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JOURNAL OF THE SENATE

OF THE

STATE OF DELAWARE,

AT A

SESSION OF THE GENERAL ASSEMBLY

CONVENED AND HELD AT DOVER,

ON TUESDAY, THE FIRST DAY OF JANUARY,

IN THE YEAR OF OUR LORD

ONE THOUSAND EIGHT HUNDRED AND SIXTY-SEVEN,

AND OF THE

INDEPENDENCE OF THE UNITED STATES OF
AMERICA THE NINETY-FIRST.

DOVER, DEL:

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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 first of January, in the year of our Lord one thousand eight hundred and sixty-seven, and of the independence of the United States of America the ninety-first,

Messrs. Isaac S. Elliott and John G. Jackson, of New Castle county; and

Messrs. John H. Bewley, James Williams, and John W. Hall, of Kent county; and

Messrs. James Ponder, John H. Paynter, and Jacob Bounds, of Sussex county, appeared and took their seats.

Charles P. Wetherby, late Clerk, called the Senate to order.

On motion of Mr. Ponder,

Mr. Bewley was appointed Speaker *pro tempore*.

On motion of Mr. Williams,

Mr. Paynter was appointed Clerk *pro tempore*.

On motion of Mr. Ponder,

The returns of the election 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 elections, it appeared that on the Tuesday next after the first Monday in the month of November last, at the several respective places appointed by law for holding the elections in and for said county, John G. Jackson and Curtis B. Ellison, Esquires, 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 elections, 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, James Williams and John W. Hall, Esquires, 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 elections, 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, John H. Paynter and Jacob Bounds, Esquires, 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. Williams,

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

Mr. Hall moved

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

Which motion

Prevailed.

Whereupon,

Messrs. Hall and Jackson were appointed said tellers.

Upon the ballots being counted, it appeared

That James Ponder had received five votes;

That John G. Jackson had received one vote;

That Isaac S. Elliott had received one vote;

That ———, had received one vote.

Whereupon,

James Ponder, having received a majority of all 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, John H. Bewley, a member of the Senate of the State of Delaware, from the county of Kent, do hereby certify that James Ponder, a member of the Senate from the county of Sussex, was, previous to entering upon any other business, and previous to taking his seat as Speaker, duly sworn by me on the Holy Evangels 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, James Ponder, Speaker of the Senate of the State of Delaware, do hereby certify, that John G. Jackson, of New Castle county; James Williams and John W. Hall, of Kent county; and John H. Paynter and Jacob Bounds, 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 or affirmed 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 first day of January, in the year of our Lord one thousand eight hundred and sixty-seven.

JOHN H. BEWLEY.
JAMES PONDER.

On motion of Mr. Bewley,

The Senate proceeded to ballot for a Clerk.

The Speaker appointed Messrs. Bewley and Jackson, tellers, to receive and count the votes.

Upon the ballots being counted, it appeared

That James L. Wolcott had received six votes ; and

That Richard G. Harrington had received two votes.

Whereupon,

James L. Wolcott, having received a majoriy of all the votes cast, was declared to be duly elected Clerk.

Mr. Hall moved

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

Which motion

Prevailed.

Whereupon,

Messrs. Hall and Bounds were appointed said committee.

James L. Wolcott, being introduced, was duly qualified, and took his seat at the Clerk's table.

On motion of Mr. Williams,

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

Messrs. Bewley and Jackson were appointed tellers.

Upon the ballots being counted, it appeared

That Henry Eubanks had received six votes; and

That John H. Klingler had received two votes.

Whereupon,

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

Mr. Bewley offered a resolution,

Which,

On his motion,

Was read, as follows :

Resolved, That the Rev. H. Colclazer be invited to act as Chaplain of the Senate during the present session.

And further,

On his motion,

The resolution

Was

Adopted.

Mr. Bewley moved

That a committee of two be appointed to wait upon the Rev. H. Colclazer, and inform him of his election as Chaplain of the Senate.

Which motion

Prevailed.

Whereupon,

Messrs. Bewley and Hall were appointed said committee.

Mr. Hall offered a resolution,

Which,

On his motion,

Was read, as follows :

Resolved, That Franklin P. Bice be, and he is hereby appointed Messenger for the Senate during the present session of the General Assembly.

And further,

On his motion,

The resolution

Was

Adopted.

On motion of Mr. Bewley,

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

Mr. Bewley 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 one copy of each of the newspapers published in the State during this session.

And further,

On his motion,

The resolution

Was

Adopted.

On motion,

The Senate adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The Senate met pursuant to adjournment.

Curtis B. Ellison, of New Castle county, appeared and was qualified according to the Constitution 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, James Ponder, Speaker of the Senate of the State of Delaware, do hereby certify that Curtis B. Ellison, of New Castle county, member elect and present of the Senate, was, previous to entering upon any other business, and previous to taking his seat, sworn by me 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 said State with fidelity.

Witness my hand the first day of January, in the year of Our Lord one thousand eight hundred and sixty-seven.

JAMES PONDER.

Mr. Bewley 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 Ways and Means; a Committee on Roads and Highways, and a Committee on Vacant Lands.

And further,

On his motion,

The resolution

Was

Adopted.

Mr. Williams 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. Williams, Paynter and Jackson, were appointed said committee.

Mr. Bewley moved,

That a committee of three be appointed upon unfinished business.

Which motion *Prevailed.*

Whereupon,

Messrs. Bewley, Bounds and Ellison were appointed said committee.

Mr. Bewley, from the committee appointed to wait upon the Rev. H. Colclazer, and inform him of his election as Chaplain of the Senate,

Reported that the committee had performed that duty, and that Mr. Colclazer had accepted the invitation of the Senate.

On motion of Mr. Williams,

The report of the committee was accepted and the committee discharged.

On motion,

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

WEDNESDAY, January 2, 1867—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Williams, 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 an 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 10 o'clock in the morning and 3 o'clock in the afternoon.

On motion of Mr. Bewley,

The report of the committee was adopted and the committee discharged.

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

Mr. Bewley 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. Bewley and Elliott said committee on the part of the Senate.

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

Committee on Corporations :

Messrs. Bewley;
Paynter,
Elliott.

Committee on Enrolled Bills :

Messrs. Jackson,
Paynter,
Williams.

Committee on Elections :

Messrs. Bounds,
Hall,
Ellison.

Committee on Accounts :

Messrs. Hall,
Bounds,
Elliott.

Committee on Claims :

Messrs. Ellison,
Bewley,
Paynter.

Committee on Divorces :

Messrs. Bounds,
Bewley,
Elliott.

Committee on Ways and Means :

Messrs. Williams,
Paynter,
Elliott.

Committee on Vacant Lands :

Messrs. Elliott,
Bewley,
Paynter.

Committee on Roads and Highways :

Messrs. Paynter,
Williams,
Jackson.

Mr. Grubb, 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,

And that Messrs. Reed, Alderdice and Waples had been appointed said committee on the part of the House.

Mr. Bewley, 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 fifteen minutes.

Mr. Hall 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.

And further,

On his motion,

The resolution

Was

Adopted.

Mr. Paynter gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled, "An act for the appointment of an additional Justice of the Peace, in and for Sussex county, to reside at Georgetown."

Mr. Bewley presented the petition of Sophia Dulin, and others, of Duck Creek hundred, in Kent county, in relation to certain escheated lands of Joseph Boyles, deceased,

Which,

On his motion,

Was read,

And further,

On his motion,

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

Whereupon,

Messrs. Bewley, Bounds and Elliott were appointed said committee.

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

On motion of Mr. Bewley,

The message from the Governor

Was read, as follows :

Fellow-citizens of the Senate and House of Representatives of the State of Delaware in General Assembly met :

The biennial assembling of the General Assembly, at the seat of the State government, affords a fit occasion for congratulation by the Executive to the representatives of the people. It is a grateful task to extend to you such greeting to-day. We are free from many of the wrongs, oppressions and calamities which afflict the people of some of our sister States. We have been spared the dread effects of the pestilence which has visited other sections. The labors of the husbandman have been rewarded by abundant crops; and the continued happiness and prosperity of our people ought to inspire us with gratitude to the Great Ruler of the Universe. We are indebted for our freedom from many of the grievances which have afflicted the people of other States, to the wise policy adopted by those to whom was committed the legislation of the State during the existence of the late disastrous civil war. No State, occupying a similar position in the Union, has suffered less from the effects of that war than our own; nor have the people of any other State, thus situated, been more secure in the enjoyment and exercise of their rights. These results are mainly attributable to the legislative wisdom and prudence of our General Assembly; and I doubt not the present Legislature will enter upon the discharge of the important duties committed to them by a confiding constituency, with the same purity of motive, and that they will pursue those duties with the same independence, patient, persevering determination and patriotic purpose which conducted their immediate predecessors to results eminently beneficial to the

State, and which have commanded the approval and endorsement of the people.

The Constitution of the State provides that the Governor "shall, from time to time, give the General Assembly information of affairs concerning the State, and recommend to their consideration such measures as he shall judge expedient." In obedience to this provision of our Constitution, I deem it my duty to call to the attention of the General Assembly several subjects of vital interest to the people of the State. The circulating medium, or means afforded the people for the transaction of business, although not under the immediate control of the Legislature, is, nevertheless, as connected with the financial interests of the State, a subject well worthy their careful and deliberate consideration.

In a message which I submitted to the Legislature at their January session, 1866, I felt it a duty incumbent upon me, as the Executive of the State, to invite their attention to the change produced in the condition of our State Banks by an act of Congress, approved March 3, 1865, entitled, "An act to amend an act entitled 'An act to provide internal revenue to support the Government, to pay interest on the public debt, and for other purposes.'" By this act it is provided, "that every National Banking Association, State Bank, or State Banking Association, shall pay a tax of ten per centum on the amount of notes of any State Bank or State Banking Association *paid out* by them after the first day of July, eighteen hundred and sixty-six." It was not difficult to foresee that under this provision our State Banks would not, after the first of July last, be in a condition to afford the same amount of accommodation to the people that they had previously done. I therefore, in the message before referred to, submitted to your immediate predecessors the views which I then entertained upon this subject; to that message I respectfully refer you for my general views, wishing at present simply to invite your attention to the difference between the means of bank accommodation under the system of State Banks as it heretofore existed, and the National system as it now exists. The amount of bank capital in this State, under our former system, was two million one hundred and forty-five thousand dollars, which was used by the banks in addition to the notes issued and circulated by them in the transaction of their business. Under State charters, the circulation of our banks was not limited. Allowing the circulation, which was often above that amount, only to equal the capital, State Banks had the means of affording accommodations to the amount of four million two hundred and ninety thousand dollars. This amount, owing to the greatly enhanced value of land, and the rapid advancement in the agricultural and mechanical interests of the State, was scarcely sufficient to supply the growing wants of the people

Under the National system, as it at present exists, the amount of bank capital in this State is one million five hundred and fifteen

thousand dollars; only ninety per cent. of this amount, however, is furnished to the banks in currency by the Federal Government,—fifteen per cent. is required to be kept in the vaults, which leaves only about seventy-five per cent. of their capital, amounting to about one million, one hundred and thirty-six thousand dollars, as the means of accommodation—a sum but little above one-fourth the means of our banks under their State charters. The Farmers' Bank and the Smyrna Bank still continue to do business under State charters,—the former with a capital of six hundred and eighty thousand dollars, the latter with a capital of one hundred thousand dollars, amounting together, to the sum of seven hundred and eighty thousand dollars; add this to the sum of one million one hundred and thirty-six thousand dollars—the amount of means of accommodation under the National system, and you have an aggregate of one million nine hundred and sixteen thousand dollars, being two million three hundred and seventy-four thousand less than under the State system. Whether the Directors and Stockholders of the Farmers' Bank, and Bank of Smyrna, will consider it the interest of these institutions to continue to do business under their State charters, with their circulation taxed out of existence by the operation of Federal laws, remains to be seen—the attempt to do so may be regarded as an experiment. It is greatly to be hoped, on account of the business interests of the State, and especially of the localities in which these banks are situated, that they may not find it necessary to go into liquidation. This is still more desirable in consideration of the interests of the free schools of the State, a large amount of the funds for the support of which are invested in the Farmers' Bank. It is desirable, also, on account of a large number of widows and orphans in this State, whose means are safely invested in the stock of these institutions. If these banks should be compelled to go into liquidation, the whole amount of bank accommodation to the people of the State will be reduced to an amount scarcely, if at all, above one-fourth of that afforded by the State system. This immense reduction of bank accommodation, with the unprecedented rapidity of improvement now going on in the agricultural and mechanical interests of the State, will be exceedingly embarrassing to that portion of our population engaged in these enterprises. The inflated state of the currency during, and since the war, has prevented any considerable inconvenience, as yet, from this cause; but, if the currency shall continue to be contracted, as has been intimated, and as a sound financial policy would seem to indicate, as proper if not necessary to preserve the National credit until it is brought down to a specie basis, with the whole bank capital of the State monopolized by the Federal Government, and the State bank circulation driven out of existence by the imposition of a prohibitory tax, great inconvenience, if not great distress must result to the producing as well as the mechanical and commercial interests of

the State. I have submitted these views, not because I suppose this to be a subject under the control of the Legislature, but with the desire to aid them in giving an intelligent consideration to the financial interests of the State, present and prospective.

The preservation of the State's credit is the paramount duty of those to whose keeping it is committed. To you, gentlemen of the Senate and House of Representatives, is confided that sacred trust; and no consideration of present convenience or local interest should betray us into the adoption of a policy hazardous to the future interest and honor of the people of the State. Our former policy against State indebtedness was so well established that it seemed to receive the general acquiescence and approval of all classes of our citizens, until the exactions of Federal authority, conscripting into the military service all the able-bodied male inhabitants of the State, rendered a deviation from that policy necessary; and it should not be forgotten that the Legislature felt itself so far committed to the policy of its predecessors on the subject, that it did not, even for the purpose of saving the citizens of the State from draft, authorize the creation of a State debt, without determining not to adjourn until they provided the means for its extinguishment. And accordingly, on the 12th day of February, 1864, the very day the act entitled, "An Act for the relief of persons subject to military duty" passed, a joint resolution was adopted, appointing a committee "to prepare a bill, to be reported at the adjourned session to meet on the second Tuesday of September," in the same year, "to provide means to meet the payment of principal and interest of such sum or sums as shall be expended under the provisions of the act," the title of which is above recited. The committee appointed under this resolution reported a bill entitled, "An Act to raise revenue for this State," by which ample means for the payment of the interest and principal of the debt, without taxing the people of the State, was provided. This act passed both branches of the Legislature, and became a law on August 11, 1864. The Legislature did not stop here; but, impressed as they were with the sacredness of the State's credit, and their duty to preserve it, declared, by a joint resolution adopted August 12, 1864; "that the faith of the State be and the same hereby is solemnly pledged that this General Assembly will, in addition to the taxes already provided for that purpose by the act passed at the present session, entitled, 'An Act to raise revenue for this State,' exert its taxing power to the utmost, if necessary, before it finally adjourns, to provide ample funds to secure the prompt payment of the interest of the bonds authorized to be issued at this session, and also the payment of the full amount of the *principal* of said bonds, at or before the maturity of the same." Upon full investigation of the subject, it was believed by the Legislature that the means provided by the act before recited would be ample for the payment of the interest, and the extinguishment of the bonds before

maturity; but, fearing the object of the Legislature might not be fully understood, and that some future Legislature might be tempted to divert a portion of the fund above referred to from the object contemplated by them in its creation, they passed, on the 27th of October, 1864, a bill appropriating it, entitled, "A Supplement to an act entitled, 'An Act to raise revenue for this State, passed at Dover, August 11, 1864.'" By reference to this act, page 506, 12 vol. Delaware Laws, it will appear to the Legislature that all the "money which shall from time to time be paid to the State Treasurer for the use of the State," under the provisions of an act entitled, "An Act to raise revenue for this State," is solemnly appropriated, and that the State Treasurer is "*authorized, empowered and required*" to apply it as appropriated, which is to the payment of the interest and principal of the bonds created in virtue of the legislation above referred to, and to no other purpose. The general policy of keeping the State free from debt has been sanctioned by legislative wisdom under all parties, and I submit whether it would not be wisdom on the part of the General Assembly to adhere to it in the future. We have no large metropolis to sustain, no great commercial city to build up, no mineral wealth to develop. The soil is our chief source of wealth; agriculture our great interest, and our resources limited. Should not the dictates of common prudence, therefore, impel us to adhere to a policy so long approved by the people, and which has rendered us prosperous and happy in the past? For myself, I feel it due to the people, to whom I am indebted for the position which imposes upon me the duty I am now attempting to discharge, to express my unqualified conviction that no other debt, except for temporary purposes, should be contracted by the Legislature until the existing one is fully satisfied and canceled. A statement, submitted to the Executive, by the State Treasurer, in compliance with the provisions of a joint resolution of the Legislature, passed February 7, 1866, and which is appended to this message, will exhibit the revenue received and disbursements made by that officer during the year commencing December 1st, 1865, and ending December 1st, 1866. Reference to this statement will inform the Legislature of the condition of the Treasury of the State.

The Legislature, at its last session, provided for the increase of the salaries of the judicial and certain other officers of the State; a provision eminently proper and just, not only to those officers, but to the State. Adequate compensation for public service is not only in accordance with the enlightened judgment of the age, but the surest means of securing the services of competent public functionaries. Although the increase in the expenses of the State from this cause is small, provision should be made to meet it. The revenue of the State has heretofore been ample to meet her ordinary expenses. I suggest that provision could be made to meet any additional expense which the increasing wants of the State may demand, without the

imposition of any general tax, or tax of any kind which would be in the least burdensome to any class of our citizens. By virtue of the provisions of the laws of this State, certain privileges are granted, and benefits afforded to particular persons and classes. The levying of a slightly additional tax for these privileges would increase the revenue of the State beyond any necessary increase in her expenses for legitimate purposes.

