....	12	1
“ “ .....	13	1
“ “ .....	14	1
Revised Statutes.....		1
Laws of 1868-9.....		1
Senate Journals, 1868-9.....		2
House “ “ .....		2
Executive Documents, 1868-9.....		3

## MISSISSIPPI.

State Reports.....	63	1
Laws, 1868 to 1870.....		3
Senate Journal, 1870.....		2
House “ “ .....		2

## MISSOURI.

Reports, (Post).....	42	1
“ “ .....	43	1
“ “ .....	44	1
“ “ .....	45	1
Laws of 1867.. .....		1
Insurance Report, 1870.....		2

## NEVADA.

Reports, (Helm).....	4	2
Laws of 1869.....		2
Senate Journal, 1869.....		2
House “ “ .....		2

## NEW HAMPSHIRE.

	Vol.	No. of Vols.
Reports, (Hadley).....	47	1
Laws of 1868-9.....		3
General Statutes, 1867 .....		1
Senate Journal, 1868-9.....		2
House " " .....		2

## NEW JERSEY.

Reports, (Vroom,).....	32	1
Equity Reports, (Green,).....	19	1
Laws of 1869.....		1
Senate Journal, 1869.....		1
Assembly Minutes, 1869.....		1
Legislative Documents, 1869.....		1
Geology and Maps, 1868.....		2

## NEW YORK.

Reports, (Barbour,).....	41	1
" " .....	52	1
" " .....	53	1
" " .....	54	1
" (Tiffany,).....	38	1
" " .....	39	1
" (Hand,).....	40	1
" " .....	41	1
" (Lansing,).....	1	1
Criminal Reports, (Parker,).....	6	1
Laws of 1869-70.....		4
Senate Journal, 1868.....		1
Senate Documents, 1868-9.....		15
House Journal, 1868.....		2
Assembly Documents, 1868-9.....		27
Journal of Convention, 1867-8.....		1
Convention Debates " .....		5
Convention Documents, " .....		5
Revision Documents " .....		1
Annotated Constitution, (Hough,).....		1
Manuals, 1869-70.....		2
Library Reports, 1869-70.....		2
Prison " 1869.....		3
Regents " " .....		2
Insurance " " .....		3

## NORTH CAROLINA.

Reports, (Phillips,).....	63	1
" " .....	64	1
Laws 1864 to 1870.....		4



## OHIO.

	Vol.	No. of Vols.
Reports, (Critchfield,).....	7	1
“ “ .....	18	1
Laws, 1868 to 1870.....		3
Supplement to Revised Statutes, (Swan and Saylor,).....		1
Digest of State Reports.....		1
Senate Journals, 1867 to 1869.....		3
House “ “ .....		3
Executive Documents, “ .....		6
Statistics, 1867-8.....		2
Auditor's Report, 1867.....		2
Railroad “ 1867-8.....		1
Adjutant General's Report, 1867.....		1
Secretary of State's Report, 1867.....		1
School Report, 1867.....		1
Insurance Report, 1867.....		1
Agricultural Report, 1866 to 1868....		3
Library Report, 1867.....		1
Report of Board of Public Works, '67.		1
State Pamphlets, in all.....		45

## OREGON.

Reports, (Wilson,).....	2	1
-------------------------	---	---

## PENNSYLVANIA.

Reports, (Smith).....	56	1
Laws of 1869-70.....		2
School Laws and Decisions.....		1
Senate Journal, 1869-70.....		2
House “ “ .....		2
Executive Documents.....		2
Legislative Documents, 1869-70.....		2
“ Hand Book, “ .....		2
School Report, 1868-9.....		1
Auditor's Report, 1869.....		2
Railroad “ 1868.....		1

## RHODE ISLAND.

Laws of 1869-70.....	2
----------------------	---

## SOUTH CAROLINA.

Law and Equity Reports.....	1
Equity Reports, (Richardson,).....	12
“ “ “ .....	13

SOUTH CAROLINA—CONTINUED.		Vol.	No. of Vols.
Law Reports, (Richardson).....	14	1	
“ “ “ .....	15	1	
Laws, 1860 to 1870.....		10	
TENNESSEE.			
Reports, (Coldwell,).....	4	1	
“ “ .....	5	1	
“ “ .....	6	1	
Laws, 1867 to 1870.....		4	
Senate Journals, 1867 to 1870.....		4	
House “ “ .....		4	
Appendix to Senate and House Jour- nals, 1867 to 1870.....		6	
Constitutional Convention, 1870.....		1	
Geology, (Safford,).....		1	
Public Instruction, 1869.....		1	
TEXAS.			
Reports, (Walker,).....	25	1	
“ (Paschal,).....	25	1	
“ “ .....	28	1	
UNITED STATES.			
Statutes at large, 2d Session 40th Con- gress.....		32	
Statutes at large, 3d Session 40th Con- gress.....		33	
Statutes at large, 1st Session 41st Con- gress.....		29	
Statutes at large, 2d Session 41st Con- gress. . . . .		31	
Statutes at large, 1867 to 1869.....	15	1	
House Journal, 2d Session 40th Con- gress.....		3	
House Journal, 3d Session 40th Con- gress.....		3	
Two sets of Documents of 2d Session 40th Congress, in all.....		96	
Two sets of Documents of 3d Session 40th Congress, in all.....		56	
Astronomical Observations, 1866.....		1	
Agricultural Report, 1867.....		4	
Chief Engineer's Report, 1868.....		1	
Mineral Resources, 1868.....		1	
Official Register, 1869.....		1	
Diplomatic Correspondence, 1868.....		2	

VERMONT.	Vol.	No. of Vols.
Reports, (Veazey,).....	40	1
“ “ .....	41	1
Laws of 1868-9.....		2
Senate Journals, 1867 to 1869.....		3
House “ “ .....		3
Legislative Documents, 1868-9.....		2
Manual, 1868-9.....		2
Registration Reports, 1866 to 1868....		2
Journal of Censors, 1869.....		1
Constitutional Convention, 1870.....		1
Transactions of Dairymen's Association, 1870.....		1
Collections of Historical Society.....	1	1
VIRGINIA.		
Reports, (Grattan,).....	43	1
WISCONSIN.		
State Reports.....	21	1
“ .....	22	1
“ .....	23	1
“ .....	24	1
Laws, 1868 to 1870.....		3
Private Laws, 1870. ....		1
Digest of Reports.....		1
Digest of Laws, 1858 to 1868.....		1
Senate Journal, 1870.....		1
House “ .....		1
Message and Documents, 1870.....		1

On motion of Mr. Ellis,

The Clerk was instructed to have five hundred copies of the Governor's message printed for the use of the Senate.

Mr. Lesley offered a joint resolution,

Which,

On his motion,

Was read, as follows :

*Resolved by the Senate and House of Representatives in General Assembly met, That when the two Houses adjourn on Thursday morning next they adjourn to meet on Monday next at 3 o'clock, P. M.*

On motion of Mr. Denney,

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

WEDNESDAY, January 4, 1871—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Russel, from the committee appointed to draft rules for the government of the Senate, submitted a report,

Which,

On his motion,

Was read, as follows :

RULE 1. Every member shall be in his place at the time to which the Senate stands adjourned.

RULE 2. Every day, before the Senate proceeds to other business the Clerk shall call the names of the members in alphabetical order, and shall read the journal of the preceding day, which may be corrected by a vote of the Senate.

RULE 3. No member shall be allowed to speak upon any subject more than three times, except in explanation, without leave obtained through the Speaker.

RULE 4. No member shall be allowed to interrupt another while speaking, unless on points of order, and then only through the Speaker; and no member shall be referred to by name in debate.

RULE 5. The Speaker himself, or at the request of any member, may call to order.

RULE 6. Questions of order shall be determined by the Speaker, from whose decision an appeal may be had to the Senate at the request of any member.

RULE 7. No debate shall take place on a question of order, unless an appeal be taken from the decision of the Speaker.

RULE 8. The Speaker shall appoint all committees, unless the Senate shall otherwise direct.

RULE 9. Every committee shall report within five days of actual session of the Senate from the time of their appointment, or furnish reasons why a report has not been made.

RULE 10. All motions and resolutions, except for the reading of bills, the daily adjournment of the Senate, or any motion to refer any subject, or postpone, shall, if required by the Speaker or any member

be reduced to writing by the mover, and, if seconded, shall be repeated by the Speaker to the Senate before any debate or decision is had thereon.

RULE 11. Every motion on which a vote is taken shall be entered on the journal, and (except motions for adjournment) the name of the member moving the same.

RULE 12. Petitions, memorials, and other papers addressed to the Senate, shall be presented by the Speaker or a member, who shall briefly state the contents thereof.

RULE 13. When a question has been decided in the affirmative or negative, any member who voted in the majority may move for reconsideration thereof at any time within three days of actual session of the Senate, and the word "majority" shall, in the application of this rule, be construed to mean not the greater number of votes, but such number as was sufficient to prevail in the decision of the original question.

RULE 14. Every bill shall be introduced by motion for leave, by order of the Senate, or by report of a committee, and one day's notice at least shall be given of an intended motion for leave to bring in a bill.

RULE 15. Every bill shall receive three readings in the Senate previous to its passage, and no bill shall be read twice on the same day without special order of the Senate.

RULE 16. All bills ordered to be engrossed shall be certified by the Clerk, noting the day of passing at the foot thereof.

RULE 17. All messages from the Senate to the House of Representatives shall be conveyed by the Clerk or a member.

RULE 18. All bills and resolutions which the standing rules of the Senate require to be three several times read, may be amended at any time before they are taken up for the third or final reading, and no amendment shall afterwards be made, so as to materially change or alter their meaning.

RULE 19. When a message is brought to the Senate by a member of the House, or any officer of the State, the members shall rise upon their feet.

RULE 20. The rules of Parliamentary practice, comprised in Jefferson's and Matthews' Manual, shall govern the Senate in all cases to which they are applicable and in which they are not inconsistent with the standing rules of the Senate.

RULE 21. A vote of the majority shall prevail, except in special cases to the contrary.

RULE 22. A special order, as provided for in Rule 15, shall be granted upon a vote of a majority of all the members.

RULE 23. All resolutions offered in the Senate shall, at the request of any member, be laid over for at least one day of actual session.

RULE 24. Unless otherwise ordered by a majority, the Senate shall meet every day (Sunday excepted,) at ten o'clock in the morning, and three o'clock in the afternoon.

The Speaker presented the petition of Mary Ann Dunham, asking the passage of an act to divorce her from her husband, Aaron Dunham,

Which

On his motion,

Was read,

And further,

On his motion,

Was referred to the Committee on Divorces.

Mr. Watson presented the petition of Annie G. Booth, of the town of Milford, asking the passage of an act to divorce her from her husband, William Booth,

Which,

On his motion,

Was read,

And further,

On his motion,

Was referred to the Committee on Divorces.

Mr. Penington, Clerk of the House, being admitted, presented certain official documents accompanying the Governor's Message.

Mr. Records offered a resolution,

Which,

On his motion,

Was read, as follows:

*Resolved*, That the Clerk of the Senate be requested to furnish each member of the Senate with a copy of the Revised Code; also with a copy of the Eleventh, Twelfth and Thirteenth Volumes of the Laws of Delaware.

Mr. Penington, Clerk of the House, being admitted, informed the Senate that the House had concurred in the joint resolution of adjournment.

Mr. Records offered the following resolution :

Which,

On his motion,

Was read, as follows :

*Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, That there be appointed a joint committee of two on the part of the Senate, and three on the part of the House, to prepare joint rules for the government of intercourse between the two Houses.*

On motion,

The Senate adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The Senate met pursuant to adjournment.

The Speaker, on the part of the Senate, appointed Messrs. Records and Watson as the joint committee on joint rules.

The Speaker gave notice that he would on to-morrow or some future day, ask leave to introduce a bill entitled

"An act to incorporate the German Mutual Beneficial Society of Wilmington, Delaware."

On motion of Mr. Watson,

A committee of three was appointed on unfinished business.

The Speaker appointed Messrs. Watson, Ellis and Vandegrift.

Mr. Denney moved,

That as much of the Governor's message as referred to "public buildings" be referred to a committee of three, with leave to report by bill or otherwise,

Which motion

*Prevailed.*

Whereupon,

Messrs. Denney, Lesley and Records were appointed said committee.

Mr. Russel moved

That so much of the Governor's message as referred to "oyster-beds" be referred to a committee of three, with leave to report by bill or otherwise,

Which motion

*Prevailed.*

Whereupon,

Messrs. Russel, Denney and Vandegrift were appointed said committee.

Mr. Records moved

That so much of the Governor's message as referred to the Revised Statutes be referred to a committee of three, with leave to report by bill or otherwise,

Which motion

*Prevailed.*

Whereupon,

Messrs. Records, Mustard and Vandegrift were appointed said committee.

Mr. Lesley moved

That so much of the Governor's message as referred to Delaware College be referred to a committee of three, with leave to report by bill or otherwise,

Which motion

*Prevailed.*

Whereupon,

Messrs. Lesley, Denney and Ellis were appointed said committee.

Mr. Records moved

That so much of the Governor's Message as referred to "public schools," be referred to a committee of three, with leave to report by bill or otherwise,

Which motion

*Prevailed.*

Whereupon,

Messrs. Records, Lesley and Watson were appointed said committee.

Mr. Denney moved



That so much of the Governor's message as referred to Finance  
be referred to the Committee on Finance,

Which motion

*Prevailed.*

Mr. Records moved

That so much of the Governor's message as referred to Elections  
be referred to the Committee on Elections,

Which motion

*Prevailed.*

On motion,

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

THURSDAY, January 5, 1871—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The Speaker, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Records,

Obtained leave to introduce a bill entitled,

"An act to incorporate the German Mutual Beneficial Society of  
Wilmington, Delaware,"

Which,

On his motion,

Was read.

Mr. Watson, chairman of the Committee on Divorces, reported  
the following bills, to wit:

"An act to divorce Annie G. Booth from her husband;" and

"An act to divorce Mary Ann Dunham from her husband,"

Which,

On his motion,  
Were read.

Mr. Denney presented the petition of Wm. H. Hobson and forty others with respect to the "protection of oyster beds,"

Which,

On his motion,

Was referred to the committee already raised on that subject.

Mr. Penington, Clerk of the House, being admitted, informed the Senate that the House had adopted the report of the joint committee on rules.

Mr. Records, from the joint committee on joint rules, reported the following:

JOINT RULES FOR THE GOVERNMENT OF INTERCOURSE BETWEEN THE  
TWO HOUSES.

RULE 1. In every case of an amendment to a bill, or any other matter agreed to in one House and dissented to in the other, if either House shall request a conference and appoint a committee for that purpose, and the other House shall also appoint a committee to confer, such committee shall, at a convenient hour, to be agreed on by their chairman, meet in the Conference Chamber, and state to each other, verbally or in writing, as either shall choose, the reasons of their respective Houses for and against the amendment or other matter of disagreement, and confer freely thereon.

RULE 2. When a message shall be sent from either House to the other, it shall be announced at the door of the House to which it is sent, by the Sergeant-at-Arms, and shall be respectfully communicated to the Chair by the person by whom it may be sent.

RULE 3. Messages shall be sent by such persons as a sense of propriety in each House may determine to be proper.

RULE 4. While bills or joint resolutions are on their passage between the two Houses, they shall be on paper and under the signature of the Clerk of each House respectively.

RULE 5. After a bill or joint resolution shall have passed both Houses, it shall be duly enrolled by the Clerk of the House in which it originated, and shall be examined by a committee of each House, respectively, who shall carefully compare the enrollment with the original as passed by both Houses, and after correcting any errors that may be discovered in the enrolled copy, shall make report to their respective Houses.

RULE 6. After examination and report, each bill or joint resolution shall be signed in their respective Houses, first by the Speaker of the House in which it originated.

RULE 7. When a bill or resolution which shall have passed in one House is rejected in the other, notice thereof shall be given to the House in which the same shall have passed.

RULE 8. Each House shall transmit to the other all papers on which any bill or joint resolution may be founded.

RULE 9. After each House shall have adhered to their disagreement, a bill or resolution shall be lost.

On motion of Mr. Records,

The report was

*Adopted.*

On motion,

The Senate adjourned until 3 o'clock on Monday.

---

MONDAY, January 9th, 1871—3 o'clock, P. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The Speaker presented the petition of Martha J. Dickson, of the City of Wilmington, Del., praying the passage of an act divorcing her from her husband, James A. Dickson,

Which,

On motion of Mr. Records,

Was read,

And further,

On his motion,

Was referred to the Committee on Divorces.

Mr. Penington, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in a joint resolution appointing a committee to examine the accounts of the State Treasurer.

On motion of Mr. Records,

The joint resolution just received from the House,

Was read,

And further,

On his motion,

Was

*Concurred in.*

Whereupon,

Messrs. Records and Lesley were appointed said committee on the part of the Senate.

*Ordered* that the House be informed thereof, and the joint resolution returned to that body.

Mr. Lesley offered a joint resolution concerning Volume 13 of the Laws of Delaware,

Which,

On his motion,

Was read,

And,

On his further motion,

Was referred to the Committee on Claims.

Mr. Penington, Clerk of the House, being admitted, informed the Senate that the House had passed a joint resolution convening the two Houses on Wednesday, January 11th, 1871, at 11 o'clock, A. M. for the purpose of counting the votes cast for Governor at the late election, and requested the concurrence of the Senate in the same; and that Mr. Newton had been appointed teller on the part of the House.

On motion of Mr. Russel,

The joint resolution just received from the House,

Was read,

And further,

On his motion,

Was

*Concurred in.*

Whereupon,

Mr. Russel was appointed teller on the part of the Senate.

*Ordered* that the House be informed thereof and the joint resolution returned to that body.

On motion of Mr. Vandegrift,

The Senate bill entitled,

"An act to divorce Mary Ann Dunham and Aaron Dunham, her husband, from the bonds of matrimony,"

Was read a second time by its title.

Mr. Lesley gave notice that he would on to-morrow or some future day ask leave to introduce a bill entitled,

"An act relating to Notaries Public."

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

"A further additional supplement to the act entitled, 'An act to extend the time for recording deeds.'"

Mr. Denney, from the special committee to which was referred the petition of Wm. H. Hobson, and others, praying for the passage of an act for the protection of oysters, reported a bill,

Which,

On his motion,

Was read.

On motion of Mr. Vandegrift,

The Senate bill entitled,

"An act to incorporate the German Mutual Beneficial Association of Wilmington, Delaware,"

Was read a second time by its title,

And further,

On his motion,

Was referred to the Committee on Corporations.

On motion of Mr. Lesley,

The House bill entitled,

"A further supplement to the act entitled, 'An act to extend the time for recording deeds,'"

Was read.

Mr. Records then moved that rule 15 be suspended,

Which motion

*Prevailed.*

And the rule was so

*Suspended.*

On motion of Mr. Lesley,

The bill was read a second time by its title,

And further,

On his motion,

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

And

*Passed the Senate.*

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

Mr. Russel gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled,

"An act to amend an act incorporating the Cedar Creek Navigation Company, passed at Dover, February 23d, 1869."

On motion,

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

TUESDAY, January 10, 1871—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The Speaker presented the petition of James L. Carpenter and twenty-four others, praying the passage of an act to incorporate the City Market House Company of Wilmington, Delaware,

Which,

On motion of Mr. Russel,

Was read,

And further,

On his motion,

Was referred to the Committee on Corporations.

On motion of Mr. Watson,

The Senate bill entitled,

"An act to divorce Annie G. Booth and her husband, William Booth, from the bonds of matrimony,"

Was read a second time by its title.

Mr. Lesley, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Records,

Obtained leave to introduce a bill entitled,

"An act relating to Notaries Public of Banks,"

Which,

On his motion,

Was read.

On motion of Mr. Vandegrift,

The Senate bill entitled,

"An act to divorce Mary Ann Dunham from her husband, Aaron Dunham,"

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

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

Mr. Ellis called for the yeas and nays,

Which, being taken, were as follows:

*Yeas*—Messrs. Denney, Lesley, Mustard, Russel, Vandegrift, Watson and Mr. Speaker—7.

*Nays*—Messrs. Ellis and Records—2.

So the question was decided in the affirmative,

And the bill

*Passed the Senate.*

*Ordered* to the House for concurrence.

Mr. Watson presented the petition of D. C. Godwin and ninety-one others, praying the passage of an act for the protection of small birds,

Which,

On his motion,

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

Whereupon,

The Speaker appointed Messrs. Watson, Ellis and Lesley as such committee.

Mr. Watson gave notice that he would, on to-morrow or some future day, introduce a bill entitled,

"An act to amend Chapter 47 of the Revised Statutes of the State of Delaware."

Mr. Russel, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Records,

Obtained leave to introduce a bill entitled,

"An act to amend an act incorporating the Cedar Creek Navigation Company,"

Which,

On his motion,

Was read.

Mr. Watson presented the petition of H. C. M. Ely, praying the passage of an act changing his name,

Which,

On his motion,

Was read,

And further,

On his motion,

Was referred to a special committee of three, with leave to report by bill or otherwise.

Whereupon,

The Speaker appointed Messrs. Watson, Vandegrift and Records said committee.

Mr. Lesley offered a joint resolution appointing bank directors,

Which,

On his motion,

Was read,

And further,



On his motion,

Was

*Adopted.*

*Ordered* to the House for concurrence.

Mr. Watson presented the claim of William B. Lowery & Co., of Milford, Delaware, for printing,

Which,

On his motion,

Was read,

And further,

On his motion,

Was referred to the Committee on Claims.

The Speaker presented to the Senate a communication from the State Treasurer in relation to the payment of counsel employed by him in the railroad suits, authorized by act of the General Assembly,

Which,

On motion of Mr. Watson,

Was read,

And further,

On his motion,

Was referred to the Committee on Claims.

Mr. Russel, from the Committee on Corporations, to whom was referred the Senate bill entitled,

"An act to incorporate the German Mutual Beneficial Society, of Wilmington, Delaware,"

Reported the bill back to the Senate with an amendment,

Which,

On his motion,

Was read, as follows :

"Amend the bill by striking out all after the word "seal" in Section 2,"

And,

On his further motion,

The amendment was

*Adopted.*

And, thereupon,

Upon his further motion,

The bill, as amended, was read a third time, and by paragraphs,  
in order to pass the Senate,

And,

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

The yeas and nays were ordered,

Which, being taken, were as follows:

*Yeas*—Messrs. Denney, Ellis, Lesley, Mustard, Records, Russel,  
Vandegrift, Watson and Mr. Speaker—9.

*Nays*—None.

So the question was decided in the affirmative,

And the bill, having received the constitutional majority,

*Passed the Senate.*

*Ordered* to the House for concurrence.

On motion,

The Senate adjourned until 3 o'clock, P. M.

---

SAME DAY—3 o'clock, P. M.

The Senate met pursuant to adjournment.

The Speaker presented the petition of Lisetta Fish, praying the  
passage of an act divorcing her from her husband,

Which,

On motion of Mr. Watson,

Was read,

And further,

On motion of Mr. Records,

Was referred to the Committee on Divorces.

Mr. Watson, from the Committee on Divorces, reported a bill  
entitled,

"An act to divorce Martha J. Dickson and James A. Dickson, her husband, from the bonds of matrimony,"

Which,

On his motion,

Was read.

Mr. Records presented the petition of John W. West, and 116 others, praying the passage of an act annulling a land warrant to Joshua S. Burton,

Which,

On his motion,

Was read,

And further,

On his motion,

Was referred to the Committee on Vacant Lands.

On motion,

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

---

WEDNESDAY, January 11, 1871—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Watson presented the petition of Hettie Frame, asking the passage of an act divorcing her from her husband, Robert Frame,

Which,

On his motion,

Was read,

And further,

On his motion,

Was referred to the Committee on Divorces.

Mr. Watson moved

That the bill entitled,

"An act to divorce Annie Booth from her husband,"

Be read a third time, and by paragraphs, in order to pass the Senate.

Which motion

*Prevailed.*

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

Mr. Lesley called for the yeas and nays,

Which, being taken, were as follows :

*Yeas*—Messrs. Russel, Vandegrift, Watson and Mr. Speaker—4.

*Nays*—Messrs. Denney, Lesley, Mustard and Records—4.

So the question was decided in the negative,

And the bill was

*Lost.*

Mr. Penington, Clerk of the House, being admitted, informed the Senate that the House would be ready in fifteen minutes to receive the Senate in the Hall of the House of Representatives, in joint meeting, for the purpose of opening and publishing the returns of the election for Governor.

The Senators, in conformity with the joint resolution convening the two Houses in joint meeting to open and publish the vote for Governor, proceeded to the Hall of the House of Representatives, preceded by their Speaker and accompanied by their Clerk.

## JOINT MEETING.

HALL OF THE HOUSE OF REPRESENTATIVES, {  
January 11, 1871—11 o'clock, A. M. }

The two Houses of the General Assembly being convened in joint meeting,

On motion of Mr. Smith, of the House,

The resolution convening them

Was read.

Charles Gooding, Esq., Speaker of the Senate, thereupon opened and published the official returns of the elections in the several counties of this State for Governor, from which it appeared that on the Tuesday next after the first Monday in November last, A. D. 1870, there were given

## FOR JAMES PONDER,

In New Castle county.....	5,455 votes.
" Kent county.....	3,315 "
" Sussex county.....	3,689 "
Total .....	<u>12,459</u> "

## FOR THOMAS B. COURSEY,

In New Castle county.....	5,358 votes.
" Kent county.....	2,376 "
" Sussex county.....	2,208 "
Total.....	<u>9,942</u> "

Majority for James Ponder..... 2,517 votes.

James Ponder, having a majority of the votes, was declared by the Speaker of the Senate to have been duly elected Governor of the State of Delaware, on the Tuesday next after the first Monday in November last, for the constitutional term of four years from the third Tuesday of January, instant.

The Speaker of the Senate, and the Speaker of the House of Representatives, then signed two certificates of the election of Governor, which were attested by the Clerks of the respective Houses.

On motion of Mr. Russel, of the Senate,

The certificates of the election of Governor

Were read.

On motion of Mr. Lesley, of the Senate,

The two Houses separated, and the members of the Senate returned to their Chamber.

On motion,

The Senate adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The Senate met pursuant to adjournment.

Mr. Watson moved

That the bill entitled,

"An act to divorce Martha J. Dickson and James A. Dickson, her husband, from the bonds of matrimony,"

Be read a second time by its title.

Which motion

*Prevailed.*

Thereupon,

The bill was read a second time by its title.

Mr. Watson, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Denney,

Obtained leave to introduce a bill entitled,

"An act to amend Chapter 47 of the Revised Statutes of the State of Delaware,"

Which,

On motion of Mr. Watson,

Was read.

On motion of Mr. Russel,

The bill entitled,

"An act to amend an act incorporating the Cedar Creek Navigation Company,"

Was read a second time by its title.

Mr. Watson, from the Committee on Divorees, reported a bill entitled,

"An act for the benefit of Lisetta Fish and her children,"

Which,

On his motion,

Was read.

Mr. Penington, Clerk of the House, being admitted, informed the Senate that the House had adopted a joint resolution in relation to the certificates of election of Governor and requested the concurrence of the Senate in the same.

On motion of Mr. Records,

The House joint resolution

Was

*Concurred in.*

*Ordered* that the House be informed thereof, and the joint resolution returned to that body.

Mr. Records offered the following resolutions, to wit:

*Resolved by the Senate of the State of Delaware,* That the Secretary of State be and he is hereby requested and directed to furnish to the Senate a tabular list of appointments, setting forth the names of the persons appointed to office by the Executive authority of the State, from the fifteenth day of January, A. D. 1867 until the seventeenth day of January, 1871, inclusive; also the date of their commissions, the office to which each person was appointed, mode of compensation, the amount of compensation, and the place of their residence, as near as practicable; and that a reasonable allowance be made to the said Secretary of State for the performance of the duty hereby enjoined upon him.

*Resolved further,* That a copy of the foregoing resolution be immediately transmitted to the said Secretary of State by the Clerk of the Senate.

Which,

On his motion,

Were read,

And further,

On his motion,

Were

*Adopted.*

On motion of Mr. Denney,

The bill entitled,

"An act in relation to Oysters,"

Was read a second time by its title.

Mr. Russel, from the Committee on Corporations, reported a bill entitled,

"An act to incorporate the City Market House Company of Wilmington."

Which,  
On his motion,  
Was read.

Mr. Watson, from the special committee to whom was referred the petition of H. C. M. Ely, praying the passage of an act changing his name, reported a bill,

Which,  
On his motion,  
Was read.