The railroad interests of the State continue to receive a large share of public attention. The unexampled rapidity of improvement in the sections of the State through which railroads are in operation, and the greatly enhanced value of land along the routes, seem to be stimulating our citizens to renewed efforts to insure the construction of other improvements of the same kind. These laudable efforts should be encouraged by such legislative action as may enable those engaged in these works to prosecute them with safety and success. The Delaware Railroad, by its union with the Eastern Shore Railroad, connects this State with the waters of the Chesapeake, and by a daily line of steamers from the terminus of the latter road, at Crisfield, with the city of Norfolk, and thence by railroad with almost every section of the Southern States, and by its connection with the New Castle and Wilmington, and Philadelphia, Wilmington and Baltimore roads, it constitutes an important link in the great chain of railroads connecting almost every portion of this great country. By this line of roads the cities of New York, Philadelphia and Norfolk, are now in daily communication. And if the time shall ever arrive when frenzy and fanaticism shall give place to reason and patriotism; when amity and conciliation shall take the place of hatred and persecution; when the bitterness and malignity of party spirit, now seeking a permanent dissolution of the Union of these States, shall subside, and the nation's representatives, rising to the dignity and importance of the occasion, shall seek by the practice of justice and philanthropy to restore harmony and concord between the two sections, this road promises, by its connections, to be not only of untold value to the State, but a work of great convenience and utility to the people of the whole country.

The Maryland and Delaware Railroad has been completed through its whole length in this State, and is being so rapidly constructed through the State of Maryland as to insure its completion to its terminus, on the waters of the Chesapeake, within a reasonably short time. This road has been of great advantage to the producing interests of the section of the State through which it passes, and its completion will make it a work of substantial improvement to the whole section of country along its route.

The Junction and Breakwater road is another important link in the system of railroad improvements in this State. It is a subject of regret that this road, notwithstanding the very liberal aid secured to it by the State, has not progressed with the rapidity or success

which was anticipated by its friends, and desired by the community. In view of the great advantage this road will be to the section of the State through which it passes, its early completion is a consummation greatly to be desired. There are several other important projected improvements of this kind which it is hoped may be prosecuted to successful completion by corporate and individual enterprise. Regarding these works of internal improvement as of incalculable benefit to the State, I commend them to the generous consideration of the Legislature, and bespeak for them such action, with proper checks and conditions, as may be necessary to secure to them all proper rights and privileges.

The criminal jurisprudence of this State, as applicable to the free negro population, in consequence of the unnecessary, unwise, unjustifiable and dangerous intermeddling by the Federal Congress with State institutions and laws, has become entirely inefficient, either for the preservation of the public peace or the prevention and punishment of crime. It is well known to those conversant with the prosecution and administration of criminal law in this State, that a very large proportion of the cases brought before our criminal courts occur among our negro population.

In the early history of the State it was found necessary to provide a punishment for certain offenses committed by negroes different from that applied to white persons for the same offenses. This class of persons, from a deficiency of moral sense, and their disregard of the obligations imposed upon them by law, were found to be insensible to the disgrace which a public prosecution and conviction entailed upon white men. The punishment, therefore, which was a terror to white men, had no effect upon them, consequently our criminal courts were occupied term after term in the prosecution of this class of persons, and very frequently of the same individuals for repetitions of the same offenses, and it therefore became necessary to the good of society that a difference be made in the punishment for first and second offenses. Experience during the whole past history of this State has shown that the sale of this class of our population into slavery, as a punishment for crime, was not only the most salutary restraint against its commission, but the surest preventive against its repetition.

The proclamation by the Secretary of State of the United States of the passage and ratification of an amendment to the Federal Constitution, abolishing slavery wherever it existed in this country, has rendered this most salutary provision of our State laws nugatory; there is consequently no provision in our criminal code for the adequate punishment of this class of persons for some of the most serious offenses known to our laws. In addition to this, the enactment by Congress of what is known as the "Civil Rights Bill," destroying all distinction in the punishment for the same offense, whether committed by whites or negroes, has, if this law shall be held

by the courts to be constitutional and valid, exempted the free negro population of this State altogether from punishment for certain offenses. The laws of this State have wisely denied the colored population certain rights and privileges accorded to white people inhabiting the State. Among these is the right to own or have in their possession fire-arms and ammunition. This policy, which the well being of society demanded, has, through a long period of our history, not only received the sanction of legislative wisdom and approval of public sentiment, but has proved salutary in the preservation of the public peace and good order of society. I earnestly commend this subject to the deliberate and thoughtful consideration of the General Assembly, and earnestly recommend a careful revision of the whole criminal code of the State as it is applicable to this class of our population. No law should remain upon our Statute Book that cannot be executed. The Constitution of the State provides that the Governor "shall take care that the laws be faithfully executed. I shall not shrink from this duty, but shall feel it incumbent upon me to insist that all laws of this State, not adjudged by competent authority unconstitutional, or in conflict with some constitutional law of Congress, be faithfully enforced and executed.

Proper restriction upon the immigration to this State of negroes from other portions of the country is demanded by the interests of all classes of our people. We have already a large negro population in our midst, many of whom are indolent and worthless, subsisting upon the labor of others and contributing but little to their own support. Observation has taught us that with few exceptions the negroes coming from other States are such as have fled from justice, or who add but little to the industry and labor of the State. The laws upon our statute books, upon this subject, have not been enforced, and I have deemed it my duty to present it for your consideration.

In calling the attention of the General Assembly to the condition of our Criminal Code, as applicable to our negro population, I would not suggest the enactment of laws unnecessarily harsh or severe to remedy the defects pointed out. On the contrary, while it is a paramount duty on the part of the Legislature to provide for the proper and adequate punishment of crime by law, it would not be in consonance with the dictates of humanity or the sentiment of our people that punishments disproportionate to the offense committed should be inflicted on any class of persons in this State.

In this connection I desire to submit to the Legislature whether the wants and interests of the State, the certainty of the punishment of crime, and the claims of humanity, would not all be promoted by the establishment of a Penitentiary, of moderate dimensions and cost, and at some convenient point, where convicted criminals, by a judicious system of labor, might be made to contribute to their own support, where their physical and mental condition might be better cared

for, and where moral instruction and discipline, with a view to ultimate reformation, might be more advantageously administered. There are now confined in the county jails of the several counties in this State, a number of persons under sentence of imprisonment—some for life, others for a term of years. Thus situated, they cannot be made to contribute, by labor, to their own support, but live a life of idleness, confined to the limits of narrow cells, badly ventilated, and calculated to engender disease and impair the general health. Experience has proved that convicts thus situated, after having served out a long term of imprisonment, were generally discharged broken down in health, and with ruined constitutions become public charges during the balance of their lives. I submit this subject to the General Assembly in the belief that they will give to it the intelligent consideration which its importance demands.

I deem it my duty to present for the consideration of the Legislature the condition of the State Library, and office of the Secretary of State. The capacity of the room appropriated for the purposes of the library is entirely insufficient. There are now packed up and deposited in the garret of the State House, large numbers of valuable books, for the want of space in the library to receive them. I suggest that the interest of the State demands that such additional room be provided as will enable the Librarian to keep the books in a proper state of preservation and convenience for reference and use.

The office of the Secretary of State, which is the only room appropriated to the Executive Department of the State, has also become so crowded as to render it impossible for that officer to keep the records and other State papers in a proper condition, and accessible for reference. I therefore recommend the Legislature to make such provision for this department as the interest of the State demands.

The defenseless condition of the people of this State is a subject of frequent remark by many of our most thoughtful citizens. It is known to the members of the General Assembly that all the arms of this State were, during the late civil war, taken beyond the limits of the State by the armed agents of the Federal Government, and that they have not been returned. I commend the subject to your serious and thoughtful deliberation, and recommend such legislation as may be found necessary to the best interest and safety of the people of this State.

In obedience to the requirement of the ninth section of the third article of the Constitution, I herewith transmit to you a list of the pardons, reprieves, and remissions granted by me since I became charged with the duties of the Executive office of this State, in March, 1865.

Congress, at its last session, passed a joint resolution proposing an amendment to the Constitution of the United States, a certified

copy of which has been forwarded to me by the Secretary of State, which at an early day I shall cause to be laid before you. Although the Executive of the State has no voice in the ratification or rejection of the proposed amendment, that question being one exclusively for the determination of the Legislature, it may not be improper that I should indicate the views I entertain upon the question submitted to your consideration; indeed I should but illy discharge the duties of the position I occupy, and be wanting in fidelity to the people of this State, if I failed, in their name and in their behalf, to protest against a measure so manifestly unjust to the people of ten States of the Union. The framers of the Constitution wisely provided for its amendment in the modes prescribed in the instrument, in order that defects ascertained by long experience to exist might be remedied, but it certainly could not have been within the contemplation of the authors of that provision that amendments would ever be made, except upon the most urgent necessity, much less for the purpose of conferring upon one portion of the States undue influence and power in the government, by depriving another portion of the States of rights long enjoyed and essential to their well-being and equality in the Union. The difficulty and embarrassment of the convention that framed the Constitution, arising from the diverse interests of the States represented therein, is matter of history, but the patriotic men that composed that convention, looking only to the general good, and not to local or sectional interests, presented to the American people, as the result of their labors, the Constitution under which they and their descendants, until recently, have lived prosperously and happy. It is believed a faithful observance of its provisions would now more effectually secure the just rights of all, than can be effected by amendments such as that now proposed. The circumstances under which this amendment is presented, is, to say the least, unfortunate. The Congress that proposed it is composed of the Representatives and Senators of only a part of the States of the Union, and grave doubts are entertained by eminently wise and patriotic statesmen in reference to the authority of such a Congress to initiate measures looking to an alteration of the fundamental law by which the rights of all the States are, hereafter, to be ascertained. I have no hesitation in saying that whatever authority the present Congress may possess for the purpose of ordinary legislation, the doubts suggested in reference to its right to propose amendments to the Constitution are well worthy the consideration of the American people. If the Senators and Representatives of the States unrepresented in Congress had voluntarily excluded themselves from participation in the legislation of the country, the case would be widely different; but such is not the fact. They were seeking admission into the halls of Congress on the very day the resolution proposing the amendment was passed, and had been for a long time before. But in violation of the just rights of

the States, and of the people they represent, and in violation of the plainest provisions of the Federal Constitution, they have been, and still are, purposely and studiously excluded from the legislative councils of the nation, and the right of the excluded States to representation is sought to be made dependent upon their adoption of this amendment. The right of the excluded States to be represented in Congress does not depend upon the adoption or rejection of this amendment, nor indeed upon the will or pleasure of the Congress that proposed it, but exists by virtue of their character of States in the Federal Union under the provisions of the Constitution, and the denial of this right is the exercise of unwarranted arbitrary power,—is, in a word, usurpation and revolution. Whether the American people will submit either to the denial of the right of the Southern States to representation, or that that right shall be made to depend upon the will of a party in Congress representing a minority of the people of the country, are questions that cannot long remain undetermined. Acquiescence in such usurpation will inevitably lead to despotism.

Apart however from these considerations, there are objections to the proposed amendment inherent in itself, sufficient to warrant and demand its rejection by the Legislature of this State. The necessity of the amendment is predicated by Congress upon the propriety of a curtailment of the political power of the Southern States, and in one aspect the amendment is framed with that view; but it is apparent, an ulterior purpose, the bestowal of the elective franchise on the African race in this country, is likewise contemplated in the proposed alteration of the Constitution. Neither of these objects can be accomplished in the manner proposed without a manifest departure from the spirit of the Government as formed by the fathers of the Republic, and without manifest wrong and injustice to the States to be affected thereby. The possession of an undue preponderance of political power by either section of the country would inevitably tend to unjust and oppressive legislation towards the other. So far therefore as it can be accomplished an equalization of power between the two sections of the country should be maintained. Certainly it would not be the effort of enlightened statesmanship to invest either with such controlling influence as would constitute it permanently the governing section. Such however is the avowed object of the proposed amendment to the Constitution. The majority in Congress desires to secure to the Northern States, through this amendment, the permanent control of the Government, either by diminishing the number of representatives from the Southern States or by compelling these States to confer the elective franchise on the negro population within their limits, through whose influence and votes they hope to secure the permanent control of the legislation of the country. Incredible as it may appear, such is the proposition submitted by the American Congress, through this amendment, to the legislatures of

this and other States. It may be gravely doubted, leaving out of view the demand that is made of the Southern people,—that they shall ostracise and disgrace forever many of the best men among them,—whether the Congress of the Nation contemplated or desired an acquiescence by the Southern people in these unjust and offensive demands, or whether the rejection of this amendment was not desired that it might be made the pretext for usurped consolidation of power in a Congress composed exclusively of representatives from Northern States. Whatever may have been the expectation or object of Congress, the rejection of this amendment is demanded alike by every consideration of justice, patriotism and humanity, and it is to be hoped that the Legislature of no Southern or Border State will be found so wanting in self-respect, or so regardless of the rights and dignity of the State they represent, as to hesitate to reject a proposition so unworthy of consideration. The issues upon which the members of the present General Assembly were elected, and the emphatic declaration of the will of the people of the State, as expressed at the polls at the recent election, indicates so clearly that you will withhold your approval from a proposition so manifestly absurd and unjust as that contained in the amendment referred to, that I deem it unnecessary to submit a recommendation to that effect.

GOVE SAULSBURY.

Dover, January 1, 1867.

TREASURER'S REPORT.

To His Excellency, G. Saulsbury :

In compliance with the provisions of a Joint Resolution of the General Assembly of the State of Delaware, passed at Dover, February 17, 1866, I, L. Tharp, State Treasurer, submit the following :

1866.	CR.
Paid salary of Governor.....	\$ 1,333 33
“ “ Secretary of State.....	375 00
“ “ Judges and Chancellor.....	7,458 33
“ “ Attorney General.....	462 50
“ “ State Treasurer.....	500 00
“ “ Auditor of Accounts.....	800 00
“ Members of the General Assembly.....	6,037 09

Paid Clerks to General Assembly.....	2,122 75
“ Treasurer Delaware R. R. Co.....	6,500 00
“ “ Junction and Breakwater R. R. Co.....	3,500 00
“ Allowances, &c., by General Assembly.....	8,975 14
“ Coupons payable at Farmers' Bank.....	16,440 00
“ 532 Coupons.....	15,960 00
Deposited in Philadelphia National Bank, to pay interest on bonds.....	45,000 00

1866.	Dr.
Amount received from Farmers' Bank, tax on capital....	\$ 1,890 24
From Bank of Smyrna, tax on capital.....	563 94
“ Citizens' Bank, “ “	125 00
“ Bank of Newark, “ “	187 50
“ New Castle Co. Bank, “ “	137 50
“ Delaware City Bank, “ “	63 87
“ Diamond State Bank, “ “	100 00
“ Farmers' Bank, Dover, dividend on 932 shares stock	3,728 00
“ Farmers' Bank, New Castle, “ 95 “	380 00
“ Farmers' Bank, Georgetown, “ 248 “	992 00
“ Bank of Delaware, “ “ 20 “	800 00
“ P. W. & B. R. R. Co., an installment.....	10,000 00
“ P. W. & B. R. R. Co., tax on capital.....	1,000 00
“ Clerk of the Peace, New Castle Co., licenses, &c....	2,772 28
“ Clerk of the Peace, Kent County, “ “	1,293 62
“ Clerk of the Peace, Sussex County, “ “	866 77
“ Fines from Sheriffs and Constables, &c.....	1,131 14
“ P. W. & B. R. R. Co., tax on passengers from December 1, 1865, to December 1, 1866.....	84,233 75

There will be due from the National Banks in this State,
on the 1st day of January, 1867, a tax on the shares
of the several banks amounting to \$7,140.92½.

Respectfully submitted.

L. THARP, *State Treasurer.*

To His Excellency, G. Saulsbury :

In compliance with the provisions of a Joint Resolution of the General Assembly of the State of Delaware, passed at Dover, February 17, 1866, I, L. Tharp, Trustee of the School Fund, respectfully submit the following account : Dec. 1, 1866.

CREDITOR.

Distributed to Districts in New Castle County.....	\$14,966 67
" " Kent County.....	11,484 54
" " Sussex County.....	14,058 29
Paid Penn. Inst. for Deaf and Dumb pupils from this State	744 00
" " the Blind, pupils from this State.....	412 50
" Training School, for " " 	600 00

DEBTOR.

Amount received from Clerk of the Peace, New Castle County.....	\$ 4,834 00
Amount received from Clerk of the Peace, Kent County	1,045 00
" " " " Sussex " "	1,522 00
Amount received from New Castle and Frenchtown Turnpike and R. R. Co., for interest on loan.....	1,662 50
Amount received from P. W. & B. R. R. Co., interest on loan.....	4,845 00
Amount received from Farmers' Bank, Dover, dividend on 1904 shares stock.....	7,616 00
Amount received from Farmers' Bank, Dover, dividend on 5,000 shares new stock at \$36, amounting to \$180,000	14,400 00
Amount received from Farmers' Bank, New Castle, dividend on 295 shares stock.....	1,180 00
Amount received from Farmers' Bank, Georgetown, dividend on 240 shares stock.....	960 00
Amount received from Bank of Smyrna, dividend on 114 shares stock.....	855 00
Amount received from Bank of Delaware, dividend on 37 shares stock.....	1,480 00
Amount received from Union Bank of Delaware, dividend on 254 shares stock	762 00

Respectfully submitted.