Mr. Records, from the Committee on Enrollment, reported the following Senate joint resolutions which had been duly enrolled, and presented the same to the Speaker of the Senate for his signature, to wit :

"Joint resolution in relation to adjournment;"

"Joint resolution appointing a joint committee to wait on his Excellency the Governor," and

"A joint resolution appointing a committee to prepare rules for the government of the two Houses."

Mr. Records, from the special committee to whom was referred so much of the Governor's message as referred to the Revised Statutes, asked further time in which to report.

Which,  
On motion,  
Was granted.

Mr. Lesley, from the special committee to whom was referred so much of the Governor's message as referred to Delaware College, asked further time in which to report.

Which,  
On motion,  
Was granted:

Mr. Denney, from the special committee to whom was referred so much of the Governor's message as referred to the Public Buildings, asked further time in which to report.

Which,  
On motion,  
Was granted.



Mr. Records, from the special committee to whom was referred that part of the Governor's message relating to the Public Schools, asked further time in which to report.

Which,

On motion,

Was granted.

Mr. Watson, from the special committee to whom was referred the petition of D. C. Godwin and others, in relation to the protection of small birds, reported a bill,

Which,

On his motion,

Was read.

Mr. Denney presented the bill of John F. Saulsbury & Bro.,

Which

On his motion,

Was read,

And further,

On his motion,

Was referred to the Committee on Claims.

On motion,

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

THURSDAY, January 12, 1871—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Russel,

The bill entitled,

"An act to incorporate the City Market House Company of Wilmington,"

Was read a second time by its title.

On motion of Mr. Watson,

The bill entitled,

"An act to change the name of H. C. M. Ely to Elihu Ely, and to grant him certain authority,"

Was read a second time by its title.

Mr. Vandegrift, from the Committee on Claims, reported a joint resolution authorizing the State Treasurer to pay counsel employed by him in certain railroad suits.

Which,

On his motion,

Was read.

Mr. Watson then moved

That the further consideration of the joint resolution just read be postponed until Monday next, the 16th inst.

Which motion

*Prevailed.*

And the joint resolution was so

*Postponed.*

On motion of Mr. Watson,

The bill entitled,

"An act to divorce Martha J. Dickson from her husband, Jas. A. Dickson,"

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

And,

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

It was decided in the negative, and

The bill was

*Lost.*

On motion of Mr. Watson,

The bill entitled,

"An act to amend Chapter 47, Section 7 of the Revised Statutes of the State of Delaware,"

The bill was read a second time by its title,

And further,

On his motion,

The bill entitled,

"An act for the relief of Lisetta Fish and her children,"

Was read a second time by its title.

On motion,

The Senate adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The Senate met pursuant to adjournment.

Mr. Penington, Clerk of the House, being admitted, informed the Senate that the House had concurred in the following Senate bills, to wit:

"An act to incorporate the German Mutual Beneficial Society, of Wilmington, Delaware,"

And,

"An act to divorce Mary Ann Dunham and Aaron Dunham, her husband, from the bonds of matrimony,"

And returned the same to the Senate.

He also returned the following enrolled Senate joint resolutions, the same having received the signature of the Speaker of the House, to wit:

"Joint resolution appointing a joint committee to wait on H Excellency, the Governor,"

"Joint resolution in relation to adjournment," and a

"Joint resolution appointing a committee to prepare rules for the government of the two Houses."

He also informed the Senate that the House had passed and requested the concurrence of the Senate in the following House bill to wit :

"An act to divorce Mary C. Chase and Thatcher Chase from the bonds of matrimony,"

"An act to divorce Thomas Grimes and Margaret Elizabeth Grimes from the bonds of matrimony," also,

"An act for the relief of school district No. 78, in New Castle County, with the accompanying documents."

Mr. Records presented a joint resolution appointing a joint committee to prepare for the inauguration of the Governor,

Which,

On his motion,

Was read,

And further,

On his motion,

Was

*Adopted.*

Whereupon,

The Speaker appointed Messrs. Records and Mustard as said committee.

*Ordered* to the House for concurrence.

On motion of Mr. Lesley,

The House bill entitled,

"An act to divorce Thomas Grimes and Margaret Elizabeth Grimes from the bonds of matrimony,"

Was read.

And,

On his further motion,

The House bill entitled,

"An act to divorce Mary C. Chase and Thatcher Chase from the bonds of matrimony,"

Was read.

Mr. Records, from the Committee on Enrollment, presented for the signature of the Speaker of the Senate the "Joint resolution appointing bank directors," the same being duly and correctly enrolled.

Mr. Penington, Clerk of the House, being admitted, informed the Senate that the House had concurred in the Senate joint resolution appointing a joint committee to make arrangements for the inauguration, and that Messrs. Smith, Perry and Martin were appointed said committee on the part of the House.

On motion of Mr. Vandegrift,

The Senate bill entitled,

"An act for the relief of School District No. 78, in New Castle county,"

Was read.

Mr. Denney moved

That the bill entitled,

"An act in relation to Oysters,"

Be read a third time, and by paragraphs, in order to pass the Senate.

Which motion

*Prevailed.*

Whereupon,

The bill was so read.

Section 17, providing for the appointment of an additional justice of the peace, requiring a constitutional majority,

On the question, " Shall that be Section 17 ?"

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Denney, Ellis, Lesley, Mustard, Records, Russel, Vandegrift and Mr. Speaker—8.

Nays—None.

So the section, having received the requisite constitutional majority, was declared by the Speaker to be Section 17 of the bill.

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

The yeas and nays were ordered,

Which, being taken, were as follows :

*Yeas*—Messrs. Denney, Ellis, Lesley, Mustard, Records, Russel Vandegrift and Mr. Speaker—8.

*Nays*—None.

So the question was decided in the affirmative,

And the bill

*Passed the Senate.*

*Ordered* to the House for concurrence.

Custis W. Wright, Esq., Secretary of State, being admitted, presented a communication from the Secretary of War in regard to the cession, by the Legislature of the State of Delaware, of certain lands to the United States,

Which,

On motion of Mr. Records,

Was referred to a special committee of three, with leave to report by bill or otherwise.

Whereupon,

The Speaker appointed Messrs. Records, Denney and Lesley as such committee.

On motion,

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

FRIDAY, January 13, 1871—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Records, from the Committee on Enrollment, reported, as duly and correctly enrolled, the following Senate bills and joint resolutions, and presented the same for the signature of the Speaker of the Senate, to wit :

"An act to incorporate the German Mutual Beneficial Society of Wilmington, Delaware ;"

"An act to divorce Mary Ann Dunham and Aaron Dunham, her husband, from the bonds of matrimony," and

"A joint resolution appointing a committee of arrangements."

Mr. Lesley gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled,

"An act to incorporate the Esplendor Mining Company."

Mr. Records moved

That the vote by which the bill to divorce Annie G. Booth from her husband, William Booth,

Was lost, be reconsidered,

Which motion

*Prevailed.*

The question then being upon the final passage of the bill,

Mr. Watson moved

That the further consideration thereof be postponed,

Which motion

*Prevailed.*

And the bill was so

*Postponed.*

On motion of Mr. Lesley,

"An act relating to Notaries Public of Banks,"

Was taken up for consideration,

And further,

On his motion,

Was referred to a special committee of three.

Whereupon,

The Speaker appointed Messrs. Lesley, Mustard and Ellis as such committee.

On motion of Mr. Watson,

The Senate bill entitled,

"An act to amend Chapter 47 of the Revised Statutes of the State of Delaware;"

Was read a third time, and by paragraphs,

And

*Passed the Senate.*

On motion of Mr. Russel,

The bill entitled

"An act to amend an act incorporating the Cedar Creek Navigation Company, passed at Dover, February 23d, 1869,"

Was taken up for consideration,

And further,

On his motion,

Was referred to the Committee on Corporations.

On motion of Mr. Watson,

The bill entitled,

"An act to change the name of H. C. M. Ely, and to grant him certain authority,"

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

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

The yeas and nays being ordered, were as follows:

*Yeas*—Messrs. Ellis, Vandegrift and Watson—3.

*Nays*—Messrs. Denney, Lesley, Mustard, Records, Russel and Mr. Speaker—6.

So the question being decided in the negative,

The bill was

*Lost.*

Mr. Penington, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following bill, to wit:

"An act to divorce Clara R. Stites from her husband, John R. Stites,"



And presented the same to the Senate.

On motion of Mr. Lesley,

The House bill entitled,

"An act for the relief of School District No. 78, in New Castle county,"

Was read a second time by its title.

On motion of Mr. Russel,

The bill entitled,

"An act to incorporate the City Market House Company of Wilmington,"

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

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

The yeas and nays were ordered,

Which, being taken, were as follows :

*Yeas*—Messrs. Denney, Ellis, Lesley, Mustard, Records, Russel, Vandegrift, Watson and Mr. Speaker—9.

*Nays*—None.

So the bill, having received the required constitutional majority,

*Passed the Senate.*

*Ordered* to the House for concurrence.

On motion of Mr. Vandegrift,

The House bill entitled,

"An act to divorce Clara R. Stites from her husband, John R. Stites,"

Was read.

Mr. Watson, from the Committee on Divorces, reported a bill to divorce Hettie Frame from her husband, R. C. Frame,

Which,

On his motion,

Was read.

On motion of Mr. Watson,

The House bill entitled,

"An act to divorce Thomas C. Grimes from his wife,"

Was read a second time by its title,

And further,

On his motion,

Was referred to the Committee on Divorces.

On motion of Mr. Watson,

The House bill entitled,

"An act to divorce Mary C. Chase from her husband,"

Was read a second time by its title,

And further,

On his motion,

Was referred to the Committee on Divorces.

On motion,

The Senate adjourned until 3 o'clock on Monday.

MONDAY, January 16, 1871—3 o'clock, P. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The Speaker presented the petition of Patrick Dillon and 264 others, praying the passage of an act to divide the First Ward of the city of Wilmington,

Which,

On motion of Mr. Lesley,

Was read,

And further,

On his motion,

Was referred to the Committee on Corporations.

The Speaker also presented the petition of Dennis J. Menton and twenty-seven others, praying the passage of an act to incorporate the Weccacoe Hose Company,

Which,

On motion of Mr. Lesley,

Was read,

And further,

On his motion,

Was referred to the Committee on Corporations.

Mr. Watson presented the petition of C. T. Fleming and fifty-nine others, praying the passage of an act to amend Chapter 57 of the Revised Statutes,

Which,

On his motion,

Was read,

And further,

On his motion,

Was referred to a special committee of three, with leave to report by bill or otherwise.

Whereupon,

The Speaker appointed Messrs. Watson, Vandegrift and Ellis as such committee.

Mr. Lesley gave notice that he would, on to-morrow or some future day, introduce a bill entitled,

"An act to incorporate St. Peter's Beneficial Society of New Castle, Delaware."

Mr. Lesley, from the special committee to which was referred the bill entitled,

"An act relating to Notaries Public of Banks,"

Reported the bill back to the Senate with an amendment,

Which,

On his motion,

Was read, as follows :

Amend Section 1 by striking out all after the enacting clause and inserting the following : "That the privileges and duties of the Notary Public, now appointed, or who may hereafter be appointed, for the Branch of the Farmers' Bank of the State of Delaware, at New Castle, shall not be confined exclusively to the business of that bank."

And further,

On his motion,

The amendment was

*Adopted.*

Mr. Lesley then moved

That the bill, as amended, be read a third time, and by paragraphs, in order to pass the Senate,

Which motion

*Prevailed.*

The first and only section having been read and adopted,

Pending the adoption of the title,

Mr. Lesley offered an amendment to the title,

Which,

On his motion,

Was read, as follows :

Amend the title by striking out the words "Notaries Public of Banks," and inserting in lieu thereof the words, "the Notary Public of the Branch of the Farmers' Bank of the State of Delaware at New Castle."

And further,

On his motion,

The amendment was

*Adopted.*

And the title, as amended,

Was

*Adopted,*

And the bill

*Passed the Senate.*

*Ordered* to the House for concurrence.

On motion of Mr. Watson,

The bill entitled,

"An act to divorce Hettie Frame from her husband, Robert C. Frame,"

Was read a second time by its title.

On motion of Mr. Vandegrift,

The joint resolution authorizing the State Treasurer to pay counsel,

Was taken up for consideration.

Pending the consideration of the joint resolution,

Mr. Vandegrift moved

That the further consideration thereof be postponed,

Which motion

*Prevailed,*

And the joint resolution was so

*Postponed.*

Mr. Lesley, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Watson,

Obtained leave to introduce a bill entitled,

"An act to incorporate the Esplendor Mining Company."

Mr. Watson, from the Committee on Divorces, to whom was referred the House bill entitled,

"An act to divorce Mary C. Chase and Thatcher Chase from the bonds of matrimony,"

Reported the bill back to the Senate without amendment.

He then moved that the bill be read a third time, and by paragraphs, in order to pass the Senate.

Which motion

*Prevailed.*

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

It was decided in the negative,

And Section 1 was

*Lost,*

And the bill was

*Lost.*

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

On motion of Mr. Vandegrift,

The House bill entitled,

"An act to divorce Clara R. Stites from her husband, John R. Stites,"

Was read a second time by its title,

And further,

On his motion,

Was referred to the Committee on Divorces.

Mr. Watson, from the Committee on Divorces, to whom was referred the House bill entitled,

"An act to divorce Thomas Grimes and Margaret Elizabeth Grimes from the bonds of matrimony,"

Reported the bill back to the Senate without amendment,

And,

On his motion,

The bill was read a third time, and by paragraphs, in order to pass the Senate.

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

The yeas and nays were ordered,

Which, being taken, were as follows :

*Yeas*—Messrs. Denney, Russel, Vandegrift and Mr. Speaker—4.

*Nays*—Messrs. Ellis, Lesley, Mustard, Records, and Watson—5.

So the question being decided in the negative,

Section 1 was

*Lost,*

And the bill was

*Lost.*

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

Mr. Penington, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following bills, to wit :

"An act authorizing the Recorder of Deeds of Kent county to copy indices," and

"An act to vest the title of this State to certain real estate in Rachel S. Cleaver."

He also informed the Senate that the House would be in readiness to accompany the Senate to the Court room to attend the Governor elect in his inauguration at 12 o'clock, M., to-morrow.

On motion of Mr. Lesley,

The House bill entitled,

"An act in relation to School District No. 78, in New Castle county,"

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

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

It was decided in the affirmative,

And the bill

*Passed the Senate.*

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

On motion of Mr. Lesley,

The House bill entitled,

"An act to vest the title of this State to certain real estate in Rachel S. Cleaver,"

Was read.

On motion of Mr. Lesley,

The House bill entitled,

"An act authorizing the Recorder of Deeds of Kent county to copy indices,"

Was read.

On motion,

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

TUESDAY, January 17, 1871—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Russel,

The Senate proceeded by a *viva voce* vote to choose a United States Senator to represent this State in Congress for the constitutional term commencing on the 4th of March next,

Which vote was as follows :

Mr. Denney voted for Eli Saulsbury.

Mr. Ellis voted for Eli Saulsbury.

Mr. Lesley voted for Eli Saulsbury.

Mr. Mustard voted for Eli Saulsbury.

Mr. Records voted for Eli Saulsbury.

Mr. Russel voted for Eli Saulsbury.

Mr. Vandegrift voted for Eli Saulsbury.

Mr. Watson voted for Eli Saulsbury.

Mr. Speaker voted for Eli Saulsbury.

Eli Saulsbury having received all the votes cast was declared the choice of the Senate, for United States Senator to represent this State in Congress for the constitutional term commencing on the 4th of March next.

Mr Penington. Clerk of the House, being admitted, informed the Senate that the House had adopted and requested the concurrence of the Senate in a joint resolution convening the two Houses on Tuesday the 17th inst., to be present at the inauguration of the Governor elect.

He also informed the Senate that the House had passed and requested the concurrence of the Senate in the following bills, to wit:

"An act to incorporate the Delaware Agricultural Implement Manufacturing Company," and

"An act relating to the acknowledgment of a deed,"

And presented the same to the Senate.

Mr. Russel, from the Committee on Corporations, to whom was referred the petition of Dennis J. Menton and others, praying the passage of an act to incorporate the Weccacoe Hose Company,

Reported a bill,

Which,

On his motion,

Was read.

Mr. Records presented the petition of Caroline W. King praying the passage of an act divorcing her from her husband,

Which,

On his motion,

Was read and referred to the Committee on Divorces.

Mr. Lesley, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Watson,

Obtained leave to introduce a bill entitled,

"An act to incorporate St. Peter's Beneficial Society of New Castle, Delaware,"

Which,

On his motion,

Was read.

On motion of Mr. Watson,

The bill entitled,



"An act to divorce Hetty Frame from her husband, Robert C. Frame,"

Was read a third time, and by paragraphs,

And

*Passed the Senate.*

*Ordered* to the House for concurrence.

On motion of Mr. Lesley,

The House bill entitled,

"An act relating to the acknowledgment of a deed,"

Was read.

On motion of Mr. Vandegrift,

The House bill entitled,

"An act to incorporate the Delaware Agricultural Implement Manufacturing Company,"

Was read.

Mr. Vandegrift moved

That the House bill entitled,

"An act to divorce Clara R. Stites from her husband John R. Stites,"

Be read a third time, and by paragraphs, in order to pass the Senate.

Which motion

*Prevailed.*

And the bill

*Passed the Senate.*

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

On motion of Mr. Lesley,

The bill entitled

"An act to incorporate the Esplendor Mining Company,"

Was read a second time by its title.

On motion of Mr. Denney,

The House bill entitled,

"An act to vest the title of this State to certain real estate in Rachel S. Cleaver,"

Was read a second time by its title.

On motion of Mr. Denney,  
The House bill entitled,  
"An act authorizing the Recorder of Deeds of Kent County to  
copy indices,"

Was read a second time by its title.

The Speaker presented the petition of S. W. Theilman, praying  
the passage of an act to divorce her from her husband,

Which,

On motion of Mr. Lesley,

Was read,

And,

On motion of Mr. Watson,

Was referred to the Committee on Divorces.

Mr. Watson, from the special committee to whom was referred the  
petition of Charles T. Fleming and others, praying the passage of  
an act to amend Chapter 57 of the Revised Statutes of the State of  
Delaware, reported a bill,

Which,

On his motion,

Was read.

Mr. Penington, Clerk of the House, being admitted, informed the  
Senate that the House would be ready, in five minutes, to accompany  
the Senate to the Court Room, in pursuance of the joint resolution  
adopted January 17th, instant, to attend the Governor elect in his  
inauguration.

The hour having arrived for the joint meeting of the General  
Assembly, the two Houses jointly proceeded to the Court Room and  
took the seats prepared for their reception.

The General Assembly being thus convened, the Governor elect,  
attended by the joint committee of the two Houses, his Excellency  
Governor Saulsbury, Hon. John W. Houston, one of the Judges  
of the Superior Court of the State of Delaware, Custis W. Wright,  
Esq., Secretary of State, John H. Paynter, Esq., and the Rev. Cyrus  
Huntington, entered the Court Room and took the seats prepared  
for them.

On motion of Mr. Lesley, of the Senate,

The joint resolution convening the two Houses was read by J. R.  
Mitchell, Clerk of the Senate.

Prayer by the Rev. Cyrus Huntingdon.

The Hon. John W. Houston, one of the Judges of the Superior Court of the State of Delaware, then administered the following oaths of office to the Governor elect, to wit :

I, James Ponder, do solemnly swear, on the Holy Evangels of Almighty God, that I will support the Constitution of the United States of America. So help me God.

I, James Ponder, do solemnly swear, on the Holy Evangels of Almighty God, that I will support the Constitution of the State of Delaware. So help me God.

I, James Ponder, do solemnly swear, on the Holy Evangels of Almighty God, that I will perform the duties of the office of Governor of the State of Delaware with fidelity. So help me God.

His Excellency, the Governor, then delivered his Inaugural Address to the two Houses of the General Assembly, as follows :

*Gentlemen of the Senate and House of Representatives, and Fellow-citizens :*

Having taken the oaths required by the Federal Constitution, and by the Constitution of this State, I propose, in compliance with established usage, to submit some observations indicative of the views I entertain in respect to public policy, federal and state. Before doing so, however, I must be permitted to express my grateful acknowledgments to the people of the State for the confidence reposed in me by my election to the highest executive office in their gift. My appreciation of the honor conferred will be best evidenced by a faithful discharge of the responsible duties of the position to which I have been called.

If an honest desire, coupled with an honest effort, faithfully to perform those duties shall enable me to do so, I here give public assurance that that desire is entertained and that effort shall be made. It is a source of gratification to me that I owe my election exclusively to the votes of the white citizens of the State. The honor of the position would, in my judgment, have been diminished, and its possession wholly undesired by me, had that possession depended upon the suffrages of any other class of the community.

While I recognize and yield to the existing state of facts in relation to the right of suffrage, and in my official capacity shall faithfully observe all laws, federal and state, while they shall remain unrepealed or shall not have been declared by judicial authority to be unconstitutional, and shall also impartially guard and protect, so far as I may possess the necessary constitutional or legal power to do so, all classes and persons in the free and undisturbed enjoyment.

of their rights, yet it is the conviction of my judgment that the extension of the right of suffrage to persons of African descent was unwise in policy, unsound in principle, and will be found to be in practice greatly detrimental to the public interest. It is needless to discuss the means by which this extension of suffrage was forced upon the people. Few honest men will deny that the policy itself existed but in one motive—perpetuation of power in the political organization which alone is responsible for it. Had the motive in which this policy had its origin been of an entirely different and even of the present character, the policy itself would nevertheless be wholly indefensible.

The measures adopted to secure its establishment were the most fatal assaults which have been made upon our complex systems of government, federal and state, since their organization. They were the unwarranted enlargement of the powers of the former, and the practical destruction of the inherent and essential powers of the latter. The right to determine who shall make, expound and execute the laws of a state, is a right so vital, that not only does the freedom of its citizens depend upon their exercise of the right, but the very existence of the state itself depends upon its possession. No community, or association of persons, however numerous, can, with propriety, be called a state, if such community or association does not possess and may not exercise the power of self-government, and the possession of the legislative power is an essential element in self-government. This power is the supreme power in a state.

It prescribes the rule of civil conduct for the citizen. The citizens must either directly or mediately through representatives chosen by themselves, prescribe this rule. If prescribed by an alien or extraneous body, the people are not citizens but subjects. If there be a power greater than the people of a state which can rightfully determine their domestic institutions, or say who and what portion of such people shall enjoy or exercise the right to vote, and consequently the right to participate in the enactment of the laws, it logically follows that such greater power may declare that no portion of the people of a state shall possess or exercise any right or power in the government of the state. It is folly to call such a people free. It is a misnomer to call this government self-government in its administration or republican in character or form. It is compulsory and despotic, and deserves execration, and is unfit for eulogy or respect. The state governments established by our fathers were free, independent governments, the governments of free, independent communities. They had their origin in the vindication of the absolute right of the people of each community to govern themselves. Our fathers declared that the colonies were free and independent states, and as such, had full power to do "all acts and things which independent states may of right do." The formation of our federal system of government

was never designed for the destruction of the state governments, or even for any substantial abridgement of the right to self-government.

I do not think the proprieties of the occasion forbid a more extended reference to the nature, character and powers of our federal and state systems of government. Events have recently transpired, and are transpiring, which fully justify such a reference.

Had the true character of these governments been generally known those events would not have occurred, and we should not now be called upon to confront the political hydra of consolidation.

Under our peculiar polity every state government stands in a two-fold relation to the general welfare, and owes a public duty, not more to the people within its limits than to the associated republics without. The importance of this latter relation has, from the events referred to, acquired such an overshadowing, and even portentous significance, that I should feel my duty was less than half performed were I not further to pursue the inquiry into our federal and interstate relations.

When the thirteen separate colonies became independent and coequal states, they still felt the necessity of continuing the union through which they had achieved their recent success. Experience soon taught them that this union, to be sufficient, must be more intimate than it had originally been. They felt the need of a common government, which, for certain objects, should exert, through its own instrumentalities, a direct control, not only over the several states, but also over the people thereof individually.

In establishing this government, however, they were exceedingly careful not to extinguish, or even essentially to impair the authority of the several state sovereignties. Jealous of the rights, they determined, at all hazards, to preserve the liberty they had just achieved. In analogy to the recognized maxim that a well ordered state government calls for no surrender of individual manhood, they adopted a federal system which contemplated no abrogation of the substantial independence of the several states, but only such a modification thereof as would suffice to secure the end desired. They surrendered to the federal government entire control over our international affairs, and also, as a general rule, over all other subjects of rightful legislation, which, in their judgment, could be more advantageously regulated in that manner than in any other. These subjects, however, were comparatively few, and were distinctly enumerated. The regulation of suffrage, the police power of the States, the social relations, and all that most intimately concerns our individual well-being, remained as before, under the undisturbed control of the several State authorities. State control over all subjects was, however, far from being without limitation. Effectual restraints, therefore, were

prescribed by organic laws, and much more so by the spirit of our civilization, and by the genius of our institutions. The great majority of all human transactions remained exempt from the special supervision of the legislator, and men were left free to seek their own happiness and advantage in their own way, subject only to the general regulations which might prevent a violation of the precepts of morality and justice.

Sovereignty, under our system, is threefold, that of the federal government, that of the state government, and that of the individual, or of the people.

The first is limited in its range, but within that limit is the most clearly defined and most absolute in character. The second is more extended in compass, but in certain enumerated particulars is subordinate to the first. The third, which is residuary in respect to subject matter, is far the most extended in scope, and comprehensive in design. Each is supreme when acting within the name of its legitimate authority, and each is impotent elsewhere, except through usurpation.

In one sense the law is their common superior, for they must all act in obedience to its behests. But the power that can make and unmake the laws themselves must be ultimately supreme.

Under our system, therefore, the people are the paramount sovereign, though subordinate in certain particulars to each of its co-ordinates, and capable of exerting its ultimate control only in accordance with established forms and well recognized principles. The power that can eventually create or destroy is superior to the power that can be thus created or destroyed.

In full accordance with these principles was the Federal Constitution framed and established. The several particulars in which, until changed, the government thereby created was to be supreme, were enumerated or prescribed, and then, to leave no ground for misapprehension, it was declared in unmistakable and emphatic terms, that the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, were reserved to the States respectively or to the people. Each of these powers, therefore, remained sovereign within their respective jurisdictions, limited only in the manner thus prescribed.

Such, then, so carefully adjusted and so nicely balanced, is the marvelous machinery of the federal system under which we were born, and through which we as a people had prospered beyond all former precedent. The wit of man had never before contrived its equal, and indeed may we not regard the combination of surrounding circumstances which contributed so much to its perfection as the special ordering of Providence, and the sacred principles therein embodied as the inspiration of the Divinity.

But, to operate with harmony and success, each of these limited sovereignties must be confined within its proper orbit. Each must exercise all its appropriate functions, but none other. If the people successfully encroach upon or set at defiance the constituted authority of the state, or of the federal government, the result will be anarchy. If the State legislatures usurp control over those rights and privileges of the people, which can safely remain unabridged, it is tyranny; if over those of the federal government the result will be disunion, war, or revolution. And if the federal government lays its unhallowed grasp upon undelegated powers, it will produce to that extent centralization and imperial rule, which is incipient despotism. Against the anarchy of popular insubordination on the one hand, and the consolidation of absolute power on the other, the state governments can interpose the only effectual barrier. With such a system operating in full vigor, a federal government that would fully discharge all its legitimate functions, without endangering the life, liberty, or means of happiness of one human being within its wide domain, might be extended over the civilized world. Mutilated in this respect, with the state governments destroyed or emasculated, and all power radiating from one centre, our present limits are far too extensive to be the bounds of a single government, unless the spirit of its people is paralyzed by fear or the government sustained by force. Examples are not wanting, of very recent date, to show the violation of this principle of the separation or division of powers by those entrusted for the time being with the administration of the federal government. The enforced adoption of proposed constitutional amendments by states, the attempted equalization of races, civilly, politically and socially, and the control of the elective franchise within the states by unconstitutional enactments, and the exercise of military power and the assumed authority to reconstruct states, all tend not only to the subversion of popular liberty, but to the destruction of our systems of government, both federal and state. It should be a subject of pride to the people of this State, that at every step, and on all occasions, they have firmly but legally opposed every measure of federal legislation which tended to the centralization of power or consolidation of government. In so doing they have shown their appreciation of the true principles of government so dear to their fathers, and which, if practically observed by all, would render our union of co-equal states perpetual. The true theory from which those principles are derived I believe to be, that while every government should be vested with power fully adequate to all its legitimate and needful purposes, the subjects upon which that power is to operate should be as few in number and these as limited in extent as is consistent with the purpose of its organization. If this be true, the proper study of the political philosopher and the patriot statesman is to dispense, as far as practicable, with

all unnecessary interference on the part of the ruling authority with the freedom of action of all those over whom it exercises dominion.