L. THARP, *State Treasurer.*

December 11, 1866.

A LIST OF REPRIEVES AND PARDONS GRANTED BY
THE EXECUTIVE AUTHORITY OF THIS STATE,
SINCE THE THIRD DAY OF JANUARY, A. D. 1865.

WILLIAM CANNON, *Governor.*

January 24, 1865.—At the Court of Oyer and Terminer of the State of Delaware, held in and for New Castle County, on the twentieth day of November, A. D. 1862, one Abel Riggs was indicted, tried and convicted of the crime of rape upon one Beulah C. Riggs, his daughter, and was thereupon sentenced by the Court to be hung by the neck until he be dead, on Friday, the thirteenth day of February, A. D. 1863.

The execution of the said sentence, was, on the fourteenth day of January, A. D. 1863, respited by His Excellency, Governor Burton, for reasons which are stated in full on page 208 of this volume of the Executive Register, until the second Friday, which will be in the month of February, A. D. 1865, between the hours of ten in the forenoon and three in the afternoon.

This day for similar reasons, the Governor respited the execution of the said sentence upon the said Abel Riggs, until the third Friday, which will be in the month of February, A. D. 1867, between the hours of ten in the forenoon and five in the afternoon.

February 6, 1865.—At the October term of the Court of General Sessions of the Peace and Jail Delivery, held in the county of Sussex, on the fourth day of October, A. D. 1864, the recognizance of one Elisha W. Cannon, for the sum of one hundred dollars, taken before Christopher S. Lekite, a Justice of the Peace in and for the county, aforesaid, and conditioned that one Charles Moray, should be and appear at said Court touching such matters and things that might be objected against him, and particularly a charge of assault and battery upon one Mary Houston, was declared to be forfeited.

This day the Governor remitted the said forfeiture, being induced thereto by the representations of numerous very respectable citizens of Sussex county, that the said Elisha W. Cannon, surety, had the body of Charles Moray, his principal, present at Court, and while waiting for the said recognizance to be called up, stepped out for a few moments; that during his absence the said forfeiture was declared; that as far as it was in his power he had complied with the conditions of the said recognizance, and that the forfeiture aforesaid did

not result from any neglect of duty on his part or any wilful contempt of the Court.

February 27, 1865.—At the October term of the Court of General Sessions of the Peace and Jail Delivery in and for Kent county, one John R. Williamson was arraigned, tried and convicted of the crime of larceny, and was thereupon sentenced by the Court, among other things, to wear a convict's jacket as a badge of his crime for the period of six months next after his discharge from prison.

This day the Governor remitted so much of said sentence as required the said Williamson to wear a convict's jacket.

The Governor granted this remission for the reasons stated on page 317 of this Register, and for the further reasons that the said Williamson had served out his term of imprisonment, and was ready to pay the fine imposed upon him by the Court; that during his imprisonment his conduct has been good, that he is sincerely penitent, and that he desires to return to his home to vindicate his character by his future conduct, and to outlive the disgrace that his crime has brought upon him.

GOVE SAULSBURY, *Governor.*

May 26, 1865.—At a late term of the Court of Oyer and Terminer in and for New Castle County, in the month of May, A. D. 1865, one Ebenezer W. Frazier, was tried and convicted of the murder of one John A. Eliason, in the second degree, and was thereupon on the nineteenth day of the month and year aforesaid, sentenced by the Court to pay a fine of five thousand dollars, with the costs of prosecution, and on Saturday, the twenty-seventh day of May, one thousand eight hundred and sixty-five, between the hours of 10 o'clock in the forenoon and 5 o'clock in the afternoon to stand in the pillory one hour and be whipped with sixty lashes, and also to be imprisoned for life.

This day the Governor granted a reprieve unto the said Ebenezer W. Frazier to postpone the execution of the said sentence of the Court so far as the same relates to standing in the pillory and the whipping aforesaid until Thursday, the twenty-seventh day of July, A. D. 1865.

The reasons which induced the Governor to grant said reprieve to postpone said corporeal punishment, were, *First*. That it was satisfactorily shown to him that the physical condition of the said Ebenezer W. Frazer, at the time appointed for the infliction of such corporeal punishment, that great danger of his death was to be

apprehended in case such punishment should be inflicted according to the sentence and judgment of said Court at the time mentioned in said sentence and judgment. *Second.* That it appeared to the Governor that the infliction of such punishment at the time and under such circumstances would be *inconsistent with humanity.*

December 1, 1865.—At the November term, A. D. 1865, of the Court of General Sessions of the Peace and Jail Delivery, in and for New Castle County, one William H. Maloney, was convicted of larceny, and was sentenced by the Court to pay the sum of nine dollars as restitution money, and the costs of prosecution, to be whipped with twelve lashes, to be imprisoned for the term of three months, commencing on the second day of December, and ending March first, A. D. 1866, and to wear a convict's jacket for six months next after his discharge as a badge of his crime.

This day the Governor remitted unto the said William H. Maloney the corporeal punishment imposed upon him, the term of imprisonment, and also so much of said sentence as required him to wear the convict's jacket as aforesaid.

The Governor was induced to make this remission by the urgent solicitation of many respectable citizens of Wilmington, and by their representations of the former good character, youth, and present connections of the prisoner.

December 7, 1865.—At the November term, 1865, of the Court of General Sessions of the Peace and Jail Delivery in and for New Castle county, Mary Young (negress), was convicted of larceny in stealing a gold seal, cake basket, and wearing apparel, the property of one George S. Seaton, and being so convicted was sentenced by the Court, among other things, to pay the sum of thirty-eight dollars restitution money, and the costs of prosecution, to be whipped with twenty lashes, and sold as a servant to any person residing within this State for a term not exceeding seven years.

This day the Governor remitted so much of said sentence as required the said Mary Young to be whipped with twenty lashes.

The Governor was induced to make this remission because it was satisfactorily shown to him that the physical condition of the said Mary Young was such that great danger of her death was to be apprehended if that part of said sentence which imposed the whipping aforesaid should be carried into execution.

April 3, 1866.—At the November term, 1864, of the Court of General Sessions of the Peace and Jail Delivery in and for New Castle county, a certain George Smith was convicted of the crime of robbery, and was sentenced by the Court to forfeit and pay a fine to the State of Delaware of five hundred dollars and costs of prose-

ction, to stand in the pillory for one hour, to be whipped with forty lashes, and to be imprisoned for the term of two years, commencing on the third day of December, A. D. 1864, and ending on the second day of December, A. D. 1866.

This day the Governor granted unto the said George Smith a pardon of the crime of which he was convicted as aforesaid.

The Governor was induced to act in this case upon the written application of the Levy Court Commissioners of New Castle county, with an accompanying certificate from the Jail Physician, setting forth that the said George Smith had recently become insane, and praying that a pardon might be granted in order to remove the said convict to the Almshouse of the county aforesaid.

April 28, 1866.—At the April term, 1866, of the Court of General Sessions of the Peace and Jail Delivery in and for Kent county, a certain David H. Watson was convicted of larceny, and was sentenced by the Court to pay the sum of twenty-four dollars as restitution money, and the costs of prosecution, to be imprisoned for six months, and on Saturday, the 28th day of April, A. D. 1866, to be publicly whipped with fifteen lashes.

This day the Governor remitted so much of said sentence as required the said David H. Watson to be publicly whipped.

This remission was made upon the request and petition of many respectable citizens of Kent county. There was great doubt of a *felonious intent* on the part of the said Watson, and this was his first offence. Under the circumstances, the Governor believed the payment of restitution money, costs of prosecution, and imprisonment for six months, would be an adequate punishment for the offence committed.

May 12, 1866.—At the late term of the Court of General Sessions of the Peace and Jail Delivery in and for New Castle county, one Henry Dobb was tried and convicted of the crime of larceny, and was thereupon sentenced by the Court, among other things, to be whipped with fifteen lashes.

This day the Governor remitted unto the said Henry Dobb the corporeal punishment imposed upon him by the Court aforesaid.

The Governor granted the remission in this case because it had been represented to him by a number of the most respectable citizens of New Castle county that the mind of said Dobb is not of ordinary strength and soundness, but that he is a person of less than ordinary intelligence; that he was intoxicated at the time he committed the offence, and that he is a quiet, inoffensive man, and very respectably connected.

May 18, 1866.—At the May term, 1866, of the Court of General Sessions of the Peace and Jail Delivery in and for New Castle county, one William Faraday was tried and convicted of the crime of larceny, and was thereupon sentenced by the Court to pay restitution money, and costs of prosecution, to be imprisoned for one year and six months, and on Saturday, the 19th inst., to be whipped with twenty lashes.

This day the Governor remitted so much of said sentence as required the said William Farraday to be whipped with twenty lashes:

This remission was made upon the petition of numerous and respectable citizens of New Castle county. The extreme youth of the boy, and this being his first offence, together with the fact that he was convicted upon the evidence of an evil companion, and the party truly guilty, who escaped punishment himself by turning State's evidence, induced the Governor to interfere, under the belief that the infliction of corporeal punishment could in no way tend to the advancement of justice, and might prove of serious injury to the accused.

August 18, 1866.—At the November term, A. D. 1864, of the Court of General Sessions of the Peace and Jail Delivery in and for New Castle county, one John McGowan was convicted of breaking into a store in the night time, and was thereupon sentenced by the Court to pay restitution money, and costs of prosecution, to stand in the pillory for one hour, be whipped with twenty lashes, and to be imprisoned for the term of three years, commencing on the tenth day of December, A. D. 1864, and ending on the ninth day of December, A. D. 1867.

This day the Governor remitted unto the said John McGowan so much of said sentence and judgment as had not already been executed.

The controlling consideration upon which the Governor acted in this case, was the fact disclosed in certain written communications from the Jail Physicians and others, that the said John McGowan is now in the last stages of consumption, and is suffering greatly from close confinement, and that his death would, in all probability, be hastened by a continuance of this confinement. It is, therefore, purely upon the grounds of *humanity* that the Governor consented to interfere with the said sentence and judgment.

November 17, 1866.—At a late term of the Court of Oyer and Terminer in and for Kent county, held at Dover, in the month of November, A. D. 1866, one Samuel Register was tried and convicted of the murder of one William Pryor, (negro,) in the second degree, and was thereupon sentenced by the Court to pay a fine of five thousand dollars, and on Saturday, the seventeenth day of November, one thousand eight hundred and sixty-six, between the hours of ten in the morning and four in the afternoon, to stand in the pillory

one hour, and be whipped with sixty lashes, and also to be imprisoned for life.

This day the Governor remitted so much of said sentence as required the said Register to stand in the pillory and be whipped with sixty lashes.

The remission in this case was made upon the written application of the twelve jurors empannelled in the case, who represented to the Governor that there were extenuating circumstances proved at the trial which would warrant the remission of the corporeal punishment. Many citizens of Kent county also preferred their petitions asking the Governor to extend Executive clemency.

November 24, 1866.—At the November term, A. D. 1864, of the Court of General Sessions of the Peace and Jail Delivery in and for New Castle County, one Peter Boyle was convicted of the crime of breaking into a store in the night time, and was sentenced by the Court to pay restitution money and costs of prosecution, to stand in the pillory for one hour, be whipped with twenty lashes, and to be imprisoned for the term of three years, commencing on the tenth day of December, 1864, and ending the ninth day of December, 1867.

This day the Governor remitted unto the said Peter Boyle the remainder of the time of imprisonment so as aforesaid imposed upon him by the sentence and judgment of said Court.

The prisoner being the only son of an aged and infirm mother, who at this time is greatly in need of his support; his youth and former good character; together with the fact that he had already suffered a long imprisonment with the infliction of corporeal punishment, induced the Governor to interpose and make this remission, believing that the boy had suffered adequate punishment for the crime committed.

December 13, 1866.—At the Court of Oyer and Terminer of the State of Delaware, held in and for Sussex county, on the seventeenth day of October, in the year of our Lord one thousand eight hundred and sixty-six, one John Green, (negro), was indicted, tried and convicted of the crime of murder of one Solomon Potter (negro), and was thereupon sentenced by the Court to be hung by the neck until he be dead, on Friday, the fourteenth day of December, A. D. 1866.

This day the Governor respited the execution of the said sentence of the Court until the first Friday in the month of April, 1867, to-wit: The fifth day of April, A. D. 1867, between the hours of ten o'clock in the forenoon and four o'clock in the afternoon, and appointed that day between said hours for the execution of the sentence aforesaid.

It was represented to the Governor that the said John Green is a poor, ignorant negro boy, only about sixteen years of age,

without a friend in the world, and that he steadfastly persists in his innocence of the *intent to do murder*. This, taken in connection with the fact that the boy is greatly exercised about his future welfare, and desired further time to prepare for his final end, induced the Governor to respite the execution as aforesaid.

December 22, 1866.—At the May term 1866, of the Court of General Sessions of the Peace and Jail Delivery in and for New Castle county, one William Faraday was tried and convicted of the crime of larceny, and was thereupon sentenced by the Court to pay restitution money and costs of prosecution, to be whipped with twenty lashes, and to be imprisoned for the term of one year and six months commencing on the 19th day of May, A. D. 1866, and ending on the 18th day of November, A. D. 1867.

The said William Faraday had previously been recommended to Executive clemency, and on the eighteenth day of May, A. D. 1866, the Governor remitted the whipping imposed upon him. The reasons which induced the Governor to interfere with the sentence and judgment of the Court, at that time, caused him this day to grant a full pardon to the said William Faraday, of the crime and sentence aforesaid, viz :

His extreme youth, and that in the transaction for which he was convicted he does not appear to have acted from a depraved disposition, but rather to have been the victim of a designing person really more guilty than himself.

A LIST OF BOOKS RECEIVED FOR THE USE OF
THIS STATE, SINCE JANUARY 3, 1865.

ALABAMA.	Vol.	No. of Vols.
Laws of 1865-6,		2
Penal Code,		2
Reports,	37	1
 ARIZONA.		
Acts of 1864,		1
 CALIFORNIA.		
Reports, (Tuttle,)	24	2
“ “	25	2
“ “	26	2
“ “	27	2
“ “	28	2
Senate Journal, 16th session,		2
Assembly “ “		2
Appendix to Journal of Senate and Assembly,	1, 2, 3	6
 CONNECTICUT.		
Public Acts, 1864,		1
Private “ “		1
Register of Volunteers,		1
Laws of 1866,		1
 DAKOTA.		
Laws of 1865-66,		1
Council Journal, 1865-66,		1
House Journal, 1865-66,		1
 GEORGIA.		
Laws of 1865-66,		1
 ILLINOIS.		
Reports, (Freeman,)	31	1
“ “	32	1
“ “	33	1
Digest, (Henry and Read,)	3	1
Governor's Message, 1865,		1

	Vol.	No. of Vols.
ILLINOIS.		
House Journal, 1863,		1
Senate Journal, 1863,		1
House Journal, 1865,		1
Senate Journal, 1865,		1
General Assembly Reports, 1863,		3
Convention Journal, 1862,		1
Laws of 1865,		1
IOWA.		
Reports, (Withrow,)	15	1
" " "	16	1
Digest, (Hammond,)	2	1
Laws of 1866,		1
Adjutant-General's Report, 1864-65,		1
KANSAS.		
Reports, (Banks,)	1	1
" " "	2	1
Laws of 1865,		1
KENTUCKY.		
Laws of 1865,		4
House Journal, 1865,		1
Senate Journal, 1865,		1
School Report, 1864,		1
Documents, 1863-4,		2
Reports, (Duvale's,)	1	1
Laws of 1865,		1
School Report, 1865,		1
Supplement to Rev. Statutes, 1866,		2
Auditor's Report,		1
Documents, 1865,		2
Senate Journal, 1865-6,		1
House Journal, 1865-6,		1
LOUISIANA.		
Annual Reports,	26	1
MAINE.		
Laws of 1864,		1
Reports " "	49	1
" " "	50	1
Adjutant-General's Report, 1863,		1
Agricultural Report, 1863,		1
Documents, 1864,		6
Laws of 1865,		1
Documents, 1865,		1
Agricultural Report, 1865,		1

MARYLAND.	Vol.	No. of Vols.
Constitution of 1864,		1
Governor's Message, 1865,		1
Laws of 1865,		1
Senate Journal, 1865,		1
House Journal, 1865,		1
State Reports,	20	1
Laws of 1866,		1
Senate Journal, 1866,		1
House Journal, 1866,		1
MASSACHUSETTS.		
Reports, (Allen,)	8	1
Laws of 1865,		2
Public Documents, 1864,		4
MICHIGAN.		
Quar. Master-General's Report, 1864,		1
Reports, (Cooley,)	12	1
Laws of 1865,		1
Joint Document, 1864,		1
Statistics, 1864,		1
MINNESOTA.		
Senate Journal, 1864,		1
House Journal, 1864,		1
Reports, (State,)	9	1
Laws of 1865,		1
House Journal, 1864,		1
Senate " "		1
Ex. Doc. " "		1
Home for Immigrants,		3
State Reports,	10	1
Laws of 1866,		1
Executive Documents,		1
Senate Journal, 1865,		1
House Journal, 1865,		1
MISSISSIPPI.		
Laws of 1865,		2
Amended Constitution,		2
Journal of Convention,		2
MISSOURI.		
Whittelsey's Reports,	3	1
Laws of 1865,		3
Reports, (5 Whittelsey,)	35	1
" (6 Whittelsey,)	36	1
General Statutes, 1866,		3