That the world is governed too much is an accredited maxim, and should be made a vital principle of action.

The federal government should be vested with no power which can be properly exercised by the states—the states with none that can safely remain with the people, leaving with the latter the largest liberty that is compatible with public order. This would be emphatically a free government such as we claim to possess. It follows that the federal government should be limited strictly to its delegated authority. This can be enlarged in the legitimate way when found insufficient.

A latitudinarian construction of its powers removes all barriers and would soon render Congress as omnipotent as the Parliament of Great Britain. This, however agreeable to the governmental favorites, is in antagonism with the vital spirit of our system, and would soon work a virtual revolution.

The occurrences of the past few years prove that this danger is not imaginary.

Let us all remember that absolute despotism is the logical result of tame submission to the beginnings of usurpation.

The Constitution of the State provides that the Governor shall appoint all officers whose offices are established by law, and whose appointments are not therein otherwise provided for. A proper discharge of this duty by the Executive, in view of his obligations to the people, and a desire to gratify the wishes of deserving applicants for office, and their respective friends, will doubtless render the proper discharge of this duty, by me, both delicate and embarrassing.

I can make no other pledge in this respect than that I will endeavor to be governed solely by the considerations of capacity, honesty and merit. In determining these, the public judgment will be consulted and in all proper cases obeyed.

The Constitution also provides that the Governor shall have power to remit fines and forfeitures and grant reprieves and pardons, except in cases of impeachment. This is a power, in my judgment, not to be arbitrarily exercised, but to be exercised under the sanction and restrictions of a sound and impartial discretion in view of all the circumstances attending each particular case. It is a power which will not be exercised by me for light or trivial causes.

The wilful and deliberate violators of the law have no claim to executive interposition in their behalf. This provision of the Constitution was not intended for their benefit, and I deem it my duty publicly to declare that I will not be made the instrument for the perversion of this provision of the Constitution.



In view of the fact that my predecessor has, at so recent a day, given to the General Assembly "information of affairs concerning the State, and recommended to their consideration such measures" as he judged "expedient," it is perhaps unnecessary that I should so soon perform the same office.

I will, however, suggest to the General Assembly that provision be made by law, if such provision does not already exist, for the prompt payment of the interest on the public debt as the same shall become due. Promptitude in the discharge of obligations is as much a public as an individual duty. In this regard the State of Delaware has never been remiss. Let her proud reputation in the past be her reputation forever.

On motion of Mr. Cooper, of the House,

The journals of the joint meeting were read and compared.

On motion of Mr. Lesley, of the Senate,

The two Houses separated, and the members of the Senate returned to their Chamber.

The Senators having reassembled in their chamber,

On motion of Mr. Denney,

Five hundred copies of the Inaugural Address were ordered to be printed for the use of the Senate.

On motion,

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

WEDNESDAY, January 18, 1871—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The Speaker presented a communication from Custis W. Wright, Esq., late Secretary of State, containing a tabular list of appointments by the Executive authority from January 15th, A. D. 1867, to January 17th, A. D. 1871.

Mr. Russel offered the following resolution, to wit:

*Resolved by the Senate of the State of Delaware,* That two hundred copies of the tabular list of appointments to office made by the executive authority of this State from the 15th day of January, A. D. 1867, to the 17th day of January, A. D. 1871, inclusive, be printed for the use of the Senate, and one hundred copies thereof for the use of the Secretary of State.

Which,

On his motion,

Was read,

And further,

On his motion,

Was

*Adopted.*

Mr. Lesley, from the Committee on Corporations, to whom was referred the petition of Patrick Dillon and others,

Reported a bill entitled,

"An act to amend an act entitled, "An act to further amend the charter of the City of Wilmington,"

Which,

On his motion,

Was read.

Mr. Watson presented the petition of Benjamin T. Fleming, praying the passage of an act to give him redress for damages sustained by him from the opening of streets across his land in the Town of Harrington,

Which,

On his motion,

Was read,

And further,

On his motion,

Was referred to a special committee of three, with leave to report by bill or otherwise.

Whereupon,

The Speaker appointed Messrs. Watson, Lesley and Ellis as such committee.

On motion of Mr. Russel,

The bill entitled,

"An act to incorporate the Weccacoe Hose Company of Wilmington,"

Was read a second time by its title.

On motion of Mr. Watson,

The bill entitled,

"An act to amend Chapter 57 of the Revised Statutes of the State of Delaware,"

Was read a second time by its title.

Mr. Watson gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled,

"An act to amend the act entitled 'An act to incorporate the Junction and Breakwater Railroad Company.' "

On motion of Mr. Lesley,

The bill entitled,

"An act to incorporate St. Peter's Beneficial Society of New Castle, Delaware,"

Was read a second time by its title,

And further,

On his motion,

Was referred to the Committee on Corporations.

Mr. Lesley presented the petition of G. L. Jamison, and 2,400 others, praying the passage of an act in relation to criminal prosecutions,

Which,  
 On his motion,  
 Was read,  
 And further,  
 On his motion,

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

Whereupon,

The Speaker appointed Messrs. Lesley, Denney and Records as such committee.

Mr. Watson, from the Committee on Divorces, to whom was referred the petition of Susan M. Theilman, praying the passage of an act to divorce her from her husband, reported a bill,

Which,  
 On his motion,  
 Was read.

On motion of Mr. Watson,  
 The bill entitled,

"An act for the benefit of Lisetta Fish and her children,"

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

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

It was decided in the negative,

And the bill was

*Lost.*

On motion of Mr. Lesley,  
 The bill entitled,

"An act for the Protection of Small Birds,"

Was read a second time by its title.

And further,

On his motion,

Was recommitted to the special committee already raised.

Mr. Mustard presented the memorial of the President and Directors of the Bank of Smyrna, praying the passage of an act to reincorporate said banking company,

Which,

On his motion,

Was read,

And further,

On his motion,

Was referred to the Committee on Corporations.

On motion of Mr. Lesley,

The House bill entitled,

"An act to incorporate the Delaware Agricultural Implement Manufacturing Company,"

Was read a second time by its title.

And further,

On his motion,

Was referred to the Committee on Corporations.

Mr. Denney moved,

That the House bill entitled,

"An act to vest the title of this State to certain real estate in Rachel S. Cleaver,"

Be read a third time, and by paragraphs, in order to pass the Senate,

Which motion

*Prevailed.*

And the bill

*Passed the Senate.*

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

Mr. Penington, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following bills, to wit:

"An act to repeal Sections 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 of the act entitled, "An act providing revenue for this State," and

"An act for the relief of Samuel W. Davis."

He also informed the Senate that the House would be prepared to receive the Senate in joint meeting, in five minutes, in the Hall of the House of Representatives, for the purpose of comparing the journals of the two Houses, in obedience to the act of Congress,

entitled "An act to regulate the times and manner of holding elections for Senators in Congress, passed July 25, A. D. 1866."

At the time fixed for the joint meeting, the members of the Senate, preceded by their Speaker and attended by their Clerk and Sergeant-at-Arms, proceeded to the Hall of the House of Representatives and took the seats prepared for them.

### JOINT MEETING.

The two Houses being thus convened in joint meeting,

Mr. Russel, of the Senate, moved

That the journals of the two Houses be read and compared.

Which motion

*Prevailed.*

Whereupon,

The Clerks of the respective Houses proceeded to read the journals.

It appearing that Eli Saulsbury had received the whole number of votes cast in each House,

The Speaker of the Senate then declared that Eli Saulsbury was duly elected as Senator to serve in the Congress of the United States for the constitutional term of six years, commencing on the fourth of March next.

A certificate was made out, signed by the Speakers of the two Houses, and attested by their respective Clerks, and addressed to the Governor of the State,

Which,

On motion of Mr. Lesley, of the Senate,

Was read, as follows, to wit :

#### STATE OF DELAWARE, ss.

Be it known that the Legislature of the State of Delaware did, on the 18th day of January, in the year of our Lord one thousand eight hundred and seventy-one, at an election in due manner held according to the form of the act of Congress in such case made and provided, elect Eli Saulsbury to be a Senator from the said State in the Senate of the United States for the constitutional term to commence on the fourth day of March next.

Given under our hands the 18th day of January, Anno Domini  
one thousand eight hundred and seventy-one.

CHARLES GOODING,

*Speaker of the Senate.*

SEWELL C. BIGGS,

*Speaker of the House of Representatives.*

Attest:

JAMES R. MITCHELL,

*Clerk of the Senate.*

JOHN B. PENINGTON,

*Clerk of the House of Representatives.*

On motion of Mr. Russel, of the Senate,

The certificate was entered upon the journals.

On motion of Mr. Records, of the Senate,

The journals of the joint meeting were read and compared.

On motion of Mr. Lesley, of the Senate,

The two Houses separated, and the Senators returned to their  
Chamber.

The Senators having re-assembled in their Chamber,

On motion,

The Senate adjourned until 3 o'clock, P. M.

SAME DAY—3 o'clock, P. M.

The Senate met pursuant to adjournment.

Mr. Penington, Clerk of the House, being admitted, presented the following enrolled joint resolutions for the signature of the Speaker of the Senate, the same having received the signature of the Speaker of the House, to wit :

"Joint resolution convening the two Houses of the General Assembly, on Wednesday, 11th inst., to count the votes for Governor,"

"Joint resolution in relation to the certificate of the election of Governor," and a

"Joint resolution appointing a committee to settle with the State Treasurer."

He also presented the following enrolled bill for the signature of the Speaker of the Senate, the same having received the signature of the Speaker of the House, to wit :

"A further additional supplement to the act entitled 'An act to extend the time for Recording Deeds.'"

He also informed the Senate that the House had concurred in the following Senate bill, to wit :

"An act to amend Chapter 47, Section 7 of the Revised Statutes of the State of Delaware,"

And returned the same to the Senate.

Mr. Vandegrift, from the Committee on Claims, reported a joint resolution relating to Volume 13 of the Laws of Delaware,

Which,

On his motion,

Was read,

And further,

On his motion,

The resolution was

*Adopted.*

*Ordered* to the House for concurrence.

Mr. Ellis presented the petition of Isaac Giles, praying the passage of an act to grant him authority to fence a ditch,



Which,

On his motion,

Was read,

And further,

On his motion,

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

Whereupon,

The Speaker appointed Messrs. Ellis, Denney and Vandegrift as such committee.

On motion of Mr. Vandegrift,

The House bill entitled,

"An act for the relief of Samuel W. Davis,"

Was read.

On motion of Mr. Records,

The House bill entitled,

"An act to repeal Sections 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 of the act entitled, "An act providing revenue for this State,"

Was read.

Mr. Russel, from the Committee on Divorcees, to whom was referred the petition of Catharine W. King, praying the passage of an act divorcing her from her husband, reported a bill,

Which,

On his motion,

Was read.

Mr. Russel, from the Committee on Corporations, to whom was referred the bill entitled,

"An act to amend an act incorporating the Cedar Creek Navigation Company,"

Reported the bill back to the Senate with an amendment,

Which,

On his motion,

Was read, as follows:

Amend the bill by adding the following to Section 1: "*Provided* there is nothing herein contained that shall release any taxes now levied and unpaid."

And further,

On his motion,

The amendment was

*Adopted.*

On motion of Mr. Russel,

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

And.

*Passed the Senate.*

*Ordered* to the House for concurrence.

On motion of Mr. Vandegrift,

The House bill entitled,

"An act relating to the acknowledgment of a deed,"

Was read a second time by its title.

On motion of Mr. Watson,

The House bill entitled,

"An act authorizing the Recorder of Deeds for Kent county to copy certain indices,"

Was taken up for consideration,

And further,

On his motion,

Was referred to a special committee of three.

Whereupon,

The Speaker appointed Messrs. Watson, Denney and Mustard as such committee.

Mr. Russel presented the petition of Cecelia V. Stevens, praying the passage of an act to divorce her from her husband, Harry Stevens,

Which,

On his motion,

Was read,

And further,

On his motion,

Was referred to the Committee on Divorces.

On motion,

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

THURSDAY, January 19, 1871—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Records, from the Committee on Enrollment, reported the following enrolled House joint resolutions as duly and correctly enrolled, and presented the same for the signature of the Speaker of the Senate, to wit:

"Joint resolution appointing a committee to settle with the State Treasurer ;"

"Joint resolution convening the two Houses of the General Assembly on Wednesday, the 11th inst., to count the vote for Governor," and

"Joint resolution in relation to the certificates of the election of Governor."

He also presented, for the signature of the Speaker of the Senate, as duly and correctly enrolled, the following enrolled House and Senate bills, to wit:

"A further additional supplement to the act entitled 'An act to extend the time for Recording Deeds,' " and

"An act to amend Chapter 47 of the Revised Statutes of the State of Delaware."

Mr. Watson, from the special committee to whom was referred the petition of B. T. Fleming, reported adversely to the prayer of the petitioner.

Mr. Russel, from the Committee on Corporations, to whom was referred the memorial of A. Stockley and others, praying the passage of an act to reincorporate the Bank of Smyrna, reported a bill,

Which,

On his motion,

Was read.

Mr. Watson, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Ellis,

Obtained leave to introduce a bill entitled,

"An act to amend the act entitled, 'An act to incorporate the Junction and Breakwater Railroad Company,'"

Which,

On motion of Mr. Watson,

Was read.

Mr. Penington, Clerk of the House, being admitted, returned the following enrolled Senate bills and joint resolutions, the same having received the signature of the Speaker of the House, to wit:

"A joint resolution appointing a committee of arrangements;"

"Joint resolution appointing Bank Directors;"

"An act to divorce Mary Ann Dunham and Aaron Dunham, her husband, from the bonds of matrimony," and

"An act to incorporate the German Mutual Beneficial Society, of Wilmington, Delaware."

He also presented, for the signature of the Speaker of the Senate, the following enrolled House bills and joint resolution, the same having received the signature of the Speaker of the House, to wit:

"An act for the relief of School District No. 78, in New Castle county,"

"An act to divorce Clara R. Stites from her husband, John S. Stites," and

"A joint resolution convening the two Houses in joint meeting on Tuesday, the 17th inst., at 12 o'clock, M., to be present at the inauguration of the Governor elect."