NEBRASKA.		Vol.	No. of Vols.
Laws of 1865,			1
Council Journal, 1865,			1
House " "			1
Annual Message, "			1
NEVADA.			
Appendix to Senate Journal, 1st session,			4
Laws of 1864-5,			2
Journal of Assembly, 1864-5,			2
Adjt.-General's Report, 1865,			1
Librarian's Report, 1865,			2
State Reports, (Lewis.)	1		2
Senate Journal and Appendix,			2
NEW HAMPSHIRE.			
Laws of 1864,			2
Reports, (2d series, vols. 4 and 5,)	16		2
" (2d series, vol. 5,)	17		2
" (Chandler's,)	44		1
Laws of 1865,			2
Reports, (State,)	18		1
Senate and House Journal, 1865,			2
School Report, 1865,			1
NEW JERSEY.			
Laws of 1864,			1
Nixon's Digest, 3d edition, 1709-1861,			1
Chancery Report, (2d Beasley,)	13		1
Legislative Documents, 1864,			1
Register of Volunteers,			1
Reports, (5 Dutcher,)	29		1
Senate Journal, 1866,			1
Legislative Documents, 1866,			1
Minutes of Assembly, 1866,			1
NEW YORK.			
Senate Documents, 1864,			4
" Journal, 1864,			1
Assembly Documents, 1864,			12
" Journal, 1864,			1
Laws of 1865,			2
Reports, (Barbour's,)	42		1
" (13 Smith,)	27		1
Regent's Report, 1865,			1
Library " "			1

NEW YORK.	Vol.	No. of Vols.
Longitude Report, 1865,		1
Reports, (5 Tiffany,)	32	1
" (Parker's,)	5	1
Library Catalogue, 1865,		1
Reports, (4 Tiffany,)	31	1
" (6 Tiffany,)	33	1
" (Barbour's,)	44	1
Assembly Doc. 1865,		10
NORTH CAROLINA.		
Phillips' Law Reports, 1866,	1	1
" Equity, " "	1	1
OHIO.		
Executive Documents, 1864,		2
Agricultural Report, 1863,		2
House and Senate Journal, 1864,		2
Adjutant-General's Report, 1864,		1
Auditor's Report, 1864,		1
Morgan Raid Claims,		1
Laws of 1865,		1
Statistics, 1864,		1
Library Report, 1864,		1
Reports, (Chritchfield,)	15	1
Executive Documents, 1865,		2
Agricultural Report, 1865,		1
Statistics, 1865,		1
Laws of 1866,		1
Treasurer's Report, 1865,		1
Library, " "		1
Adj. Gen's. " "		1
School, " "		1
Receipts and Disbursements, 1865,		1
School Laws, 1865,		1
Report of the different asylums, in all		6
OREGON.		
Laws of 1845-64,	1	1
PENNSYLVANIA.		
Executive Documents, 1864,		2
House Journal, 1864,		1
Senate Journal, 1864,		1
Legislative Documents, 1864,		1
State Report, (9 Wright,)	45	1

PENNSYLVANIA.	Vol.	No. of Vols.
Laws of 1864,		1
School Report, 1864,		1
History of Gettysburg Cemetery,		1
Governor's Message, 1865,		1
State Reports, (10 Wright,)	46	1
" " (11 Wright,)	47	1
Laws of 1865,		1
Legislative Document, 1865,		1
Senate Journal, 1865,		1
House Journal, 1865,		1
Executive Documents, 1864,		1
Military Report, 1864,		1
Adjt.-Gen's Report for 1862-3-4,		3
Librarian's Report, 1864,		1
Transportation Report, 1864,		1
Obituary Addresses,		1
Reports, (12 Wright,)	48	1
" (13 Wright,)	49	1
Laws of 1866,		1
Senate Journal, 1866,		1
House Journal, 1866,		1
Executive Document, 1865,		2
" " 1866,		2
Report on Gettysburg Cemetery,		1
 RHODE ISLAND:		
Governor's Message, 1865,		1
Reports, (Ames,)	7	1
Laws of 1865,		1
Laws of 1863 to 1865,		1.
 TENNESSEE.		
Reports, (Head's,)	3	1
Laws of 1865-6,		1
House Journal and Appendix, 1865-6,		2
Senate Journal, 1865-6,		1
Senate Journal, Ex. Sess., 1866,		2
House " " " "		1
 UNITED STATES.		
Two sets of Documents of 3d Session, 37th Congress, Census, 1860, Patent Office Report, 1861, Meteorological Report, vol. 2, part 1st, in all,		56
House Journal, 1863-4,		2

UNITED STATES.	Vol.	No. of Vols.
Statutes at large, 2d Session, 38th Congress, in all		36
House Journal, 1864-5,		1
Message and Documents, 1864-5,		1
Two sets of Documents of 1st Session, 38th Congress, in all		58
Patent Office Report, 1862,		2
Commerce and Navigation,		2
Vols. 2, 3, 4, of 8th Census, (2 copies.)		6
Statutes at large, 1st Session, 39th Congress,		30
 VERMONT.		
Laws of 1864,		1
Reports, (6 Shaw,)	35	1
Senate Journal, 1864,		1
House Journal, 1864,		1
Adjt.-General's Report, 1864,		1
School Report, 1864,		1
Auditor's " "		1
Legislative Directory, 1864,		1
Reports, (1 Veazey,)	36	1
Directory, 1865,		1
Registration Report, 1862,		1
Auditor's " " 1865,		1
School " "		1
Railroad " "		1
Adjt.-Gen.'s " "		1
Reports, (2 Veazey,)	37	1
Laws of 1865,		1
Senate Journal, 1865,		1
House " "		1
Adjt. and Insp. Gen.'s Report, 1865,		1
 VIRGINIA.		
Laws of 1865-6,		1
House Journal, 1865-6,		1
Senate " "		1
Documents, " "		1
 WEST VIRGINIA.		
Laws of 1865,		1
 WISCONSIN.		
State Reports,	28	1

ACCOUNTS OF CUSTIS W. WRIGHT, SECRETARY OF
STATE. JANUARY 1, 1865.

*Custis W. Wright, Secretary of State, in account with Contingent
Expenses of Office.*

DEBTOR.

1865.		DOLLS.	CTS.
March	7.	To this sum received of Samuel M. Har-	
		rington, Jr., late Secretary of State, as	
		the balance of the fund appropriated by	
		joint resolution of the Legislature for	
		contingent expenses.....	51 03
April	27.	To this sum received of the State Treas-	
		urer under joint resolution.....	500 00
			<hr/>
			\$551 03

CREDITOR.

1865.		DOLLS.	CTS.
March	17.	Cash paid D. F. Burton. (Express).	
		Voucher No. 1.....	1 25
		Cash paid D. F. Burton. (Express).	
		Voucher No. 2.....	50
		Cash paid D. F. Burton. (Express).	
		Voucher No. 3.....	25
April	4.	Cash paid D. F. Burton. (Express).	
		Voucher No. 4.....	2 00
	5.	Cash paid John C. Clark & Sen. (Sta-	
		tionery). Voucher No. 5.....	13 65
	17.	Cash paid Jas. Kirk. (Printing). Voucher	
		No. 6.....	60 00
	26.	Cash paid for chairs for Secretary's office.	
		Voucher No. 7.....	57 50
	28.	Cash paid D. F. Burton. (Express).	
		Voucher No: 8.....	2 50
June	3.	Cash paid Telegraph Company. Voucher	
		No. 9.....	1 35
July	10.	Cash paid G. Rogers. (Postage). Voucher	
		No. 10.....	3 95
			<hr/>
		<i>Amount carried forward.....</i>	142 95

CREDITOR.

		DOLLS.	CTS.
1865.			
Dec.	19.	Cash paid David F. Burton (Express). Voucher No. 1.....	7 90
		Cash paid Z. L. Butler, care of Secretary's office. Voucher No. 2.....	10 00
1866.			
Jan.	17.	Cash paid Thomas B. Lister, work done on Secretary's office. Voucher No. 3..	21 55
Feb.	6.	Cash paid David F. Burton (Express). Voucher No. 4.....	5 60
		Cash paid John H. Bateman (Postage). Voucher No. 5.....	16 53
	19.	Cash paid Killen & Croyden, work done on Secretary's office. Voucher No. 6.	26 22
	23.	Cash paid A. F. Conner (Telegraph). Voucher No. 7.....	8 03
March	2.	Cash paid Cowgill & Son, as per bill and receipt No. 8.....	4 84
April	2.	Cash paid G. Rogers (Postage). Voucher No. 9.....	5 47
	20.	Cash paid David F. Burton (Express). Voucher No. 10.....	3 00
	21.	Cash paid John B. Shockley, as per bill and receipt No. 11.....	5 67
		Cash paid J. Kirk (Printing). Voucher No. 12.....	17 00
June	9.	Cash paid J. Kirk (Stationery). Voucher No. 13.....	23 10
	22.	Cash paid S. J. Raughley for transcribing the laws passed at the adjourned session of the General Assembly held in January, 1866. Voucher No. 14.....	45 69
July	2.	Cash paid G. Rogers (Postage). Voucher No. 15.....	7 43
	21.	Cash paid David F. Burton (Express). Voucher No. 16.....	10 10
August	16.	Cash paid David F. Burton (Express). Voucher No. 17.....	5 25
October	1.	Cash paid G. Rogers (Postage). Voucher No. 18.....	5 04
Nov.	22.	Cash paid David F. Burton (Express). Voucher No. 19.....	21 30
	24.	Cash paid J. Kirk (Printing). Voucher No. 20.....	24 59
<i>Amount carried forward.....</i>			\$274 31

1866.		DOLLS.	CTS.
<i>Amount brought forward</i>		274	31
Dec.	14. Cash paid Z. L. Butler (taking respite of John Green to Georgetown). Voucher No. 21.....	15	00
	18. Cash paid A. B. Conner (Telegraph). Voucher No. 22.....	3	34
	19. Cash paid Fred. Croydon (boxing books). Voucher No. 23.....	10	50
	Cash paid Waples & Barker (Stationery). Voucher No. 24.....	4	62
		<hr/>	
1866.		\$307	77
Dec.	19. Balance in hand, of Contingent fund.....	50	06
		<hr/>	
		\$357	83

Examined and Approved.
 (Signed) ROBERT G. ELLEGOOD,
 Auditor of Accounts. }

Custis W. Wright, Secretary of State in account with the State of Delaware.

DEBTOR.

1865.		DOLLS.	CTS.
March	9. To cash of John E. Spicer, for commission as Justice.....	10	00
	11. To cash of Henry Pratt, for commission as Notary.....	10	00
	16. To cash of L. G. Vandegrift, copy of private act.....	5	00
	17. To cash of Amanda Hudson, copy of private act.	5	00
	23. To cash of A. J. Wright, for commission as Recorder of Deeds.....	10	00
	23. To cash of Peter B. Vandever, for commission as Notary.....	10	00
		<hr/>	
<i>Amount carried forward</i>		\$50	00

1866.			DOLLS.	CTS.
		<i>Amount brought forward</i>	50	00
March	23.	To cash of F. J. Thibault, for commission as Commissioner.....	10	00
	23.	To cash of Kate A. Francis, copy of private act.....	5	00
April	4.	To cash of Sarah E. Barcus, copy of private act.....	5	00
	4.	To cash of T. Bloodgood, for commission as Commissioner of Deeds.....	10	00
	5.	To cash of Eli Saulsbury, two copies of private acts.....	10	00
May	5.	To cash of H. L. Emmons, for commission as Commissioner of Deeds.....	10	00
	10.	To cash of Allen Thomas, for commission as Justice.....	10	00
	11.	To cash of W. D. Comegys, for commission as Commissioner of Deeds.....	10	00
	12.	To cash of W. H. Peters, for commission as Commissioner of Deeds.....	10	00
	13.	To cash of J. Ridgaway, for commission as Justice.....	10	00
June	7.	To cash of John Merritt, for commission as Clerk of the Peace.....	10	00
July	5.	To cash of F. B. Swift, for commission as Commissioner of Deeds.....	10	00
	6.	To cash of R. G. Cooper, for commission as Prothonotary.....	10	00
	11.	To cash of W. H. Sapp, for commission as Constable.....	5	00
	11.	To cash of Daniel Bates, copy of private act.....	5	00
	13.	To cash of S. W. King, for commission as Commissioner of Deeds.....	10	00
	14.	To cash of Henry Bryan, for commission as Commissioner of Deeds.....	10	00
	18.	To cash of J. S. Wilden, copy of private act.....	5	00
	26.	To cash of John H. Frick, for commission as Commissioner of Deeds.....	10	00
	27.	To cash of John Widdoes, for commission as Constable.....	5	00
	27.	To cash of A. M. Burton, for commission as Commissioner of Deeds.....	10	00
		<i>Amount carried forward</i>	\$230	00

1866.			DOLLS.	CTS.
		<i>Amount brought forward</i>	230	00
Sept.	28.	To cash of J. G. Hendrixson, for commission as Notary and Justice.....	20	00
October	12.	To cash of Joseph T. Atkinson, for commission as Commissioner of Deeds.....	10	00
Nov.	1.	To cash of Levin T. Moore, for commission as Constable.....	5	00
	1.	To cash of S. S. Carpenter, for commission as Commissioner of Deeds.....	10	00
	20.	To cash of Caleb Wolcott, for commission as Justice.....	10	00
	20.	To cash of I. C. Grubb, for commission as Notary.....	10	00
	20.	To cash of L. W. Sloat, for commission as Commissioner of Deeds.....	10	00
	21.	To cash of Thomas Slaughter, Great Seal on Patent.....	1	00
	21.	To cash of James A. Dodd, Great Seal on Patent.....	1	00
	24.	To cash of William J. Clarke, for commission as Notary.....	10	00
	30.	To cash of H. T. Downing, for commission as Register in Chancery and Clerk of Orphans' Court of Sussex county.....	20	00
Dec.	2.	To cash of John W. Allen, for commission as Constable.....	5	00
	14.	To cash of Peter B. Vandever, for commission as Justice.....	10	00
	15.	To cash of Richard Blockson, for commission as Constable.....	5	00
			<hr/>	
			\$357	00

CREDITOR.

1865.			DOLLS.	CTS.
Dec.	18.	By amount paid L. Tharp, State Treasurer.....	\$357	00

Received December 18, 1865, from Custis W. Wright, Secretary of State, three hundred and fifty-seven dollars in full of the above and foregoing account.

(Signed) L. THARP,
State Treasurer.

Examined and Approved,
(Signed) ROBERT G. ELLEGOOD,
Auditor of Accounts. }

*Custis W. Wright, Secretary of State, in account with the State
of Delaware.*

DEBTOR.

1866.			DOLLS.	CTS.
Jan.	4.	To cash of L. R. Davis, commission as Justice	10	00
		To cash of F. Register, commission as Commissioner of Deeds.	10	00
		To cash of J. McClaren, commission as Commissioner of Deeds.....	10	00
	17.	To cash of Wm. B. Hill, commission as Commissioner of Deeds.....	10	00
Feb.	2.	To cash of Samuel Swan, commission as Commissioner of Deeds.	10	00
		To cash of Thomas Bacon, commission as Justice.....	10	00
		To cash of William Doran, commission as Constable.....	5	00
	16.	To cash of Isaac S. Elliott, copies of certain acts.....	15	00
	17.	To cash of Alf. Cottingham, commission as Justice and Notary.....	20	00
March	2.	To cash of J. B. Vandever, commission as Notary.....	10	00
	4.	To cash of Samuel M. Harrington, copy of act	20	00
		To cash of C. A. Rawlins, commission as Justice	10	00
		To cash of J. H. Eldridge, commission as Notary	10	00
		To cash of R. H. Eubanks, commission as Notary.....	10	00
	8.	To cash of Daniel Green, commission as Notary..	10	00
	12.	To cash of Samuel Jennison, commission as Commissioner of Deeds.....	10	00
	16.	To cash of Daniel Farra, commission as Notary.....	10	00
	17.	To cash of Samuel B. Sutton, commission as Justice and Notary.....	20	00
	21.	To cash of G. W. Bright, commission as Notary.....	10	00
Amount carried forward.....			\$220	00

1866.			DOLLS.	CTS.
		<i>Amount brought forward</i>	220	00
March	21.	To cash of Williamina Snyder, copy of private act.....		5 00
	27.	To cash of Robert Sarde, commission as Notary.....		10 00
	28.	To cash of A. Anderson, commission as Commissioner of Deeds.....		10 00
	30.	To cash of W. J. Reed, commission as Notary.....		10 00
April	3.	To cash of F. Wilcox, commission as Commissioner of Deeds.....		10 00
	9.	To cash of J. W. Welch, commission as Justice.....		10 00
		To cash of Isaiah Lynch, commission as Justice.....		10 00
	11.	To cash of C. A. Rawlins, commission as Notary.....		10 00
	12.	To cash of Emanuel Rey, commission as Commissioner of Deeds.....		10 00
	13.	To cash of James W. Smith, commission as Justice.....		10 00
	17.	To cash of Thomas S. Harper, commission as Notary.....		10 00
	23.	To cash of James H. Ray, commission as Notary.....		10 00
		To cash of Hiram S. Short, commission as Register of Wills.....		10 00
	24.	To cash of Ezekiel Timmons, copy of private act.....		10 00
	20.	To cash of Thomas Sadler, commission as Commissioner of Deeds.....		10 00
	26.	To cash of Charles S. Lester, commission as Commissioner of Deeds.....		10 00
	27.	To cash of George O'Neill, commission as Justice.....		10 00
May	3.	To cash of Joseph Ward, commission as Notary.....		10 00
	14.	To cash of George M. Davis, commission as Recorder of Deeds.....		10 00
June	6.	To cash of John Jones, commission as Notary.....		10 00
	20.	To cash of William Evans, commission as Justice.....		10 00
		<i>Amount carried forward</i>	\$425	00