He also presented to the Senate a joint resolution appropriating six hundred dollars for the contingent expenses of the office of Secretary of State, and requested the concurrence of the Senate in the same.

He also returned to the Senate the joint resolution in regard to Volume 13 of Delaware Laws, the House having concurred in the same.

On motion of Mr. Watson,

The House joint resolution appropriating six hundred dollars for the contingent expenses of the office of Secretary of State,

Was read,

And further,

On his motion,

Was

*Concurred in.*

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

Mr. Denney presented the petition of Annie Wingate, praying the passage of an act to divorce her from her husband,

Which,

On his motion,

Was read,

And,

On motion of Mr. Lesley,

Was referred to the Committee on Divorces.

Mr. Lesley gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled,

"An act to incorporate the Commercial Bank at Delaware City, Delaware."

Mr. Lesley, from the committee to whom was referred the petition of G. L. Jamison and others, praying the passage of an act in relation to criminal prosecutions,

Reported a bill entitled,

"An act relative to Criminal Prosecutions,"

Which,

On his motion,

Was read.

On motion of Mr. Watson,

The bill entitled,

"An act to divorce Susan M. Theilman from her husband, Anthony Theilman,"

Was read a second time by its title.

On motion of Mr. Vandegrift,

The House bill entitled,

"An act for the relief of Samuel W. Davis,"

Was read a second time by its title,

And further,

On his motion,

Was referred to the Committee on Divorces.

Mr. Ellis, from the special committee to whom was referred the petition of Isaac Giles, praying the passage of an act to authorize him to fence a ditch, reported a bill entitled,

"An act to authorize Isaac Giles to fence a ditch,"

Which,

On his motion,

Was read.

On motion of Mr. Russel,

The bill entitled,

"An act for the benefit of Caroline W. King,"

Was read a second time by its title.

On motion of Mr. Records,

The House bill entitled,

"An act to repeal Sections 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 of the act to provide revenue for this State,"

Was read a second time by its title,

And further,

On his motion,

Was referred to the Committee on Finance.

On motion of Mr. Watson,

The bill entitled,

"An act to amend Chapter 57 of the Revised Statutes of the State of Delaware,"

Was read a third time, and by paragraphs,

And

*Passed the Senate.*

*Ordered* to the House for concurrence.

On motion of Mr. Lesley,

The bill entitled

"An act to further amend the Charter of the City of Wilmington,"

Was read a second time by its title.

On motion of Mr. Russel,

The bill entitled,

"An act to incorporate the Weccacoe Hose Company, No. 2, of Wilmington, Delaware,"

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

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

The yeas and nays were ordered,

Which, being taken, were as follows :

*Yeas*—Messrs. Denney, Ellis, Lesley, Mustard, Records, Russel, Vandegrift, Watson and Mr. Speaker—9.

*Nays*—None.

So the bill, having received the required constitutional majority,

*Passed the Senate.*

*Ordered* to the House for concurrence.

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

"An act for the Protection of Small Birds,"

Reported the bill back to the Senate with the recommendation that it pass.

He then moved that the bill be read a third time, and by paragraphs, in order to pass the Senate.

Which motion

*Prevailed.*

And the bill

*Passed the Senate.*

*Ordered* to the House for concurrence.

Mr. Russel, from the Committee on Corporations, reported back to the Senate, with an amendment, the bill entitled,

"An act to incorporate St. Peter's Beneficial Society of New Castle, Delaware,"

Which,

On his motion,

Was read, as follows, to wit :

Amend the bill in line 3, Section 5, by striking out the word "public," and inserting in lieu thereof the word "private."

And,

On his further motion,

The amendment was

*Adopted.*

Mr. Russel then moved

That the bill, as amended, be read a third time, and by paragraphs, in order to pass the Senate,

Which motion

*Prevailed,*

And the bill was read.

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

The yeas and nays were ordered,

Which, being taken, were as follows:

*Yeas*—Messrs. Denney, Ellis, Lesley, Mustard, Records, Russel, Vandegrift, Watson and Mr. Speaker—9.

*Nays*—None.

And the bill, having received the required constitutional majority,

*Passed the Senate.*

*Ordered* to the House for concurrence.

Mr. Russel, from the Committee on Corporations, reported back to the Senate, with an amendment, the House bill entitled,

"An act to incorporate the Delaware Agricultural Implement Manufacturing Company,"

Which,

On his motion,

Was read, as follows:

Amend the bill by adding the following as Section 7—"And be it further enacted, That this act shall be deemed and taken to be a private act."

And further,

On his motion,

The amendment was

*Adopted.*

Mr. Russel then moved

That the bill, as amended, be read a third time, and by paragraphs, in order to pass the Senate.

Which motion

*Prevailed,*

And the bill was so read.

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

The yeas and nays were ordered,

Which, being taken, were as follows:



*Yeas*—Messrs. Denney, Ellis, Lesley, Mustard, Records, Russel, Vandegrift, Watson and Mr. Speaker—9.

*Nays*—None.

So the bill having received the required constitutional majority

*Passed the Senate.*

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

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

“An act to incorporate the City Market House Company of Wilmington,”

And returned the same to the Senate.

He also informed the Senate that the House had adopted and requested the concurrence of the Senate in

“A joint resolution in relation to printing daily the proceedings of the Legislature.”

On motion,

The Senate adjourned until 3 o'clock this afternoon.

SAME DAY--3 o'clock, P. M.

The Senate met pursuant to adjournment.

The Speaker gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled,

"An act to incorporate the Wilmington Baptist City Mission."

On motion of Mr. Watson,

The House joint resolution appointing a joint committee to ascertain the cost of printing a daily record of the proceedings of the Legislature,

Was read,

And further,

On his motion,

Was

*Concurred in.*

Whereupon,

The Speaker appointed Messrs. Watson and Lesley, on the part of the Senate, as such committee.

*Ordered* that the House be informed thereof and the joint resolution returned to that body.

Mr. Penington. Clerk of the House, being admitted, presented for the signature of the Speaker of the Senate the following enrolled House bill and joint resolution, the same having received the signature of the Speaker of the House, to wit:

"An act to vest the title of this State to certain real estate in Rachel S. Cleaver," and

"A joint resolution appropriating six hundred dollars to pay the contingent expenses of the office of Secretary of State."

He also returned the following enrolled Senate bill, the same having received the signature of the Speaker of the House, to wit:

"An act to amend Chapter 47, Section 7, of the Revised Statutes of the State of Delaware."

Mr. Records, from the special committee to whom was referred the communication of the Secretary of War relative to the cession of certain land, reported a bill entitled

"An act to cede certain lands to the United States of America,"

Which,  
On his motion,  
Was read.

Mr. Lesley gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled,

"An act to amend Section 1, Chapter 63 of the Revised Statutes of the State of Delaware."

Mr. Records, from the Committee on Vacant Lands, to whom was referred the petition of John W. West and others, reported a bill entitled,

"An act repealing an act concerning certain vacant lands in Lewes and Rehoboth hundred,"

Which,  
On his motion,  
Was read.

On motion of Mr. Lesley,

The bill entitled;

"An act to further amend the charter of the City of Wilmington,"

Was taken up for consideration.

Mr. Lesley then offered the following amendment :

Amend Section 5 by striking out, in line 9, the word "Madison" and inserting in lieu thereof the word "Adams."

Which,  
On his motion,  
Was read,  
And further,  
On his motion,  
Was

*Adopted.*

Mr. Lesley then moved

That the further consideration of the bill be postponed,

Which motion

*Prevailed,*

And the bill was so

*Postponed.*

Mr. Records, from the Committee on Enrollment, reported the following House bills and joint resolution as being duly and correctly enrolled, and presented the same for the signature of the Speaker of the Senate, the same having already received the signature of the Speaker of the House, to wit :

"An act to divorce Clara R. Stites from her husband, John S. Stites;"

"An act for the relief of School District No. 78, in New Castle county," and

"A joint resolution convening the two Houses in joint meeting on Tuesday, the 17th inst., at 12 o'clock, M., to be present at the inauguration of the Governor elect."

He also reported as duly and correctly enrolled the following Senate joint resolution, and presented the same for the signature of the Speaker of the Senate, to wit:

"Joint resolution concerning Volume 13 of Delaware Laws."

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

"An act to incorporate the Delaware Agricultural Implement Manufacturing Company."

The Speaker presented the petition of Leonzo File, praying the passage of an act divorcing him from his wife,

Which,

On motion of Mr. Lesley,

Was read,

And further,

On his motion,

Was referred to the Committee on Divorces.

On motion,

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

FRIDAY, January 20, 1871—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Records, from the Committee on Enrollment, reported the following enrolled House bill and joint resolution as duly and correctly enrolled, and presented the same for the signature of the Speaker of the Senate, the same having received the signature of the Speaker of the House, to wit:

"An act to vest the title of this State to certain real estate in Rachel S. Cleaver," and

"Joint resolution appropriating six hundred dollars to pay the contingent expenses of the office of Secretary of State."

The Speaker, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Watson,

Obtained leave to introduce a bill entitled,

"An act to incorporate the Wilmington Baptist City Mission,"

Which,

On motion of Mr. Lesley,

Was read.

Mr. Watson, from the Committee on Divorces, reported back to the Senate, without amendment, the House bill entitled,

"An act for the relief of Samuel W. Davis,"

Which,

On his motion,

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

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

It was decided in the negative,

And Section 1 was

*Lost,*

And the bill was

*Lost.*

On motion of Mr. Watson,

The bill entitled,

"An act to reincorporate the Bank of Smyrna,"

Was read a second time by its title.

On motion of Mr. Vandegrift,

The House bill entitled,

"An act relating to the acknowledgment of a deed,"

Was read a third time, and by paragraphs,

And

*Passed the Senate.*

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

On motion of Mr. Records,

The bill entitled,

"An act to cede certain lands to the United States of America,"

Was read a second time by its title.

On motion of Mr. Lesley,

The bill entitled,

"An act in relation to Criminal Prosecutions,"

Was read a second time by its title.

On motion of Mr. Watson,

The bill entitled,

"An act to divorce Susan M. Theilman from her husband,"

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

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

It was decided in the negative,

And Section 1 was

*Lost,*

And the bill was

*Lost.*

On motion of Mr. Ellis,

The bill entitled,

"An act to authorize Isaac Giles to fence a ditch,"

Was read a second time by its title.

On motion of Mr. Lesley,

The bill entitled,

"An act to amend the Charter of the City of Wilmington,"

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

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

The yeas and nays were ordered,

Which, being taken, were as follows :

*Yeas*—Messrs. Denney, Ellis, Lesley, Mustard, Records, Watson, Vandegrift and Mr. Speaker—8.

*Nays*—None.

So the question was decided in the affirmative,

And the bill, having received the required constitutional majority,

*Passed the Senate.*

*Ordered* to the House for concurrence.

Mr. Penington, Clerk of the House, being admitted, informed the Senate that the House had adopted a joint resolution appointing a Clerk to the Committee on Finance and the Committee on Ways and Means, and requested the concurrence of the Senate in the same.

He also informed the Senate that the House had concurred in the bill entitled,

"An act to divorce Hetty Frame from her husband, Robert C. Frame,"

And returned the same to the Senate.

On motion of Mr. Watson,

The House joint resolution appointing a Clerk to the Committee on Finance and Ways and Means,

Was read.

And further,

On his motion,

Was

*Non-concurred in.*

*Ordered* that the House be informed thereof and the resolution returned to that body.

Mr. Watson, from the Committee on Divorces, to whom was referred the petition of Leonzo File, praying the passage of an act to divorce him from his wife,

Reported a bill entitled,

"An act to divorce Leonzo C. File and Mary E. File, his wife, from the bonds of matrimony,"

Which,

On his motion,

Was read.

On motion of Mr. Records,

The bill entitled,

“An act repealing an act concerning certain vacant lands in  
Lewes and Rehoboth hundred,”

Was read a second time by its title.

Mr. Lesley offered a joint resolution appointing a Clerk to the  
Committees on Finance and Ways and Means,

Which,

On his motion,

Was read,

And further,

On his motion,

Was

*Adopted.*

*Ordered* to the House for concurrence.

On motion,

The Senate adjourned until 3 o'clock on Monday.



MONDAY, January 23, 1871—3 o'clock, P. M.

The Senate met pursuant to adjournment.

The Speaker gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled,

"An act to authorize the Levy Court of New Castle county to acquire lands near the Eleventh Street Bridge and the Third Street Bridge, in the city of Wilmington."

Mr. Penington, Clerk of the House, being admitted, presented for the signature of the Speaker of the Senate the following enrolled House bill and joint resolution, the same having received the signature of the Speaker of the House, to wit:

"An act to incorporate the Delaware Agricultural Implement Manufacturing Company," and a

"Joint resolution in relation to printing daily the proceedings of the Legislature."

He also returned to the Senate the following enrolled Senate joint resolution, the same having received the signature of the Speaker of the House:

"Joint resolution concerning the Thirteenth Volume of Delaware Laws."

He also informed the Senate that the House had concurred in the joint resolution appointing a Clerk to the Committee on Finance and Ways and Means; also that the House had refused to concur in the Senate bill entitled,

"An act in relation to the Notary Public of the Farmers' Bank at New Castle."

And returned the same to the Senate.

Mr. Russel presented the petition of John B. Smith and eleven others, praying the passage of an act to relieve them from taxes imposed upon them by the Slaughter Creek and Prime Hook Ditch Company,"

Which,

On his motion,

Was read,

And further,

On his motion,

Was referred to the Committee on Corporations.

On motion of Mr. Watson,

The Senate bill entitled,

"An act to divorce Annie G. Booth from her husband,"

Was taken up for consideration.

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

The yeas and nays were ordered,

Which, being taken, were as follows :

*Yeas*—Messrs. Russel, Watson and Mr. Speaker—3.

*Nays*—Messrs. Denney, Ellis, Lesley, Mustard, Records, and Vandegrift—6.

So the question being decided in the negative,

The bill was

*Lost.*

On motion of Mr. Watson,

The vote by which Section 1 of the bill entitled,

"An act to divorce Susan M. Theilman from her husband,"

Was lost, was reconsidered,

And the further consideration thereof

*Postponed.*

Mr. Russel, from the Committee on Divorces, to whom was referred the petition of C. V. Stevens, praying the passage of an act divorcing her from her husband, Harry Stevens,

Reported a bill entitled,

"An act for the relief of Cecelia V. Stevens,"

Which,

On his motion,

Was read.