1866.			DOLLS.	CTS.
		<i>Amount brought forward</i>	425	00
June	20.	To cash of Philip A. Hoyne, commission as Commissioner of Deeds.....	10	00
July	13.	To cash of M. J. Merchant, commission as Commissioner of Deeds.....	10	00
	20.	To cash of M. W. Allen, commission as Register of Wills.....	10	00
		To cash of Eugene L. Eliason, commission as Notary	10	00
August	17.	To cash of John C. Cannon, commission as Constable.....	5	00
	21.	To cash of Maltrits, Band, and Taylor, copy of act.....	20	00
	27.	To cash of Wm. W. Latimer, commis- sion as Commissioner of Deeds.....	10	00
	27.	To cash of George W. Lindsey, commis- sion as Notary.....	10	00
	27.	To cash of George W. White, commis- sion as Justice.....	10	00
	28.	To cash of Henry Davis, commission as Notary.....	10	00
Sept.	14.	To cash of J. R. Flinn, commission as Notary	10	00
October	15.	To cash of Benj. Donoho, commission as Prothonotary of Kent county.....	10	00
Nov.	9.	To cash of George W. Willin, commission as Sheriff.....	20	00
	9.	To cash of Thomas J. Catts, commission as Coroner.....	10	00
	9.	To cash of William Herbert, commission as Sheriff.....	20	00
	14.	To cash of Stephen M. Collins, commis- sion as Sheriff.....	20	00
	15.	To cash of Henry Todd, commission as Notary.....	10	00
	17.	To cash of James H. Heverin, commission Commissioner.....	10	00
	19.	To cash of John Hickman, commission as Notary.....	10	00
	20.	To cash of Benj. T. Bellew, commission as Coroner.....	10	00
	20.	To cash of H. T. Downing, commission as Notary.....	10	00
		<i>Amount carried forward</i>	\$670	00

1866.		DOLLS.	CTS.
		<i>Amount brought forward</i>	
		670	00
Nov.	20.	To cash of T. A. Benneson, copy of private act.....	10 00
	22.	To cash of Elizabeth Fisher, copy of private act.....	10 00
	22.	To cash of John Bell, commission as Constable	5 00
	23.	To cash of Joseph Ward, commission as Justice.	10 00
	24.	To cash of James H. Tyer, commission as Justice.....	10 00
	26.	To cash of Philip J. Smoot, commission as Justice and Notary.....	20 00
Dec.	18.	To cash of Wm. S. Philips, commission as Coroner.....	10 00
	18.	To cash of James B. Hall, commission as Justice.....	10 00
	19.	To cash of Benj. T. Fleming, commission as Notary.....	10 00
		<hr/>	
		\$765	00

CREDITOR.

1866.		DOLLS.	CTS.
Dec.	19.	To this amount paid State Treasurer.....	765 00

Examined and approved,
 (Signed) ROBERT G. ELLEGOOD,
 Auditor of Accounts. }

Received December 19, 1866, from Custis W. Wright, Secretary of State, the sum of seven hundred and sixty-five dollars in full of the above and foregoing account.

L. THARP,
State Treasurer.

1867, January 1. I, CUSTIS W. WRIGHT, Secretary of State of the State of Delaware, do hereby certify that the foregoing is a true and correct copy of my accounts as Secretary of State.

Witness my hand and Seal of office, the day and year aforesaid.



CUSTIS W. WRIGHT,
Secretary of State.

STATE OF DELAWARE, EXECUTIVE DEPARTMENT, March 6, 1867.

To the Senate and House of Representatives of the State of Delaware in General Assembly met :

The following list of orders for printing, since January 25, 1866, the date of the last report of the Secretary of State, is furnished for the purpose of informing the General Assembly of the amount of printing done by the several papers of the State by orders from this Department:

WHAT PUBLISHED.	When publication ordered.	For what length of time.	BY WHAT AUTHORITY.	Papers Publishing.
Sections 9 and 11 of an act entitled, "An act regulating the sale of Intoxicating Liquors, &c., passed March 6, 1861," as amended by the act of Feb. 13, 1866.	1866.			
Certificate of the filing, &c., of the articles of consolidation between the "Berks and Chester Railroad Company" and the "Delaware and Pennsylvania State Line Railroad Company."	May 16.	Three mos.	Secretary of State. Required by Section 2 of the act.	All the newspapers of the State.
Proclamation of election of Representative.	May 31.	One week.	Secretary of State. Required by Section 2 of the act.	Del. Journal and Statesman and Del. Gazette.
Thanksgiving Proclamation.	Nov. 10.	Two weeks.	Governor. Required by Sec. 3, Chap. 21, Revised Code.	Delawarean and Del. Gazette.
A list of Justices of the Peace and Notaries Public appointed by the Governor.	Nov. 24.	One week.	Governor.	do. do.
	Dec. 4.	Two weeks.	Secretary of State. Required by Sec. 7, Chap. 28, Rev. Code.	do. do.

Respectfully submitted by

CUSTIS W. WRIGHT,
Secretary of State.

On motion of Mr. Bewley,

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

Mr. Paynter 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 when the two Houses adjourn this day, they will adjourn to meet on Tuesday next the 8th inst., at 10 o'clock A. M.

And further,

On his motion,

The resolution

Was

Adopted.

Ordered to the House for concurrence.

Mr. Grubb, Clerk of the House, being admitted, informed the Senate that the House had concurred in the Senate joint resolution adjourning the two Houses from this day until Tuesday next, the 8th inst., at 10 o'clock A. M., and returned the same to the Senate.

On motion,

The Senate adjourned.

TUESDAY, January 8, 1867—10 o'clock, A. M.

The Senate met pursuant to adjournment, under the joint resolution of the two Houses of the General Assembly.

Present—Messrs. Hall, Paynter, Williams and Mr. Speaker—4.

There being no quorum,

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

“Joint resolution to wait upon the Governor and inform him of the organization of the two Houses.”

Mr. Paynter gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled “An act to incorporate the Dorchester and Delaware Railroad Company in this State.”

Mr. Paynter, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Williams,

Obtained leave to introduce a bill entitled,

“An act for the appointment of an additional Justice of the Peace in and for Sussex county, to reside at Georgetown.”

Which,

On his motion,

Was read.

Mr. Grubb, 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 General Assembly in a joint meeting, to publish the vote for Governor.

On motion of Mr. Williams,

The joint resolution just received from the House

Was read,

And further,

On his motion,

Was

Concurred in.

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

Mr. Williams offered a joint resolution appointing a joint committee to draft rules for the government of the two Houses.

Which,

On his motion,

Was read,

And further,

On his motion,

Was

Adopted.

Ordered to the House for concurrence.

In pursuance of said resolution the Speaker appointed Messrs. Williams and Elliott the committee on the part of the Senate.

Mr. Grubb, Clerk of the House, being admitted, 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 upon the Governor and inform him of the organization of the two Houses;” and

“Joint Resolution to adjourn both Houses until Tuesday, the 8th instant, at 10 o'clock A. M.”

And also informed the Senate that the House had concurred in the Senate joint resolution appointing a joint committee on rules for the government of the two Houses.

And returned the same to the Senate.

On motion,

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

WEDNESDAY, January 9, 1867—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Williams, from the Committee on Rules, reported a series of joint rules for the government of intercourse between the two Houses,

Which,

On motion of Mr. Elliott,

Were read, as follows :

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 the 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. Hall,

The rules just reported by the committee

Were

Adopted.

On motion of Mr. Williams,

The Clerk was directed to have fifty copies of the joint rules for the government of the two Houses printed.

Mr. Jackson presented the petition of Elizabeth J. Jackson, of New Castle county, praying the passage of an act to divorce her from her husband, Abijab S. Jackson,

Which,

On his motion,

Was read,

And,

On motion of Mr. Elliott,

Referred to the Committee on Divorces.

Mr. Paynter presented the petition of the members of the bar, and other citizens of Sussex county, praying the passage of an act authorizing the Recorder of Deeds to make a direct and reverse general index to mortgages, in separate records, in the Recorder's office of Sussex county,

Which,

On his motion,

Was read,

And further,

On his motion,

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

Whereupon,

Messrs. Paynter, Hall and Ellison were appointed said committee.

Mr. Paynter moved

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

Which motion

Prevailed.

Mr. Jackson moved that said committee be increased to five.

Which motion

Prevailed.

Whereupon,

Messrs. Paynter, Bounds, Williams, Hall and Jackson were appointed said committee.

Mr. Williams moved

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

Which motion

Prevailed.

Whereupon,

Messrs Williams, Bounds and Elliott were appointed said committee.

Mr. Hall moved

That so much of the Governor's message as relates to the "defenceless condition of the State," be referred to a committee of three, with leave to report by bill or otherwise.

Which motion

Prevailed.

Whereupon,

Messrs. Hall, Paynter and Ellison, were appointed said committee.

Mr. Elliott moved

That the report of the State Treasurer, appended to the Governor's message, be referred to a committee of three, with leave to report by bill or otherwise.

Which motion

Prevailed.

Whereupon,

Messrs. Elliott, Bewley and Paynter were appointed said committee.

Mr. Bounds moved

That so much of the Governor's message as relates to "the State Library and the office of the Secretary of State" be referred to a committee of three, with leave to report by bill or otherwise.

Which motion

Prevailed.

Whereupon,

Messrs. Bounds, Bewley and Jackson were appointed said committee.

On motion of Mr. Paynter,

The bill entitled, "An act to appoint an additional Justice of the Peace, in and for Sussex county, to reside at Georgetown."

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. Paynter, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Williams,

Obtained leave to introduce a bill entitled, "An act to incorporate the Dorchester and Delaware Railroad Company in this State."

On motion of Mr. Paynter,

The bill was read,

And further,

On his motion,

Was referred to the Committee on Corporations.

Mr. Bewley gave notice that he would, on to-morrow or some future day, introduce a bill entitled, "An act to secure the purity of elections."

Mr. Williams presented the petition of Celia Boyles, widow of Joseph Boyles, of Little Creek hundred in the county of Kent, praying the passage of an act giving to her certain escheated lands of Joseph Boyles, deceased.

Which,

On his motion,

Was read,

And further,

On his motion,

Was referred to the committee already raised upon the subject.

Mr. Bewley asked,

And,

On motion of Mr. Williams,

Obtained further time in which to report on the escheated lands of Joseph Boyles, deceased.

Mr. Grubb, 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 :

“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 adopted and requested the concurrence of the Senate in a “Joint resolution for the appointment of a joint committee to examine the report of the State Treasurer,”

And presented the same to the Senate.

He also transmitted to the Senate sundry documents accompanying the Governor's message.

On motion of Mr. Williams,

The documents just received

Were read. [See pages 29-53.]

On motion of Mr. Bewley,

The House bill entitled, “A further additional supplement to the act entitled, ‘An act to extend the time for recording deeds,’”

Was read.

Mr. Jackson, chairman of the Committee on Divorces, to whom was referred the petition of Elizabeth J. Jackson, praying for an act to divorce her from her husband, Abijah S. Jackson,

Reported a bill entitled, “An act to divorce Elizabeth J. Jackson from her husband, Abijah S. Jackson, *a vinculo matrimonii*,”

Which,

On his motion,

Was read.

On motion of Mr. Bewley,

The joint resolution for the appointment of a joint committee to settle with the State Treasurer,

Was taken up for consideration.

Mr. Bewley offered an amendment,

Which,

On his motion,

Was read, as follows :

“Amend the joint resolution by inserting the words, “of the State of Delaware,” after the word “Representatives,” in the second line, and before the word “in,” in the third line.”

Which,

On his further motion,

Was

Adopted.

On motion of Mr. Hall,

The resolution, as amended,

Was

Concurred in.

Ordered that the House be informed thereof, and its concurrence in the Senate amendment requested.

Messrs. Bewley and Paynter were appointed said committee on the part of the Senate.

On motion,

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

THURSDAY, January 10, 1867—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Bewley, from the Committee on Corporations, to whom was referred the Senate bill entitled, "An act to incorporate the Dorchester and Delaware Railroad Company in this State,"

Reported the bill back to the Senate without amendment, and with the recommendation that it pass.

And thereupon,

On his motion,

The bill

Was read a second time by its title.

Mr. Grubb, Clerk of the House, being admitted, informed the Senate that the House had adopted and requested the concurrence of the Senate in the following joint resolutions :

"Joint resolution requiring the Sergeant-at-Arms to raise the National flag upon the State House during the sessions of the General Assembly."

And

"Joint resolution authorizing the Secretary of State to have bound fifty copies of the Revised Code of the State."

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

"An act to increase the salary of the Governor."

And presented the same to the Senate.

On motion of Mr. Bewley,

The House joint resolution requiring the Sergeant-at-Arms to raise the National flag upon the State House during the sessions of the General Assembly,

Was taken up for consideration.

Mr. Bewley offered an amendment to the joint resolution under consideration,

Which,

On his motion,

Was read, as follows :

Amend the joint resolution by inserting the words "of the State of Delaware," between the word "Representatives" and the word "in" in the second line.

And further,

On his motion,

Was

Adopted.

And,

On his further motion,

The joint resolution, as amended,

Was

Concurred in.

Ordered that the House be informed thereof, and its concurrence in the Senate amendment requested.

On motion of Mr. Jackson,

The Senate bill entitled, "An act to divorce Elizabeth J. Jackson, from her husband, Abijah S. Jackson,

Was read a second time by its title.

Mr. Hall presented the petition of George Hays for leave to locate and perfect his title to certain vacant land, situated in Appoquini-mink hundred, in the county of New Castle,

Which,

On his motion,

Was read,

And further,

On his motion,

The petition was referred to the Committee on Vacant Lands.

On motion of Mr. Paynter,

The House joint resolution authorizing the Secretary of State to have bound fifty copies of the Revised Code of the State,

Was taken up for consideration.

Mr. Paynter moved

That the resolution be concurred in.

And,

On the question, " Shall the joint resolution be concurred in ?"

Mr. Bewley called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bounds and Paynter—2.

Nays—Messrs. Bewley, Elliott, Eliason, Hall, Jackson, and Mr. Speaker—6.

So the question was decided in the negative,

And the joint resolution

Was

Non-concurred in.

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

Mr. Grubb, Clerk of the House, being admitted, informed the Senate that the House would be ready in ten 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.

On motion of Mr. Bewley,

The House bill entitled,

" An act to increase the salary of the Governor,"

Was read.

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 10, 1867—11 o'clock, A. M.

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

On motion of Mr. Bewley, of the Senate,

The resolution convening them

Was read.

James Ponder, 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. 1866, there were given

FOR GOVE SAULSBURY,

In New Castle county.....	4,248	votes.
" Kent county.....	2,725	"
" Sussex county.....	2,837	"
Total.....	9,810	"

FOR JAMES RIDDLE,

In New Castle county.....	4,428	votes.
" Kent county.....	1,796	"
" Sussex county.....	2,374	"
Total.....	8,598	

For Mark G. Lofland..... 1 vote.

For N. B. Smithers..... 1 vote.

Majority for Gove Saulsbury..... 1,212 votes.

Gove Saulsbury, 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.

On motion of Mr. Raymond, of the House of Representatives,

The certificates of the election of Governor
Were read.

On motion of Mr. Bewley, of the Senate,
The Journals of the two Houses were read and compared.

On motion of Mr. Bewley, of the Senate,

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

On motion,

The Senate adjourned.

SAME DAY—3 o'clock, P. M.

The Senate met pursuant to adjournment.

Mr. Grubb, Clerk of the House, being admitted, informed the Senate that the House had concurred in the Senate amendment to the House "Joint resolution for the appointment of a joint committee to settle with the State Treasurer."

On motion of Mr. Bewley,

The House bill entitled, "An act to increase the salary of the Governor,"

Was read a second time by its title, and by special order of the Senate.

On motion of Mr. Jackson,

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

Was read a second time by its title.

Mr. Grubb, 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 appointing a joint committee to

wait upon the Governor in his inauguration, at 12 o'clock, M., on Tuesday, 15th instant.

On motion of Mr. Bewley,

The joint resolution just received from the House,

Was read,

And further,

On his motion,

Was

Concurred in.

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

Messrs. Bewley and Bounds were appointed the committee on the part of the Senate.

On motion of Mr. Jackson,

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

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.

On motion,

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

FRIDAY, January 11, 1867—9 o'clock, A. M.

The Senate met pursuant to adjournment.

Mr. Hall, by the unanimous consent of the Senate, withdrew the petition of George Hayes for leave to locate and perfect his title to certain vacant lands, situate in Appoquinimink hundred, in the county of New Castle.

Mr. Jackson gave notice that he would, on to to-morrow or some future day, ask leave to introduce a bill entitled, "An act to incorporate the Delaware and Chester County Railroad Company."

Mr. Jackson offered a resolution,

Which,

On his motion,

Was read, as follows :

Resolved, by the Senate of the State of Delaware, That the Secretary of State be requested to furnish each of the members of the Senate with a copy of the 12th volume of the Delaware Laws,

And further,

On his motion,

The resolution

Was

Adopted.

Mr. Grubb, 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 directing the Speaker of the Senate to deposit in the office of the Recorder of Deeds, in Kent county, one of the certificates of the Governor's election, and to transmit the other to the Governor elect,

And presented the same to the Senate.

On motion of Mr. Elliott,

The joint resolution just received from the House

Was read,

And,

On motion of Mr. Hall,

Was

Concurred in.

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

On motion,

The Senate adjourned until 8½ o'clock, P. M.; Monday, 14th inst.

MONDAY, January 14, 1867—8½ o'clock, P. M.

The Senate met pursuant to adjournment.

On motion of Mr. Bewley,

The House bill entitled, "An act to increase the salary of the Governor,"

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

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

Mr. Hall called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bewley, Elliott, Ellison, Jackson, Paynter, and Williams—6.

Nays—Messrs. Bounds, Hall, and Mr. Speaker—3.

So the question 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,

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

TUESDAY, January 15, 1867—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Mr. Williams, from the special committee to whom was referred so much of the Governor's message as relates to a Penitentiary,

Asked,

And,

On motion of Mr. Bewley,

Obtained further time in which to report.

Mr. Paynter, from the special committee to whom was referred so much of the Governor's message as relates to the criminal law,

Asked,

And,

On motion of Mr. Bewley,

Obtained further time in which to report.

Mr. Elliott, from the special committee to whom was referred the report of the State Treasurer appended to the Governor's message,

Asked,

And,

On motion of Mr. Williams,

Obtained further time in which to report.

Mr. Bewley presented the petition of Noble T. German, and others, to lay out a new ditch in Kent county,

Which,

On his motion,

Was read,

And further,

On his motion,

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

Whereupon,

Messrs. Bewley, Bounds and Elliott, were appointed said committee.

Mr. Elliott, from the Committee on Vacant Lands,

Asked,

And,

On motion of Mr. Williams,

Obtained further time in which to report.

On motion of Mr. Jackson,

The Senate bill entitled, "An act to divorce Elizabeth J. Jackson and Abijah S. Jackson *a vinculo matrimonii*,"

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

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

Mr. Williams called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bewley, Bounds, Elliott, Ellison, Jackson, Paynter, and Mr. Speaker—7.

Nays—Mr. Williams—1.

So the question was decided in the affirmative,

And

The bill

Passed the Senate.

Ordered to the House for concurrence.

Mr. Grubb, Clerk of the House, being admitted, presented for the signature of the Speaker the following enrolled bill, to wit :

“An act to increase the salary of the Governor.”

Mr. Bewley presented the petition of Jacob A. Hurlock and others, to lay out a public road in New Castle county,

Which,

On his motion,

Was read,

And further,

On his motion,

Was referred to the Committee on Roads and Highways.

Mr. Jackson, from the Committee on Enrollment, reported the following bill duly and correctly enrolled, to wit:

“An act to increase the salary of the Governor.”

Mr. Paynter presented the petition of sundry citizens of Milton, praying for the passage of an act to prevent cattle from running at large,

Which,

On his motion,

Was read,

And further,

On his motion,

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

Whereupon,

Messrs. Paynter, Hall and Ellison were appointed said committee.

Mr. Bounds, from the committee to whom was referred so much of the Governor's message as relates to the State Library, and the office of the Secretary of State,

Asked,

And,

On motion of Mr. Bewley,

Obtained further time in which to report.

On motion of Mr. Paynter,

The Senate bill entitled, "An act to appoint an additional Justice of the Peace in and for Sussex county, to reside at Georgetown,

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. Bewley, Bounds, Elliott, Hall, Jackson, Paynter, Williams and Mr. Speaker—8.

Nays—Mr. Ellison—1.

So the question was decided in the affirmative,

And the bill

Passed the Senate.

Ordered to the House for concurrence.

Mr. Grubb, Clerk of the House, being admitted, informed the Senate that the House would be ready, at the expiration of ten minutes, to accompany the Senate to the Court Room, in pursuance of the joint resolution adopted January 10th, 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, Hon. John W. Houston, one of the Associate Judges of the Superior Court of the State of Delaware, Custis W. Wright, Esq., Secretary of State, and the Rev. Thomas B. Bradford, entered the Court Room and took the seats prepared for them.

On motion of Mr. Reed,

The resolution convening the two Houses was read.

Prayer by the Rev. Thomas B. Bradford.

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

I, Gove Saulsbury, 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, Gove Saulsbury, do solemnly swear, on the Holy Evangels of Almighty God, that I will support the Constitution of the State of Delaware, and 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 :

Gentlemen of the Senate and House of Representatives :

Fellow-Citizens :

We have convened, in accordance with the custom of our ancestors, to engage in the observance of mutual duties ;—a member of the Judiciary to perform, you to witness, and I to accept the administration of the oaths necessary as a qualification to enter upon the discharge of the duties of the office into which I have just been inducted. These duties have been performed ;—surely our next is to acknowledge with devout gratitude the Divine mercy that has conducted us, as a political community, in safety to the commencement of another term of the Executive office.

Duty and inclination alike prompt me also to acknowledge my obligation to the people of the State who have elected me to the highest office within their gift. I shall not affect an indifference to the honor conferred by this expression of their confidence. Under any circumstances, an election to the Gubernatorial office would have been an honor of which I should not have been insensible ; but occurring while I was in the discharge of the duties of the office under the provisions of the Constitution, I regard it as an endorsement by my fellow-citizens of my past official acts, and as such it is especially gratifying. My constant effort shall be to continue to discharge the functions of the office so as to occasion the citizens of the State no cause to regret the confidence reposed in me.

The pardoning power has, by the Constitution and laws of the State, been confided solely to the discretion of the Executive. Its exercise, which is often sought, by appeals addressed to the sensibilities and humanity of our natures, is among the most perplexing duties connected with the Gubernatorial office. This power has been conferred upon the Executive with a view to insure, and not defeat, the faithful administration of public justice ; but while the promotion of the ends of justice should be the chief incentive to, the vindication of the benevolence and humanity of the law often demands its exercise. Terror to evil-doers is one of the chief objects in the punishment of crime, but reverence for the justice of the law which protects the innocent, as well as for its majesty in the punishment of

the guilty, is necessary to insure respect for its authority and confidence in its administration.

The power to appoint many of the public officers of the State is conferred upon the Governor, and should be exercised with strict regard to the true interests of the people. Offices were created for the benefit of the people, and not for particular persons. No individual, therefore, has just claim to office until he is clothed with its powers and charged with its responsibilities by those having legal authority to make the election. Qualification for office is the consideration which should determine appointments, and consists of something more than mere business capacity. Urbanity of manner, accommodating disposition, persevering industry and honesty of purpose, are scarcely less necessary to a proper qualification for office than ability properly to perform its clerical duties.

The duty "to take care that the laws be faithfully executed" shall be performed, so far as I am invested with authority for that purpose. Other duties are imposed upon the Executive, by the Constitution and Laws of the State, which it shall be my earnest effort to perform, with strict regard to the honor and dignity of the State and the prosperity and happiness of the people.

Having, at the commencement of the present session submitted, through my biennial message to both branches of the Legislature, the views which I entertain upon the subjects I deemed it my duty to present for their consideration, I shall now invite your attention to questions of more general interest, growing out of our relations with the Federal Government. We have just entered upon a new epoch in the history of our country. The shock of arms, which for years convulsed the nation, has subsided; but the danger to our form of free government, from its effects, continues. The sectional hate, which produced the war, has been intensified by its prosecution, and the restoration of amicable relations between the two sections, which, if ever effected, must be through conciliation and compromise, has been made more difficult than at any former period. The laws which govern human action have not changed; revenge is more in consonance with depraved human nature than that charity which "thinketh no evil." It ought not, therefore, to be very surprising that a victorious majority, just emerged from a state of war, and flushed and excited by the triumphs of victory, should be, for a season, forgetful of the true dignity of human government and of the principles of justice and magnanimity which should characterize its administration.

The war has ended, as might have been expected, in the triumph of the stronger over the weaker section. The problem now to be solved is whether there is statesmanship enough remaining in the country to appropriate the fruits of a victory, purchased by the blood of myriads of our fallen countrymen, to the re-establishment and permanent maintenance of the form of free government bequeathed to

us by our ancestors. The war ought not to have been, and professedly was not waged for the purpose of destroying the principles upon which the Government was based, but to preserve and maintain them. We should be careful that the fruit of it is not the destruction of human liberty and the overthrow of representative government in this land. Having just laid aside the habiliments of war and assumed the robes of peace, we should pause and reflect as to the best means of insuring harmony and prosperity to the whole country in the future. The possession of power too frequently incites to its improper exercise, and while its proper administration may be made a blessing to society, its abuse is tyranny and oppression. The frailties of our nature, which beget a desire to rule, often lead us to rule unjustly. We should be watchful, therefore, in examining the motives and determining the consistency of our own actions, that our impulses and passions do not betray us into the adoption of a policy unjust to our fellow-men and hazardous to the future interest and honor of the Government under which we live. No stimulus is necessary to draw us into the current of popular impulse and action, and hence the necessity of careful self-examination to guard us in determining what is agreeable to ourselves that we do nothing unjust or offensive to others. These are principles applicable alike to communities and individuals, which, if carefully observed and acted upon by those clothed with the powers of government, would be a wholesome restraint against their abuse.

Our own State was the first to adopt the Constitution of 1787; and in all our past history the people of Delaware have evidenced their attachment to the Government which it established. While New England, in the face of a foreign foe, was preparing to sever her connection with the Federal Union,—thus giving aid and comfort to the enemy—Delaware remained true to the obligations of the Federal compact, and her sons illustrated in the councils of the nation, and on the field of battle, their devotion to the government and institutions of the country. In later times, when nullification threatened to interrupt the harmony of the Union, no State gave a more cordial approval and endorsement to the policy of reconciliation that averted the threatened danger. From the commencement of the government to the present hour, no duty on our part has remained unperformed, no obligation undischarged; and to no period of our history can we point with greater pride than to the last few years. When dissensions and the voice of discord were heard in the land—the precursors of that dreadful strife through which we have just passed, no effort was wanting on the part of our people to avert the threatened danger, and prevent the collision which the madness of others brought upon the country.

Through all that war our position was one of which we have cause to be proud. Recognizing to the fullest extent our obligations as a State in the Federal Union, with no desire or purpose to evade or

escape the duties imposed by that relation, we responded to the exactions of Federal authority, however oppressive or burdensome, or however unnecessary or unwise those exactions in the judgment of the people of this State; but, at the same time, we failed not to make known our dissent and opposition to every violation of the Constitution by the Federal authority, and insisted upon the observance of its provisions as alike essential in time of war and of peace. The opposition of our people to arbitrary arrests by military authority, to the suspension of the writ of *habeas corpus*, to unreasonable searches and seizures, to military interference with elections, to the attempt to make the military superior to the civil authority, found a fitting and appropriate expression in the resolutions of the General Assembly of this State upon those subjects. We saw fully the danger to liberty and law which might result from silent acquiescence in the encroachments of arbitrary power under the specious plea of necessity, and timely and emphatically made known our opposition to such acts of usurpation and tyranny. It is most gratifying, now that the war has ceased, and the madness of passion is giving place to reason, that the sentiments entertained by our people on these subjects during the war are finding an endorsement in the decisions of the highest judicial tribunals in the land.

The late civil war was not more unfortunate in the unnecessary sacrifice of life and treasure which it occasioned, than in the passions and sentiments which it has engendered. Theories of government, at variance with the well-understood teachings of the fathers, have arisen out of the passions of men inflamed by hatred and revenge, or stimulated by ambition and the lust of power, which threaten to disturb and overthrow our republican form of government. During the war, the idea of centralization of power was seen in the endorsement of acts of usurpation by the Executive department of the General Government; and the tendency was towards despotism in a single hand. Happily, the termination of the war, and the disbanding of the immense army called into being by its exigencies, left the Executive without the excuse or power to continue longer aggression upon the rights of the people. The same tendency to centralize power, however, is seen in the assumptions of the Federal Congress—equally, if not more dangerous to liberty.

The separation of the thirteen American colonies from the British Crown, and their renunciation of its authority and control, created a necessity for a union of those colonies under one common form and compact of government for the purpose of mutual defence and protection. The varied interests and diversified views of the people of those colonies presented grave difficulties in the way of the accomplishment of this object, even to the most thoughtful students of governmental science. The people of the colonies had just thrown off the burdens and oppressions of a monarchical form of government and assumed to themselves the character of independent States, and

had vindicated their claim to this character by the arbitrament of arms. Having assumed the responsibilities, encountered the dangers, endured the toil, and experienced the sacrifices and sufferings incident to a seven years war to secure liberty and independence for themselves and their posterity, the people of the States were jealous of their liberties, and reluctant to part with any of the rights and privileges which they had purchased at so dear a price. A community of interests and feeling among those who had shared in common danger and common suffering—a friendship formed in the hour of peril and cemented by the blood of their kinsmen—and the want of a sense of security against aggression from more powerful nations, induced the people of the thirteen original States, which at that time constituted thirteen independent communities, to enter into a contract of government, which contract was the written Constitution that gave being and existence to the Federal Government and defined all its powers, prerogatives and privileges, reserving to the States or the people all the powers of government not therein expressly delegated. Those at all acquainted with the early history of the country, or who have carefully read the proceedings of the convention that framed the Constitution, are aware of the difficulty and embarrassment encountered by the convention, not only in adjusting the powers, delegated in the Constitution, between the different departments of the Federal Government, but in securing to the States the rights reserved to themselves and denied to the Federal Government. Centralization or consolidation of power in the government created by the Constitution, was especially sought to be avoided, and an equilibrium of power between the different departments of the Federal Government and a definite limitation of that power was especially sought to be effected. But the paramount object of the fathers of the republic seemed to be to protect the States and the people against the encroachments of Federal power, and hence what they omitted in the original constitution they provided for by amendments to the instrument, the 9th Article of which declares that “the enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people,” and the 10th Article provides that “powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.”

The limitations in the Constitution upon Federal power were not inserted without opposition even at that early day of our history. In the Convention that framed the Constitution there were advocates of centralized power in the Federal Government, who sought to divest the States and the people of rights and powers essential to the existence of proper State Governments, and necessary to the security of the people from oppression. But the men who controlled the convention, and shaped our system of government, were not ignorant of the teachings of history, nor unmindful of the liberties of

those who had experienced the wrongs of oppression, and had fought the battles of the Revolution that they and their posterity might enjoy the blessings of free institutions. They had seen and felt the injustice of consolidated power in the government they had just thrown off, and they were too wise to forge new chains for their own enslavement. They knew the tendency of power in government was to strengthen and fortify itself, and they were determined to guard against its encroachments, and to place barriers against its assaults upon liberty. Every power, therefore, of the General Government, and of each department of that government, is specifically defined and granted by express terms in the Constitution, and all other power is as expressly reserved in the instrument to the States and the people. The General Government therefore cannot, nor can any department of that government, rightfully exercise authority which is not essentially necessary to the exercise of the powers granted; the attempt to do so is usurpation, and it matters not what department of the government may assume unwarranted powers, the infraction of the written Constitution is the same, and the danger to liberty none the less.

Since the formation and adoption of the Constitution, frequent attempts have been made, by construction of its provisions, to obtain for the Federal Government powers that were not therein granted. Until recently, however, all such attempts have proved ineffectual. The reverence of the American people for the Constitution of the country—their love of liberty and devotion to free institutions had been too strong to permit any wide departure from the spirit and letter of that instrument. This adherence to the government, as framed by our fathers, secured to us the most enlarged liberty and the greatest amount of happiness and prosperity. We excited at once the admiration and wonder of mankind. The people of the old world saw us living under a government, the burdens of which were scarcely felt, ourselves the sovereigns, and the agents of the government but the executors of our will. The nations of Europe felt our example, and the down-trodden and oppressed of every land were seeking upon our shores an asylum from tyranny and wrong.

Within the last few years, however, there has been a wide divergence from the spirit of our government, as established by the Constitution, and illustrated by its history in the better days of the republic. It is obvious that the American people are becoming less jealous of their liberty—that they look, if not with indifference, at least with apathy, upon the assaults that are being made upon its citadel. During the late civil war, the exercise of unwarranted power, as before remarked, was principally confined to the Executive department of the government, and was excused, if not justified, by a large portion of the American people upon the plea of necessity set up in its defense; even statesmen of unquestioned ability, and jurists of experience and learning, admitted the plea, and justi-

fied the usurpation. History, however, in every age and in every country, has taught the danger which follows acquiescence in usurpation and tyranny, and it is to be feared that our own future experience will furnish another illustration of the truth of its teachings.

Although the Executive department of the government, upon the termination of the war, and a change of administration, has ceased its attacks upon the liberty of the people, and the rights of the States, and has sought to call back the country to an observance of the Constitution, the call seems to be unheeded or disregarded. The Congress of the nation, assuming to represent the wishes of the people, but really contemning their authority and disregarding their interests, seeks to consolidate in its own hands not only the whole power of the General Government, but to strip the States and the people of the rights secured to them in the Constitution. Claiming that the voice of the people as enunciated in the late elections is an endorsement of the assumption of power by the legislative department of the government, Congress is seeking still further to innovate upon the distribution of powers between the different departments of the government, and to trench still further upon the rights reserved to the States and the people. Indeed, the limitations upon its authority are utterly disregarded, the Constitution openly contemned and derided, and the will of the majority of Congress attempted to be established as the supreme law of the land. Ten States of this Union are denied representation in the national councils, not by virtue of any provision in the Constitution, but simply because it is the will and pleasure of the majority of Congress that they should be excluded. Some of the States thus denied their just right to representation were among the thirteen original States that formed the government under which we live. Indeed, the Constitution could not have been adopted without the concurrence of some of the States now denied representation in violation of its provisions. They have always been States in the Union, and have been so regarded by every department of the government. Even the Congress that excludes them from participation in its councils, has, by the most solemn forms of legislation, recognized that relation. It has proposed amendments to the Constitution, and submitted such amendments to the legislatures of the excluded States for ratification or rejection. It has recognized the validity of the amendment abolishing slavery throughout the country by virtue of its adoption by some of the very States now deprived of representation. In legislative enactments imposing taxes for the support of the government, it has expressly recognized the existence of those States as members of the Federal Union. They are required, by laws enacted by the present Congress, to share the common burdens of government, and contribute their full quota to the payment of the public debt. They are in the Union by legislative recognition, for every purpose whatever, except to participate in the enactment of the laws by which they are

governed. This is denied them arbitrarily, and without even a decent pretext by Congress, which stultifies itself, and disregards alike the constitutional rights of the excluded States and the harmony and prosperity of the whole country. Not only have the States now refused representation been regarded by legislative enactments as members of the Union, but the executive and judicial departments of the government have likewise constantly treated them in that relation; and there is presented to-day before the civilized world, in the denial of the Southern States their just rights of representation, not only the clearest inconsistency, but a flagrant usurpation of power—unparalleled, if at all, in but few instances in the history of human governments.