On motion of Mr. Watson,

The House bill entitled,

"An act to incorporate the Delaware City Mutual Fire Insurance Company,"

Was read.

On motion of Mr. Watson,

The bill entitled,

"An act for the renewal of the charter of the Bank of Smyrna,"

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

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

The yeas and nays were ordered,

Which, being taken, were as follows :

*Yeas*—Messrs. Denney, Ellis, Lesley, Mustard, Records, Russel, Watson, Vandegrift and Mr. Speaker—9.

*Nays*—None.

So the question was decided in the affirmative,

And the bill, having received the required constitutional majority,

*Passed the Senate.*

*Ordered* to the House for concurrence.

On motion of Mr. Ellis,

The bill entitled,

"An act to authorize Isaac Giles to fence a ditch,"

Was taken up for consideration.

Mr. Ellis then offered an amendment to the bill,

Which,

On his motion,

Was read, as follows :

Amend the bill by adding the following to Section 2 : "*Provided however*, that the said Isaac Giles, his heirs and assigns, shall make the said public road, after inclosing the said ditch, the same width that it now is, by extending said road on the west side as many feet as he shall take from the east side thereof by inclosing said ditch."

And further,

On his motion,

The amendment was

*Adopted.*

Mr. Records then offered the following amendment,

Which,

On his motion,

Was read, as follows :

Amend the bill by adding the following as Section 3 :

"SECTION 3. *And be it further enacted*, That this act shall be deemed and taken to be a private act."

And further,

On his motion,

The amendment was

*Adopted.*

On motion of Mr. Ellis,

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

And

*Passed the Senate.*

*Ordered* to the House for concurrence.

On motion of Mr. Watson,

The bill entitled,

"An act to divorce Leonzo G. File and his wife, Mary E. File,"

Was read a second time by its title.

Mr. Records gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled,

"An act to renew the act entitled 'An act to incorporate Golden Rule Lodge, No. 17, of the I. O. of O. F. of the State of Delaware, at Milton,'",

On motion of Mr. Lesley,

The bill entitled,

"An act to incorporate the Wilmington Baptist City Mission,"

Was read a second time by its title,

And further,

On his motion,

Was referred to the Committee on Corporations.

On motion of Mr. Lesley,

The bill entitled,

"An act to incorporate the Esplendor Mining Company,"

Was taken up for consideration.

Pending the consideration thereof,

Mr. Lesley moved

That the bill be referred to the Committee on Corporations.

Which motion

*Prevailed,*

And the bill was so

*Referred.*

On motion of Mr. Records,

The Senate bill entitled,

"An act to cede certain lands to the United States of America,"

Was read a third time, and by paragraphs,

And

*Passed the Senate.*

*Ordered* to the House for concurrence.

On motion of Mr. Watson,

The House bill entitled,

"An act to divorce John J. Sylvester and Ruth W. Sylvester, his wife, from the bonds of matrimony,"

Was read.

On motion,

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

TUESDAY, January 24, 1871—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Records, from the Committee on Enrollment, reported the following bills and joint resolution as being duly and correctly enrolled and presented the same for the signature of the Speaker of the Senate, to wit:

"An act to divorce Hettie Frame from her husband, Robert C. Frame,"

"An act to incorporate the City Market House Company of Wilmington," and a

"Joint resolution authorizing the Committee of Finance of the Senate, and the Committee of Ways and Means of the House to employ a Clerk."

He also reported the following enrolled House bill and joint resolution and presented them for the signature of the Speaker of the Senate, the same having received the signature of the Speaker of the House, to wit :

"An act to incorporate the Delaware Agricultural Implement Manufacturing Company," and a

"Joint resolution in relation to printing daily the proceedings of the Legislature."

Mr. Lesley offered a joint resolution in relation to the State Directors of the Farmers' Bank,

Which,

On his motion,

Was read,

And further,

On his motion,

Was

*Adopted.*

*Ordered* to the House for concurrence.

On motion of Mr. Watson,

The Senate bill entitled,

"An act to divorce Leonzo File and Mary E. File, his wife, from the bonds of matrimony,"

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

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

The yeas and nays were ordered,

Which, being taken, were as follows :

*Yeas*—Messrs. Denney, Lesley, Vandegrift, Watson and Mr. Speaker—5.

*Nays*—Messrs. Ellis, Mustard, Records and Russel—4.

So the question being decided in the affirmative,

The bill

*Passed the Senate.*

*Ordered* to the House for concurrence.

On motion of Mr. Watson,

The bill entitled,

"An act to amend the act entitled 'An act to incorporate the Junction and Breakwater Railroad Company,'"

Was read a second time by its title.

On motion of Mr. Lesley,

The bill entitled,

"An act in relation to Criminal Prosecutions,"

Was read a third time, and by paragraphs,

And *Passed the Senate.*

*Ordered* to the House for concurrence.

Mr. Penington, Clerk of the House, being admitted, informed the Senate that the House had concurred in the "Joint resolution in relation to State Directors of the Farmers' Bank," and returned the same to the Senate.

The Speaker, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Watson,

Obtained leave to introduce a bill entitled,

"An act to authorize the Levy Court of New Castle county to acquire lands near the Eleventh Street Bridge and the Third Street Bridge, in the City of Wilmington,"

Which,

On motion of Mr. Watson,

Was read.

Mr. Vandegrift gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled,

"An act to incorporate the Middletown Manufacturing Company."

Mr. Records, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Watson,

Obtained leave to introduce a bill entitled,

"An act to renew the act entitled 'An act to incorporate Golden Rule Lodge, No. 17, I. O. of O. F., of the State of Delaware, at Milton,'"

Which,

On motion of Mr. Records,  
Was read.

Mr. Vandegrift gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled,

"An act to incorporate the Peach Growers' Canning Company of Middletown."

On motion of Mr. Watson,  
The House bill entitled,

"An act to divorce John J. Sylvester and Ruth W. Sylvester, his wife, from the bonds of matrimony,"

Was read a second time by its title.

On motion of Mr. Russel,  
The bill entitled,

"An act for the relief of Cecelia V. Stevens,"

Was read a second time by its title.

On motion of Mr. Watson,  
The House bill entitled,

"An act to incorporate the Delaware City Mutual Fire Insurance Company,"

Was read a second time by its title,

And further,

On his motion,

Was referred to the Committee on Corporations.

Mr. Mustard presented the petition of Mary E. Hall, praying the passage of an act divorcing her from her husband, Franklin B. Hall,

Which,

On his motion,

Was read,

And,

On motion of Mr. Watson,

Was referred to the Committee on Divorces.

Mr. Lesley, in pursuance of previous notice.

Asked,

And,



On motion of Mr. Watson,  
 Obtained leave to introduce a bill entitled,  
 "An act to amend Chapter 63 of the Revised Statutes,"  
 Which,  
 On his motion,  
 Was read.

Mr. Russel, from the Committee on Corporations, reported back to the Senate, with an amendment, the bill entitled

"An act to incorporate the Esplendor Mining Company,"  
 Which,  
 On his motion,  
 Was read, as follows :

"Amend the bill by adding the following as Section 5 :"

SECTION 5. *And be it further enacted,* That this act shall be deemed a private act, and the corporation hereby created shall have succession for the period of twenty years and no longer; and the power to revoke the same is hereby expressly reserved to the Legislature.

On motion of Mr. Russel,  
 The amendment was

*Adopted.*

On motion of Mr. Lesley,  
 The bill, as amended, was read a third time, and by paragraphs, in order to pass the Senate.

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

The yeas and nays were ordered,  
 Which, being taken, were as follows :

*Yeas*—Messrs. Lesley, Records, Vandegrift, Watson and Mr. Speaker—5.

*Nays*—Messrs. Denney, Ellis, Mustard and Russel—4.

So the bill, having failed to receive the required constitutional majority,

Was

*Lost.*

On motion of Mr. Mustard,

The vote by which the bill entitled,

"An act to incorporate the Esplendor Mining Company,"

Was lost, was reconsidered,

And further,

On his motion,

The further consideration thereof was postponed.

Mr. Vandegrift gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled,

"An act to incorporate the Middletown Mills Company."

Mr. Records gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled,

"An act to revive an act passed at Dover, February 3d, 1864, for the benefit of the heirs of Aaron Marshal, deceased, and to legalize certain acts of the heirs of said deceased."

On motion,

The Senate adjourned until 3 o'clock, P. M.

SAME DAY—3 o'clock, P. M.

The Senate met pursuant to adjournment.

The Speaker gave notice that he would, on to-morrow or some future day, ask leave to introduce the following bills, to wit:

"An additional supplement to an act entitled 'An act to incorporate a company for making an artificial turnpike road from the borough of Wilmington to the village of Christiana, in New Castle county;'"

"An additional supplement to an act entitled 'An act to incorporate a company for making an artificial road from or near the borough of Wilmington, in the county of New Castle, on the east side of the Brandywine Creek, in the route through West Chester to the turnpike road in the Great Valley, in the State of Pennsylvania;'"

"An additional supplement to an act entitled 'An act to incorporate a company for making a turnpike road from the borough of

Wilmington to the line between this State and Pennsylvania, or to communicate with the artificial roads contemplated from the Gap to New Castle ;' ”

“An additional supplement to an act entitled ‘An act to incorporate a company for making a turnpike road from the borough of Wilmington to the line between this State and Pennsylvania, at or near the house now occupied by Charles Twaddle,’ ” and

“An additional supplement to an act entitled ‘An act to incorporate a company for making an artificial road from the borough of Wilmington, on the east side of Brandywine bridge, to the Pennsylvania line, in the route leading to the City of Philadelphia.’ ”

Mr. Penington, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following House bills, to wit :

“An act for the benefit of George W. Collins,” and

“An act authorizing the appointment of an additional Constable for New Castle county.”

He also returned the following Senate bill, the House having refused to concur in the same, to wit :

“An act relating to the Notary Public of the Branch of the Farmers’ Bank of the State of Delaware, at New Castle.”

He also presented, for the signature of the Speaker of the Senate, the following enrolled House bill, the same having received the signature of the Speaker of the House, to wit :

“An act relating to the acknowledgment of a deed.”

He also returned to the Senate the following enrolled Senate bills and joint resolution, the same having received the signature of the Speaker of the House, to wit :

“An act to divorce Hetty Frame and her husband, Robert C. Frame ;”

“An act to incorporate the City Market House Company of Wilmington,” and

“A joint resolution authorizing the Committee on Finance of the Senate, and the Committee of Ways and Means of the House to employ a Clerk.”

On motion of Mr. Watson,

The House bill entitled,

"An act authorizing the appointment of an additional Constable for New Castle county,"

Was read.

Mr. Watson presented the petition of Isabella Chorman, praying the passage of an act divorcing her from her husband, Alvin Chorman,

Which,

On his motion,

Was read,

And further,

On his motion,

Was referred to the Committee on Divorces.

Mr. Mustard gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled,

"An act to revive and continue the act entitled "An act to promote the improvement of Farson's Branch in Kent county."

Mr. Russel, from the Committee on Corporations, to whom was referred the petition of J. B. Smith and others, praying to be relieved from taxes imposed by the Prime Hook and Slaughter Neck Ditch Company, reported a bill entitled,

"An act to repeal Chap. 506 of the 13th Vol. of Delaware Laws,"

Which,

On his motion,

Was read.

On motion of Mr. Russel,

The bill entitled,

"An act for the relief of C. W. King,"

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

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

It was decided in the negative,

And the bill was

*Lost.*

On motion of Mr. Records,

The bill entitled,

"An act repealing an act authorizing Joshua S. Burton to locate certain vacant lands in Lewes and Rehoboth hundred, Sussex county, and State of Delaware, and to complete his title to the same,"

Was read a third time, and by paragraphs,

And

*Passed the Senate.*

*Ordered* to the House for concurrence.

On motion of Mr. Watson,

The House bill entitled,

"An act to amend Section 5 of Chapter 60 of the Revised Code,"

Was read.

On motion of Mr. Vandegrift,

The House bill entitled,

"An act for the benefit of George W. Collins,"

Was read.

On motion,

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

WEDNESDAY, January 25, 1871—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Mr. Records, from the Committee on Enrollment, reported the following bill and joint resolution as being duly and correctly enrolled, and presented the same for the signature of the Speaker of the Senate, to wit:

"An act to incorporate the members of the Weccacoe Hose Company No. 2, of Wilmington, Delaware," and a

"Joint resolution in relation to State Directors of the Farmers' Bank."

He also reported the following House bill as duly and correctly enrolled, and presented the same for the signature of the Speaker of the Senate, the same having already received the signature of the Speaker of the House, to wit:

"An act relating to the acknowledgment of a deed."

The Speaker, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Watson,

Obtained leave to introduce five bills relating to turnpike roads leading out of the city of Wilmington, to wit:

"An additional supplement to an act entitled 'An act to incorporate a company for making an artificial turnpike road from the borough of Wilmington to the village of Christiana, in New Castle county;'"

"An additional supplement to an act entitled 'An act to incorporate a company for making an artificial road from or near the borough of Wilmington, in the county of New Castle, on the east side of the Brandywine Creek, in the route through West Chester to the turnpike road in the Great Valley, in the State of Pennsylvania;'"

"An additional supplement to an act entitled "An act to incorporate a company for making a turnpike road from the borough of Wilmington to the line between this State and Pennsylvania, or to communicate with the artificial road contemplated from the Gap to New Castle;'"

"An additional supplement to an act entitled 'An act to incorporate a company for making a turnpike road from the borough of Wilmington to the line between this State and Pennsylvania, at or near the house now occupied by Charles Twaddle,'" and

"An additional supplement to an act entitled 'An act to incorporate a company for making an artificial road from the borough of Wilmington on the east side of Brandywine bridge, to the Pennsylvania line, in the route leading to the City of Wilmington,'"

Which,

On his motion,

Were read.

On motion of Mr. Watson.

The bill entitled

"An act to amend the act entitled "An act to incorporate the Junction and Breakwater Railroad Company,"

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

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

The yeas and nays were ordered,

Which, being taken, were as follows:

*Yeas*—Messrs. Denney, Ellis, Lesley, Mustard, Records, Russel, Vandegrift, Watson and Mr. Speaker—9.

*Nays*—None.

So the bill, having received the required constitutional majority,

*Passed the Senate.*

*Ordered* to the House for concurrence.

Mr. Records, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Watson,

Obtained leave to introduce a bill entitled,

“An act to revive an act for the benefit of Aaron Marshal, deceased,”

Which,

On his motion,

Was read.

Mr. Vandegrift, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Watson,

Obtained leave to introduce a bill entitled,

“An act to incorporate the Middletown Manufacturing Company,”

Which,

On his motion,

Was read.

Mr. Lesley gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled,

“An act to amend an act entitled ‘An act to incorporate the Citizens’ Loan Association of Wilmington.’”

Mr. Watson, from the Committee on Divorces, reported back the House bill entitled,

“An act to divorce John J. Sylvester and Ruth W. Sylvester, his wife, from the bonds of matrimony,”

Which,

On his motion,

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

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

It was decided in the negative,

And the bill was

*Lost.*

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

Mr. Russel, from the Committee on Corporations, to whom was referred the House bill entitled,

"An act to incorporate the Delaware City Mutual Fire Insurance Company,"

Reported the bill back to the Senate with the recommendation that it pass,

Whereupon,

Mr. Russel moved

That the bill be read a third time, and by paragraphs, in order to pass the Senate.

Which motion

*Prevailed,*

And the bill was so read.

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

The yeas and nays were ordered,

Which, being taken, were as follows:

*Yeas*—Messrs. Denney, Ellis, Lesley, Mustard, Records, Russel, Vandegrift, Watson and Mr. Speaker—9.

*Nays*—None.

So the bill, having received the required constitutional majority,

*Passed the Senate.*

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

Mr. Lesley, from the Committee on Corporations, to whom was referred the Senate bill entitled,

"An act to incorporate the Wilmington Baptist City Mission,"

Reported the bill back to the Senate with the recommendation that it pass.



Thereupon,

On his motion,

The bill was read a third time, and by paragraphs, in order to pass the Senate.

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

The yeas and nays were ordered,

Which, being taken, were as follows :

*Yeas*—Messrs. Denney, Ellis, Lesley, Mustard, Records, Russel, Vandegrift, Watson and Mr. Speaker—9.

*Nays*—None.

So the bill, having received the required constitutional majority,

*Passed the Senate.*

*Ordered* to the House for concurrence.

Mr. Vandegrift, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Watson,

Obtained leave to introduce a bill entitled,

"An act to incorporate the Peach Growers' Canning Company of Middletown,"

Which,

On his motion,

Was read.

Mr. Penington, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following bills, to wit :

"An act to authorize the sale of the estate and interest of C. S. McIntyre, a minor, in certain real estate in Kent county, Delaware," and

"An act to amend an act entitled 'An act to incorporate the Gum Branch Ditch Company.'"

He also returned to the Senate the following Senate bill, the House having concurred in the same, to wit :

"An act to incorporate St. Peter's Beneficial Society of New Castle, Delaware."

On motion of Mr. Lesley,  
The House bills just received,  
Were read.

Mr. Russel moved that the vote by which the House bill entitled,  
"An act to divorce John J. Sylvester and Ruth W. Sylvester, his  
wife, from the bonds of matrimony,"

Was lost, be reconsidered,

Which motion

*Prevailed.*

And the vote was so

*Re-considered.*

The question pending being, "Shall this bill pass the Senate?"

The yeas and nays were ordered,

Which, being taken, were as follows :

*Yeas*—Messrs. Denney, Russel, Vandegrift and Mr. Speaker—4.

*Nays*—Messrs. Ellis, Lesley, Mustard, Records and Watson—5.

So the question being decided in the negative,

And the bill was

*Lost.*

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

On motion of Mr. Watson,

The House bill entitled,

"An act authorizing the appointment of an additional Constable  
for New Castle county,"

Was read a second time by its title.

On motion,

The Senate adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M

The Senate met pursuant to adjournment.

On motion of Mr. Watson,

The bill entitled,

"An act to amend Chapter 63 of the Revised Statutes,"

Was read a second time by its title.

Mr. Mustard, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Watson,

Obtained leave to introduce a bill entitled,

"An act to revive and continue the act entitled 'An act to promote the improvement of Farson's Branch, in Kent county,'"

Which,

On motion of Mr. Mustard,

Was read.

Mr. Watson, from the Committee on Divorces, to whom was referred the petition of Isabella Chorman, praying the passage of an act divorcing her from her husband,

Reported a bill entitled,

"An act to divorce Isabella Chorman and Alvin W. Chorman,"

Which,

On his motion,

Was read.

Mr. Lesley, from the joint committee appointed to ascertain the cost of printing daily the proceedings of the Legislature submitted a report,

Which,

On his motion,

Was read, as follows :

The joint committee appointed to ascertain the cost of printing daily slips, containing reports of the proceedings of the General

Assembly, make the following report: They find that the cost of fifty copies of reports of the proceedings prepared by the "Delawarean," will be five dollars per day.

ALLEN VOORHEES LESLEY, *Chairman.*  
LEVIN HITCH, *Chairman.*

On motion of Mr. Vandegrift,

The report of the Committee was accepted and the committee was discharged.

Mr. Watson, from the Committee on Divorces, to whom was referred the petition of Annie B. Wingate, praying the passage of an act divorcing her from her husband,

Reported a bill entitled,

"An act to divorce Annie B. Wingate and her husband, William J. Wingate,"

Which,

On his motion,

Was read.

On motion of Mr. Russel,

The bill entitled,

"An act to repeal Chapter 506 of the 13th Volume of Delaware Laws,"

Was read a second time by its title.

Mr. Watson, from the Committee on Divorces, to whom was referred the petition of Mary E. Hall, praying the passage of an act divorcing her from her husband,

Reported a bill entitled,

"An act to divorce Mary E. Hall from her husband,"

Which,

On his motion,

Was read.

Mr. Vandegrift, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Watson,

Obtained leave to introduce a bill entitled,

"An act to incorporate the Middletown Mills Company,"

Which,

On his motion,

Was read.

On motion of Mr. Records,

The bill entitled,

"An act to renew the act entitled 'An act to incorporate Golden Rule Lodge, No. 17, of the I. O. of O. F., of the State of Delaware, at Milton,'"

Was read a second time by its title,

And further,

On his motion,

Was referred to the Committee on Corporations.

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

"An act authorizing the Recorder of Deeds of Kent county to copy indices,"

Reported the bill back to the Senate,

And,

On his motion,

The bill was read a third time, and by paragraphs, in order to pass the Senate.

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

It was decided in the negative,

And the bill was

*Lost.*

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

On motion of Mr. Russel,

The bill entitled,

"An act for the benefit of Cecelia V. Stevens,"

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

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

It was decided in the negative,

And the bill was

*Lost.*

On motion of Mr. Vandegrift,

The House bill entitled,

"An act for the benefit of George W. Collins,"

Was read a second time by its title.

On motion of Mr. Vandegrift,

The bill entitled,

"An act to authorize the Levy Court of New Castle county to acquire lands near the Eleventh Street Bridge, and the Third Street Bridge, in the city of Wilmington,"

Was read a second time by its title.

Mr. Denney gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled,

"An act authorizing the Levy Court to change, straighten, or vacate public roads."

On motion of Mr. Lesley,

The House bill entitled,

"An act to amend Section 5 of Chapter 60 of the Revised Statutes,"

Was read a second time by its title.

The Speaker gave notice that he would, on to-morrow or some future day, ask leave to introduce the following bills, to wit :

"An act for the renewal of the charter of Hope Lodge, No. 21, I. O. of O. F.," and

"An act to incorporate Delaware Tribe, No. 1, Improved Order of Red Men, of Delaware."

On motion,

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

THURSDAY, January 26, 1871—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

The Speaker, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Records,

Obtained leave to introduce a bill entitled,

"An act to incorporate Delaware Tribe, No. 1, Improved Order of Red Men, of Delaware,"

Which,

On motion of Mr. Records,

Was read.

The Speaker, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Watson,

Obtained leave to introduce a bill entitled,

"An act for the renewal of the charter of Hope Lodge, No. 21, I. O. of O. F.,"

Which,

On motion of Mr. Watson,

Was read.

On motion of Mr. Watson,

The bill entitled,

"An act to divorce Mary E. Hall from her husband,"

Was read a second time by its title.

On motion of Mr. Watson,

The House bill entitled,

"An act to amend Section 5 of Chapter 60 of the Revised Statutes,"

Was read a third time, and by paragraphs,

And

*Passed the Senate.*

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

Mr. Lesley, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Watson,

Obtained leave to introduce a bill entitled,

"An act to amend an act entitled 'An act to incorporate the Citizens' Loan Association of Wilmington,'"

Which,

On his motion,

Was read.

Mr. Penington, Clerk of the House, being admitted, returned to the Senate the following enrolled Senate bill and joint resolution, the same having received the signature of the Speaker of the House, to wit :

"An act to incorporate the members of the Weccacoe Hose Company, No. 2, of Wilmington, Delaware," and

"A joint resolution in relation to State Directors of the Farmers' Bank."

He also informed the Senate that the House had concurred in the following bill, to wit :

"An act repealing an act concerning certain vacant lands in Lewes and Rehoboth hundred, Sussex county, and State of Delaware."

He also informed the Senate that the House had concurred in the following Senate bill, with an amendment, and requested the concurrence of the Senate in said amendment, to wit :

"An act for the Protection of Small Birds,"

And presented the same to the Senate.

On motion of Mr. Russel,

The House amendment to the Senate bill entitled,

"An act for the Protection of Small Birds,"

Was read, as follows :



HOUSE OF REPRESENTATIVES,  
January 25, 1871.

Amend the bill by adding the following sections :

SECTION 5. That if any person shall enter upon any land not owned by himself with gun or dog, or with gun alone, for the purpose of killing any partridge or partridges, for sale or profit, he shall forfeit and pay ten dollars, one-half to be paid into the State Treasury, and the remaining half to the informer.

SECTION 6. That all penalties, fines and forfeitures incurred under this act shall be recoverable before any Justice of the Peace, if under one hundred dollars.

Extract from journal.

J. B. PENINGTON,

For concurrence. *Clerk of the House of Representatives.*

And further,

On his motion,

The amendment was

*Concurred in.*

*Ordered* that the House be informed thereof.

On motion of Mr. Lesley.

The bill entitled,

"An additional supplement to an act entitled 'An act to incorporate a company for making a turnpike road from the borough of Wilmington to the line between this State and Pennsylvania, or to communicate with the artificial road contemplated from the Gap to New Castle,' "

Was read a second time by its title.

And further,

On his motion,

The bill entitled,

"An additional supplement to an act entitled 'An act to incorporate a company for making an artificial turnpike road from the borough of Wilmington to the village of Christiana, in New Castle county,' "

Was read a second time by its title:

On his further motion,

The bill entitled,

"An additional supplement to an act entitled 'An act to incorporate a company for making a turnpike road from the borough of

Wilmington to the line between this State and Pennsylvania, at or near the house now occupied by Charles Twaddle,'”

Was read a second time by its title.

On his further motion,

The bill entitled,

“An additional supplement to an act entitled ‘An act to incorporate a company for making an artificial road from or near the borough of Wilmington, in the county of New Castle, on the east side of the Brandywine Creek, in the route through West Chester to the turnpike road in the Great Valley, in the State of Pennsylvania,’”

Was read a second time by its title.

And further,

On his motion,

The bill entitled,

“An additional supplement to an act entitled ‘An act to incorporate a company for making an artificial road from the borough of Wilmington on the east side of Brandywine bridge, to the Pennsylvania line, in the route leading to the City of Wilmington,’”

Was read a second time by its title.

Mr. Denney, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Watson,

Obtained leave to introduce a bill entitled,

“An act authorizing the Levy Court to change, straighten, or vacate public roads,”

Which,

On his motion,

Was read.

Mr. Newton, a member of the House, being admitted, informed the Senate that the House had concurred in the following Senate bill, to wit :

“An act for the renewal of the charter of the Bank of Smyrna,”

And presented the same to the Senate.

On motion of Mr. Lesley,

The bill entitled,

"An act to amend an act entitled 'An act to incorporate the Gum Branch Ditch Company of Sussex county, Delaware,"

Was read a second time by its title.

On motion of Mr. Lesley,  
The House bill entitled,

"An act to authorize the sale of the estate and interest of Catharine S. McIntire, a minor, in certain real estate in Kent county, Delaware,"

Was read a second time by its title.

On motion of Mr. Mustard,  
The bill entitled,

"An act to revive and continue the act entitled 'An act to promote the improvement of Farson's Branch, in Kent county,'"

Was read a second time by its title.

Mr. Ellis gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled,

"An act to revive and continue in force an act entitled 'An act incorporating the Tussockee Branch Improvement Company, in Little Creek hundred, Sussex county,' and for other purposes."

On motion of Mr. Watson,  
The bill entitled,

"An act to divorce Annie B. Wingate and her husband, William J. Wingate,"

Was read a second time by its title.

On motion of Mr. Records,  
The bill entitled,

"An act entitled 'An act to revive an act passed at Dover, February 3, 1864, for the benefit of the heirs of Aaron Marshall, deceased,' and to legalize certain acts of the heirs of said deceased,"

Was read a second time by its title.

On motion of Mr. Watson,  
The bill entitled,

"An act to divorce Isabella Chorman and Alvin W. Chorman,"

Was read a second time by its title.

On motion of Mr. Vandegrift,

The bill entitled,

"An act to incorporate the Middletown Manufacturing Company."

Was read a second time by its title,

And further,

On his motion,

Was referred to the Committee on Corporations.

Mr. Russel, from the Committee on Corporations, to whom was referred the Senate bill entitled,

"An act to renew the act entitled 'An act to incorporate Golden Rule Lodge, No. 17, I. O. of O. F., of the State of Delaware, at Milton,'"

Reported back the bill with the recommendation that it pass.

Thereupon,

On his motion,

The bill was read a third time, and by paragraphs, in order to pass the Senate.

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

The yeas and nays were ordered,

Which, being taken, were as follows:

*Yeas*—Messrs. Denney, Ellis, Lesley, Mustard, Records, Russel, Vandegrift, Watson and Mr. Speaker—9.

*Nays*—None.

So the bill, having received the required constitutional majority,

*Passed the Senate.*

*Ordered* to the House for concurrence.

On motion of Mr. Vandegrift,

The bill entitled,

"An act to incorporate the Peach Growers' Canning Company at Middletown,"

Was read a second time by its title,

And further,

On his motion,

Was referred to the Committee on Corporations.