Not only does Congress exercise the powers referred to, but the right to annul and declare void State governments and institutions is now claimed by leading members of that body, and measures have been concocted and introduced looking to that result. These usurpations of power are not only destructive of the rights of the States sought to be degraded and reduced to a territorial condition, but equally dangerous to the whole country. The power once conceded to Congress to deprive one State of its rights in the Union, or to overthrow or change its constitution, and reduce it to the condition of a territory, and thus exclude it from the Union, and all security for any other State is gone. The continued existence of the States would depend upon the whims or caprice of a majority in Congress, and thus our form of free government would be overthrown and despotism ensue.

No one who has observed the action of the present Congress can have failed to see the rapid strides that are being made towards centralization of power in that department of the Government, nor to be impressed with the danger that threatens State institutions and laws. The conditions annexed to the admission of Nebraska and Colorado by the Senate of the United States, no less than the act passed at the present session conferring the elective franchise upon the negro race, indicate an unmistakable determination on the part of Congress to invade the prerogatives of the States, and deprive them of the power to determine the qualifications of electors within their own limits.

The aggressive encroachments of the majority of Congress upon the rights of the States know no limit and brook no opposition. Deaf to all argument and remonstrance, and dead to all appeals to justice and constitutional obligations, they determine to maintain their hold on power by every means however radical or revolutionary. They threaten to impeach and displace from power the President of the Nation because he is too patriotic to lend the sanction of his position to their assaults upon the Constitutional rights of the States and the people. They are restive and impatient under the decisions of the Supreme Court, and even contemplate its

reorganization that it may interpose no checks upon their usurpations of power.

The people of this country cannot too speedily be made to understand the danger to their rights and liberties from the legislative department of the government, nor too speedily send forth their fiat in opposition to its encroachments and usurpations. They cannot afford to see their State Governments destroyed, or their just rights materially impaired. To State laws and institutions we look for protection to life, liberty and property; and sad for us will be the day when those rights and their vindication shall be made to depend upon Congressional legislation. Liberty will survive or perish in this land, as we of the present generation determine. If Congress shall be brought to respect and observe the Constitutional limitations upon its powers, and the rights reserved to the States and the people shall be maintained and upheld, we may look forward to a future of unparalleled prosperity and greatness, and transmit to posterity the heritage of freedom bequeathed to us by the fathers of the republic; but, if we are untrue to ourselves, if we permit our State Governments to be overthrown, and part with the protection and security they have afforded us in the past, and hold our rights only by the tenure of congressional pleasure, the spirit of free institutions will have fled, and the genius of liberty, excluded from the land, will become an exile from our shores, never to return.

On motion of Mr. Williams, of the Senate,

The journals of the joint meeting were read and compared.

On motion of Mr. Bewley, of the Senate,

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

On motion of Mr. Bewley,

The Clerk was instructed to have one thousand copies of the Governor's Inaugural Address printed.

On motion,

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

WEDNESDAY, January 16, 1867—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Rev. Thomas B. Bradford.

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

"An act to provide for the payment, in advance, to the Recorder of Deeds, of all fees in his office."

Mr. Jackson, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Bewley,

Obtained leave to introduce a bill entitled,

"An act to incorporate the Delaware and Chester County Railroad Company,"

Which,

On motion of Mr. Ellison,

Was read,

And further,

On his motion,

Was referred to the Committee on Corporations.

Mr. Paynter, from the special committee to whom was referred the petition of the members of the bar, and other citizens of Sussex county, praying the passage of an act in relation to the Recorder of Deeds,

Reported a bill entitled, "An act to authorize the Recorder of Deeds to make a direct and reverse general index to mortgages, in separate records, in the Recorder's office of Sussex county,"

Which,

On motion of Mr. Bewley,

Was read.

Mr. Williams presented the petition of Joseph Boyles, in relation to escheated lands in Little Creek hundred, Kent county,

Which,
 On his motion,
 Was read,
 And further,
 On his motion,
 Was referred to the committee already raised on the subject.

Mr. Bewley in the chair.

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. Grubb, 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:

“A supplement to Chapter 95 of the Revised Code, entitled, ‘Of the Court of Chancery;’”

“An act to incorporate the Smyrna Seminary;”

“A supplement to Chapter 86 of the Revised Code, ‘Of joint estates and partition;’”

“A supplement to the act entitled, ‘An act to incorporate the Dover and Mahon’s River Railroad Company,’ passed at Dover, January 24th, 1865;”

“An act to incorporate the Wilmington Loan Association;”

“An act to authorize the Recorder of Deeds, in and for Kent county, to procure a new seal of office;”

“An act to authorize Alfred T. A. Torbert to straighten a public road upon his own land, in Milford hundred, Kent county, at his own expense;”

“An act appointing commissioners to change and straighten the

course of a public road in Duck Creek hundred, Kent county ;”

“An act for the relief of Mary C. Houlston ;” and

“An act for the relief of John Montgomery,”

And presented the same to the Senate.

He also 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 appointing a joint committee to wait upon the Governor elect ;”

“Joint resolution in relation to the certificates of election of Gove Saulsbury, Governor ;”

“Joint resolution convening the General Assembly in joint meeting to publish the vote for Governor ;” and

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

On motion of Mr. Bewley,

The House bill entitled,

“An act appointing commissioners to change and straighten the course of a public road in Duck Creek hundred, Kent county,”

Was read,

And further,

On his motion,

Was referred to the Committee on Roads and Highways.

On motion of Mr. Williams,

The House bill entitled,

“An act to authorize the Recorder of Deeds, in and for Kent county, to procure a new seal of office,”

Was read.

On motion of Mr. Bewley,

The House bill entitled,

“An act to incorporate the Smyrna Seminary,”

Was read,

And further,

On his motion,
Was referred to the Committee on Corporations.

On motion of Mr. Paynter,
The House bill entitled,
"A supplement to Chapter 86 of the Revised Code, 'Of joint-estates and partition,'"

Was read.

Mr. Hall, from the committee to whom was referred so much of the Governor's message as relates to the defenceless condition of the State,

Asked,

And,

On motion of Mr. Bewley,
Obtained further time in which to report.

On motion of Mr. Elliott,

The House bill entitled,

"An act to incorporate the Wilmington Loan Association,"

Was read,

And further,

On his motion,

Was referred to the Committee on Corporations.

On motion of Mr. Bewley,

The House bill entitled,

"A supplement to the act entitled, 'An act to incorporate the Dover and Mahon's River Railroad Company,' passed at Dover, January 24, 1865,"

Was read,

And,

On motion of Mr. Williams,

Was referred to the Committee on Corporations.

On motion of Mr. Paynter,

The House bill entitled,

"A supplement to Chapter 95 of the Revised Code, entitled, 'Of the Court of Chancery,'"

Was read.

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

"An act for the relief of Mary C. Houlston,"

Was read,

And,

On motion of Mr. Bewley,

Was referred to the Committee on Divorces.

On motion of Mr. Bewley,

The House bill entitled,

"An act to authorize Alfred T. A. Torbert to straighten a public road upon his own land, in Milford hundred, Kent county, at his own expense,"

Was read,

And further,

On his motion,

Was referred to the Committee on Roads and Highways.

On motion of Mr. Jackson,

The House bill entitled,

"An act for the relief of John Montgomery,"

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 17, 1867—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Mr. Grubb, 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 :

"A further supplement to the act entitled, 'An act to limit the City Debt of Wilmington, and to provide for the discharge thereof,' passed February 21, 1849 ;"

"An act for recording settlements by guardians, executors and administrators, in New Castle county ;"

"An act to incorporate the Mechanics' Loan Association of Wilmington ;" and

"An act to amend an act entitled, 'An act to incorporate a Bank at Seaford, in the county of Sussex, under the name of the Diamond State Bank.'"

And presented the same to the Senate.

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

"Joint resolution in relation to the certificates of the election of Gove Saulsbury, Governor ;"

"Joint resolution convening the General Assembly in joint meeting to publish the vote for Governor ;"

"Joint resolution appointing a joint committee to wait upon the Governor at his inauguration ;" and

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

Mr. Paynter, from the Committee on Roads and Highways, to whom was referred the House bill entitled,

"An act to authorize Alfred T. A. Torbert to straighten a public road upon his own land, in Milford hundred, Kent county, at his own expense,"

Reported the bill back to the Senate, without amendment, and with the recommendation that it pass.

And thereupon,

On his motion,

The bill was read a second time by its title.

On motion of Mr. Elliott,

The House bill entitled,

"An act to incorporate the Mechanics' Loan Association, of Wilmington,"

Was read,

And further,

On his motion,

Was referred to the Committee on Corporations.

Mr. Paynter, from the Committee on Roads and Highways, to whom was referred the House bill entitled,

"An act appointing commissioners to change and straighten the course of a public road in Duck Creek hundred, Kent county,"

Reported the bill back to the Senate, without amendment, and with the recommendation that it pass.

And, thereupon,

On his motion,

The bill was read a second time by its title.

On motion of Mr. Paynter,

The House bill entitled,

"A supplement to Chapter 86 of the Revised Code, 'Of joint estates and partition,'"

Was read a second time by its title.

On motion of Mr. Jackson,

The House bill entitled,

"A further supplement to the act entitled, 'An act to limit the city debt of Wilmington and to provide for the discharge thereof,' passed February 21, 1849,"

Was read.

On motion of Mr. Paynter,

The House bill entitled,

"A supplement to Chapter 95 of the Revised Code, entitled, 'Of the Court of Chancery,'"

Was read a second time by its title.

On motion of Mr. Ellison,

The House bill entitled,

"An act for recording settlements by guardians, executors and administrators, in New Castle county,"

Was read.

On motion of Mr. Paynter,

The Senate bill entitled,

"An act to authorize the Recorder of Deeds to make a direct and reverse general index to the mortgages, in separate records, in the Recorder's office of Sussex county,"

Was read a second time by its title.

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

"An act to incorporate the Smyrna Seminary,"

Reported the bill back to the House without amendment, and with the recommendation that it pass.

And, thereupon,

On his motion,

The bill

Was read a second time by its title.

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

"An act to incorporate the Delaware and Chester County Railroad Company,"

Reported the bill back to the Senate with amendments,

Which,

On his motion,

Were read, as follows:

Amendments to the act entitled, "An act to incorporate the Delaware and Chester County Railroad Company."

Amend Section 12 by adding at the end thereof, the following, to wit: "And the said company may lay down the track of their railroad across any other railroad that may now or hereafter be constructed

in the State, and which it may be necessary to cross for purposes aforesaid: *Provided*, That in crossing the track of any other railroad they shall construct their crossing in such a manner that the same shall not impede or obstruct the passage of any car or locomotive upon the road or roads so crossed: *And provided further*, That the corporation whose track is thus crossed may claim and obtain damages according to the provisions of this act."

"Amend Section 18, by inserting, after the word "act," in the third line of said section, the words, "and the Secretary of State is hereby authorized and required to publish the same with the other laws of this State."

And further,

On his motion,

The amendments were

Adopted.

The Speaker here decided that, in conformity with the ruling in Jefferson's Manual, bills should not be referred until they had passed a second reading.

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. Jackson,

The Senate bill entitled,

“An act to incorporate the Delaware and Chester county Railroad Company,”

Was read a second time by its title.

Mr. Grubb, 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 incorporate the Delaware State Normal University,”
and

“An act to incorporate the Mechanics' and Workingmen's Building and Loan Association of New Castle,”

And presented the same to the Senate.

On motion of Mr. Elliott,

The House bill entitled,

“An act to incorporate the Delaware State Normal University,”

Was read.

On motion of Mr. Elliott,

The House bill entitled,

“An act to incorporate the Mechanics' and Workingmen's Building and Loan Association of New Castle,”

Was read.

Mr. Grubb, 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 amend and re-enact the act entitled, ‘An act to incorporate the Gravelly Run Marsh Company,’ passed at Dover, February 5th, 1866,”

And presented the same to the Senate.

On motion of Mr. Bewley,

The bill just received from the House
Was read.

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

"A supplement to the act entitled, 'An act to incorporate the Dover and Mahon's River Railroad Company,' passed at Dover, January 24, 1865,"

Reported the bill back without amendment.

And, thereupon,

On his motion,

The bill was read a second time by its title.

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

"An act to divorce Mary C. Houlston,"

Reported the same back to the Senate without amendment, and with the recommendation that it pass.

And, thereupon,

On his motion,

The bill was read a second time by its title.

On motion of Mr. Williams,

The House bill entitled,

"An act for the relief of Mary C. Houlston,"

Was taken up for consideration.

Mr. Williams offered an amendment to the bill under consideration,

Which,

On his motion,

Was read, as follows :

Amend the title of the bill as follows, to wit : Strike out all after the word "act," and insert, in lieu thereof, the following : "To divorce Mary C. Houlston from her husband, William Houlston,"

And further,

On his motion,

The amendment was

Adopted.

And,

On his further motion,

The further consideration thereof was postponed until to-morrow.

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

“An act for the relief of John Montgomery,”

Reported the bill back to the Senate without amendment, and with the recommendation that it pass.

And thereupon,

On his motion,

The bill

Was read a second time by its title.

On motion,

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

FRIDAY, January 18, 1867—10 o'clock, A. M.

The Senate met pursuant to adjournment.

On motion of Mr. Paynter,

The Senate bill entitled,

“An act to incorporate the Dorchester and Delaware Railroad Company, in this State,”

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. Bewley, Ellison, Hall, Jackson, Paynter, Williams and Mr. Speaker—7.

Nays—Mr. Elliott—1.

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 of Mr. Bewley,

The House bill entitled,

"An act appointing commissioners to change and straighten the course of a public road in Duck Creek hundred, Kent county,"

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. Paynter,

The House bill entitled,

"A supplement to Chapter 86 of the Revised Code, 'Of joint estates and partition,'"

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. Bewley,

The House bill entitled,

"An act to incorporate the Smyrna Seminary,"

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. Bewley, Elliott, Hall, Jackson, Paynter, Williams and Mr. Speaker—7.

Nays—None.

So the question was decided in the affirmative,

And the bill, having received the constitutional majority,

Passed the Senate.

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

On motion of Mr. Jackson,

The House bill entitled,

"A further supplement to the act entitled, 'An act to limit the city debt of Wilmington, and to provide for the discharge thereof,' passed February 21st, 1849,"

Was read a second time by its title,

And further,

On his motion,

Was referred to the Committee on Corporations.

On motion of Mr. Paynter,

The House bill entitled,

"A supplement to Chapter 95 of the Revised Code, entitled, 'Of the Court of Chancery,'"

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. Bewley,

The House bill entitled,

"An act to amend an act entitled, 'An act to incorporate a bank at Seaford, in the county of Sussex, under the name of the Diamond State Bank,'"

Was read,

And further,

On his motion,

Was referred to the Committee on Corporations.

On motion of Mr. Elliott,

The House bill entitled,

"An act to incorporate the Delaware State Normal University,"

Was read a second time by its title.

And further,

On his motion,

Was referred to the Committee on Corporations.

Mr. Paynter, from the special committee to whom was referred the petition of the citizens of Milton, praying the passage of an act to prevent cattle from running at large,

Reported a bill entitled,

"An act prohibiting cattle from running at large in the town of Milton,"

Which,

On his motion,

Was read.

On motion of Mr. Jackson,

The House bill entitled,

"An act for the relief of John Montgomery,"

Was read a third time, and by paragraphs,

And,

Pending the question of its final passage,

Mr. Williams offered an amendment to its title,

Which,

On his motion,

Was read, as follows :

Amend the title of the bill as follows, to wit: Strike out all after the word "act," and insert, in lieu thereof, the words, "To divorce John Montgomery and Nancy R., his wife, from the bonds of matrimony,"

And further,

On his motion,

The amendment was

Adopted.

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

Mr. Williams called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bewley, Elliott, Hall, Jackson, Paynter and Mr. Speaker—6.

Nays—Mr. Williams—1.

So the question was decided in the affirmative,

And the bill

Passed the Senate.

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

On motion of Mr. Elliott,

The House bill entitled,

“An act to incorporate the Mechanics’ and Workingmen’s Building and Loan Association, of New Castle,”

Was read a second time by its title,

And,

On motion of Mr. Hall,

Was referred to the Committee on Corporations.

On motion,

The Senate adjourned until 8½ o’clock on Monday evening.

MONDAY, January 21, 1867—8½ o’clock, P. M.

The Senate met pursuant to adjournment.

There being no quorum present,

On motion of Mr. Paynter,

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

TUESDAY, January 22, 1867—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Williams in the chair.

Mr. Bewley presented the petition of John B. Cooper and others, asking for the passage of an act to incorporate Stella Lodge, No. 83, I. O. of O. F., of Smyrna, Delaware,

Which,

On his motion,

Was read,

And further,

On his motion,

Was referred to the Committee on Corporations.

Mr. Bewley presented the petition of the merchants of Wilmington, praying the passage of an act to prevent citizens from other States, and of the city of Wilmington, from peddling flour, meal, &c., either by pound, package, &c.,

Which,

On his motion,

Was read.

And further,

On his motion,

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

Whereupon,

Messrs. Bewley, Paynter and Elliott were appointed said committee.

Mr. Grubb, 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 amend Chapter 17 and Chapter 18 of the Revised Code of the State of Delaware," and

"An act to divorce Mary A. Dehorty,"

And presented the same to the Senate.

Mr. Bewley, from the Committee on Corporations, to whom was referred the petition of John B. Cooper and others, asking for the passage of an act to incorporate Stella Lodge, No. 33, I. O. of O. F.,

Reported a bill entitled,

"An act to incorporate Stella Lodge, No. 33, I. O. of O. F., Smyrna, Delaware,"

Which,

On his motion,

Was read.

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

"An act to incorporate the Mechanics' Loan Association, of Wilmington,"

Reported the bill back without amendments, and with the recommendation that it pass.

And, thereupon,

On his motion,

The bill was read a second time by its title.

On motion of Mr. Ponder,

The House bill entitled,

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

Was taken up for consideration,

And further,

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?"

Mr. Williams called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Bewley, Elliott, Jackson, Paynter and Mr. Speaker
—5.

Nays—Messrs. Ellison and Williams—2.

So the question 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,

The Senate adjourned until 3 o'clock this afternoon.

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

The Senate met pursuant to adjournment.

Mr. Jackson presented the petition of Rebecca Lilly, of Mill Creek hundred, New Castle county, praying the passage of an act to divorce her from her husband, Henry Lilly,

Which,

On his motion,

Was read,

And further,

On his motion,

Was referred to the Committee on Divorces.

On motion of Mr. Paynter,

The House bill entitled,

"An act to divorce Mary A. Dehorty,"

Was read.

On motion of Mr. Jackson,
 The Senate bill entitled,
 "An act to incorporate the Delaware and Chester County Rail-
 road Company,"

Was taken up for consideration.

Mr. Jackson offered an amendment to the bill under consideration,
 Which,

On his motion,

Was read, as follows:

Amend the bill by adding thereto :

SECTION 24. *And be it further enacted,* That in case the Wil-
 mington and Reading Railroad Company shall construct a railroad
 on any part of the line contemplated by this act, then, and in that
 case, it shall be lawful for the company hereby incorporated and the
 said Wilmington and Reading Railroad Company to enter into a
 mutual agreement satisfactory to both companies, permitting the
 company hereby incorporated to use such part of the said Wilming-
 ton and Reading Railroad as may be found convenient and desirable
 as and for a part of the railroad line contemplated by this act.

And further,

On his motion,

The amendment was

Adopted.

And,

On his further motion,

The further consideration thereof was postponed until to-morrow.

Mr. Elliott in the chair.

On motion,

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

WEDNESDAY, January 23, 1867—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Williams,

The House bill entitled,

“An act to amend and re-enact the act entitled, ‘An act to incorporate the Gravelly Run Marsh Company,’ passed at Dover, February 5, 1866,”

Was read a second time by its title.

On motion of Mr. Jackson,

The Senate bill entitled,

“An act to incorporate the Delaware and Chester County Railroad Company,”

Was taken up for consideration.

And further,

On his motion,

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. Bewley, Bounds, Elliott, Ellison, Jackson, Paynter, Williams and Mr. Speaker—8.

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 of Mr. Bewley,

The Senate bill entitled,

"An act to incorporate the Stella Lodge, No. 33, I. O. of O. F., of Smyrna, Delaware,"

Was read a second time by its title.

Mr. Elliott presented the petition of Ida A. Poulson, of Wilmington, praying the passage of an act to divorce her from her husband, William C. Poulson,

Which,

On his motion,

Was read,

And further,

On his motion,

Was referred to the Committee on Divorces.

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

"An act to incorporate the Mechanics' and Workingmen's Building and Loan Association, of New Castle,"

Reported the same back to the Senate without amendment, and with the recommendation that it pass.

And, thereupon,

On his motion,

The bill was read a second time by its title.

Mr. Elliott presented the petition of Ann Long, of Wilmington, praying for the passage of an act to divorce her from her husband, Philip Long,

Which,

On his motion,

Was read,

And further,

On his motion,

Was referred to the Committee on Divorces.

Mr. Grubb, 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 conveyance of certain real estate in New Castle county to the United States;"

"A supplement to Chapter 49 of the Revised Code, entitled 'Of the Insane ;'"

“An act to incorporate the Milford Ice Company;” and

“A further supplement to the act entitled, ‘An act to incorporate the Wilmington Coal Gas Company,’”

And presented the same to the Senate.

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

“An act for the relief of John Montgomery.”

On motion of Mr. Bewley,

The House bill entitled,

“An act to incorporate the Mechanics’ and Workingmen’s Building and Loan Association of New Castle,”

Was read a third time, and by paragraphs, by special order, 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. Bewley, Bounds, Elliott, Ellison, Jackson, Paynter, Williams and Mr. Speaker—8.

Nays—None.

So the question was decided in the affirmative,

And the bill, having received the constitutional majority,

Passed the Senate.

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

Mr. Paynter, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Bewley,

Obtained leave to introduce a bill entitled,

“An act to provide for the payment in advance to the Recorder of Deeds of all fees in his office,”

Which,

On his motion,

Was read.

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

“An act to incorporate the Wilmington Loan Association;”

Reported the bill back to the Senate without amendment, and with the recommendation that it pass.

And, thereupon,

On his motion,

The bill

Was read a second time by its title.

On motion of Mr. Paynter,

The Senate bill entitled,

“An act to prohibit cattle from running at large in the town of Milton,”

Was read a second time by its title.

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

“An act to incorporate the Delaware State Normal University,”

Reported the bill back to the Senate without amendment, and with the recommendation that it pass.

And, thereupon,

On motion of Mr. Jackson,

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. Bewley, Bounds, Elliott, Ellison, Jackson, Paynter, Williams and Mr. Speaker—8.

Nays—None.

So the question was decided in the affirmative,

And the bill, having received the constitutional majority,

Passed the Senate.

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

On motion of Mr. Paynter,
 The House bill entitled,
 "An act to divorce Mary A. Dehorty,"
 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. Grubb, Clerk of the House, being admitted, informed the Senate that the House had adopted resolutions of respect to the memory of the Hon. James H. Smith, late a member of the House of Representatives,

Which he read.

Mr. Bewley then delivered the following eulogy:

The announcement that has just been made, of the death of a member of this General Assembly, renders it appropriate that some remarks should be made in reference to the deceased, to the members of the Senate. To those who knew him, it would be unnecessary to do more than to offer the resolutions customary on such occasions; but I am aware that some of the members of the Senate have had the pleasure of his acquaintance for but a few days, consequently knew but little of him. James H. Smith was a man of real merit, esteemed most by those who knew him best, and has gone to his grave honored and respected by all who knew him. He was aged about fifty-five years, and resided in Mispillion hundred, Kent county, from boyhood; and in his neighborhood was known as a man of strict integrity, high Christian character, and perhaps no man in this county enjoyed the confidence and respect of his friends and neighbors more than did the deceased. His great loss will be felt by his family and his confiding constituents. He was a man of unassuming manners, kind and courteous to all. He sought the retirement of do-

mestic life rather than the perplexities incident to public life. He was, however, elected in 1852 as a delegate to the Convention that met to change the Constitution of this State, and participated in the debates of that Convention. He was afterwards appointed a Justice of the Peace, which office he resigned. The position he held as a member of this General Assembly was unsought for by him, but had he lived to participate in our labors, his prudent and discreet judgment would have been of essential service to this Legislature.

His loss will be especially felt by the Methodist Protestant Church, of which he was an active member. In early life—more than thirty years ago—he connected himself with the church, and was for many years, and at the time of his death, an efficient and zealous exhorter in that church. He was emphatically one of the pillars of the church in his neighborhood; and by his example, as well as by precept, illustrated the beauties of the Christian character.

I am aware, Mr. Speaker, of the great loss to his bereaved wife and seven children; but they are not without a glorious hope, knowing that he has only passed on a few days in advance of them. May God help them to live in this world so as to meet him where there will be no parting!

During his sickness, and up to his death, he exhibited patience and Christian fortitude; and just before his spirit took its flight from earth, he expressed his complete resignation to the will of the Lord. He has been called away from the duties of this life, but no doubt lingers on the mind of any one who knew him that his spirit has been escorted by angels to the land of delight, around our Father's throne in Heaven, there to live forever.

Mr. Bewley moved

That the Senate adjourn, as a token of respect to the deceased.

Which motion

Prevailed,

And

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

THURSDAY, January 24, 1867—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

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

“An act to amend an act to incorporate a bank at Seaford, county of Sussex, under the name of the Diamond State Bank,”

Reported the bill back to the Senate without amendment, and with the recommendation that it pass.

And, thereupon,

On his motion,

The bill was read a second time by its title.

On motion of Mr. Williams,

The House bill entitled,

“An act to amend and re-enact the act entitled, ‘An act to incorporate the Gravelly Run Marsh Company,’ passed at Dover, February 5, 1866,”

Was read a third time, and by paragraphs, with a view 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. Bewley, Bounds, Ellison, Jackson, Paynter, Williams and Mr. Speaker—7.

Nays—None.

So the question was decided in the affirmative,

And the bill, having received the constitutional majority,

Passed the Senate.

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

On motion of Mr. Bewley,
The Senate bill entitled,
"An act to incorporate Stella Lodge, No. 33, I. O. of O. F. of
Smýrna, Delaware,"

Was read a third time, and by paragraphs, with a view 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. Bewley, Bounds, Ellison, Hall, Jackson, Paynter,
Williams and Mr. Speaker—8.

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 of Mr. Jackson,

The House bill entitled,

"An act to incorporate the Mechanics' Loan Association of Wil-
mington,"

Was read a third time, and by paragraphs, with a view to pass
the Senate.

Mr. Bewley moved

That the further consideration thereof be postponed until to-
morrow,

Which motion

Prevailed,

And the further consideration thereof

Was so

Postponed.

Mr. Grubb, 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 amend Chapter 12 of the Revised Code, entitled 'Of
Collectors;'"

"An act to lay out a public road in Duck Creek hundred ;"

"An act to amend the act entitled, 'An act to authorize proceed-
ings for partition of intestate lands to be begun in vacation ;'"

"An act to authorize Charles Brown to change and straighten a public road in West Dover hundred, Kent county, and for other purposes;"

"An act to incorporate the Germania Building and Loan Association;" and

"An act to incorporate the Delaware Gas Light Improvement Company,"

And presented the same to the Senate.

On motion of Mr. Ellison,

The House bill entitled,

"An act for recording settlements by guardians, executors and administrators, in New Castle county,"

Was read a second time by its title.

On motion of Mr. Elliott,

The House bill entitled,

"A further supplement to the act entitled, 'An act to incorporate the Wilmington Coal Gas Company,'"

Was read.

Mr. Raymond, a member 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 for the relief of Alfred Lee Cummins, minor child of Daniel Cummins, deceased,"

And presented the same to the Senate.

On motion of Mr. Ellison,

The House bill entitled,

"An act authorizing the conveyance of certain real estate in New Castle county to the United States,"

Was read.

On motion of Mr. Bewley,

The House bill entitled,

"A supplement to the act entitled, 'An act to incorporate the Dover and Mahon's River Railroad Company,' passed at Dover, January 24, 1865,"

Was taken up for consideration.

Mr. Williams offered an amendment to the bill under consideration,

Which,

On his motion,

Was read, as follows :

Amend Section 2 of the bill by striking out all after the word "crossed," in the twenty-fifth line thereof.

Which,

On his motion,

Was

Adopted.

Mr. Elliott also offered an amendment to the bill under consideration.

Which,

On his motion,

Was read, as follows :

Amend the printed bill as follows :

1st. By inserting the word "first" in the sixth line of Section 2, between the words "company" and "paying."

2d. By inserting in said section, before the proviso, these words: "*Provided*, that the crossing over the Delaware Railroad shall be under the control of the Delaware Railroad Company, but the cost of the making, and the material of said crossing, shall be borne by the Dover and Mahon's River Railroad Company."

Mr. Elliott moved

That the further consideration of the bill be postponed until this afternoon,

Which motion

Was

Lost.

On motion of Mr. Williams,

The bill under consideration

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. Bewley, Bounds, Ellison, Hall, Paynter, Williams and Mr. Speaker—7.

Nays—Messrs. Elliott and Jackson—2.

So the question was decided in the affirmative,

And the bill, having received the constitutional majority,

Passed the Senate.

Ordered that the House be informed thereof, and its concurrence in the Senate amendment requested.

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

“An act to amend Chapter 61 of the Thirteenth Volume of the Laws of Delaware.”

On motion of Mr. Bewley,

The House bill entitled,

“An act for the relief of Alfred Lee Cummins, minor,”

Was read.

On motion of Mr. Elliott,

The House bill entitled,

“An act to incorporate the Germania Building and Loan Association,”

Was read.

On motion of Mr. Jackson,

The House bill entitled,

“An act to incorporate the Delaware Gas Light Improvement Company,”

Was read.

Mr. Bounds, from the Committee on Divorces, to whom was referred the petition of Rebecca Lilly, of Wilmington, praying the passage of an act to divorce her from her husband, Henry Lilly,

Reported a bill entitled,

“An act to divorce Rebecca Lilly from her husband, Henry Lilly,”

Which,

On his motion,

Was read.

On motion of Mr. Bewley,

The House bill entitled,

"An act to authorize Charles Brown to change and straighten a public road in West Dover hundred, Kent county, and for other purposes,"

Was read.

On motion of Mr. Williams,

The House bill entitled,

"An act to amend Chapter 12 of the Revised Code, entitled, 'Of Collectors,'"

Was read.

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

"A supplement to the act entitled, 'An act to incorporate the Dover and Mahon's River Railroad Company,' passed at Dover, January 24, 1865,"

And in the Senate amendment to the House bill entitled,

"An act for the relief of Mary C. Houlston."

On motion of Mr. Bewley,

The House bill entitled,

"An act to lay out a public road in Duck Creek hundred,"

Was read.

On motion of Mr. Williams,

The House bill entitled,

"An act to authorize the Recorder of Deeds, in and for Kent county, to procure a new seal of office,"

Was read a second time by its title.

On motion of Mr. Bewley,

The House bill entitled,

"An act to amend the act entitled, 'An act to authorize proceedings for partition of intestate lands to be begun in vacation,'"

Was read,

And further,

On his motion,

Was read a second time by its title, by special order.

On motion of Mr. Elliott,

The House bill entitled,

"An act to incorporate the Delaware Gas Light Improvement Company,"

Was read a second time by its title by special order,

And further,

On his motion,

Was referred to the Committee on Corporations.

On motion of Mr. Bewley,

The House bill entitled,

"An act to amend the act entitled, 'An act to authorize proceedings for partition of intestate lands to be begun in vacation,'"

Was read a third time, and by paragraphs, and by special order,

And

Passed the Senate.

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

On motion of Mr. Hall,

The House bill entitled,

"An act to amend Chapter 17 and Chapter 18 of the Revised Code of the State of Delaware,"

Was read.

On motion of Mr. Paynter,

The Senate bill entitled,

"An act to provide for the payment, in advance, to the Recorder of Deeds, of all fees in his office,"

Was read a second time by its title.

On motion of Mr. Hall,

The House bill entitled,

"An act to incorporate the Milford Ice Company,"

Was read.

On motion of Mr. Paynter,

The Senate bill entitled,

"An act prohibiting cattle from running at large in the town of Milton,"

Was read a third time, and by paragraphs,

And

Passed the Senate.

Ordered to the House for concurrence.

On motion of Mr. Hall,

The House bill entitled,

"A supplement to Chapter 49 of the Revised Code entitled 'Of the Insane,'"

Was read.

On motion of Mr. Elliott,

The House bill entitled,

"A further supplement to the act entitled, 'An act to incorporate the Wilmington Coal Gas Company,'"

Was read a second time by its title, by special order,

And,

On motion of Mr. Jackson,

Was referred to the Committee on Corporations.

On motion,

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

FRIDAY, January 25, 1867—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

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

“A further additional supplement to the act entitled, ‘An act to extend the time for recording deeds ;’”

“An act appointing commissioners to change and straighten the course of a public road in Duck Creek hundred, Kent county ;”

“A supplement to Chapter 86 of the Revised Code, ‘Of joint estates and partition ;’”

“A supplement to Chapter 95 of the Revised Code, entitled, ‘Of the Court of Chancery ;’”

“An act to incorporate the Smyrna Seminary.”

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 Electrical Brake Company of America ;”

“An act to incorporate the Hicks’ Steam Engine Company, of Delaware ;”

“An act to amend Chapter 571 of the 12th volume of Delaware Laws, entitled, ‘An act to amend the ninety-ninth Chapter of the Revised Code ;’”

“An act to revive and amend the act entitled, ‘An act to incorporate the Green Branch Ditch Company,’ passed at Dover, February 18, 1863, as amended by the acts passed at Dover respectively January 28th, 1864, and January 30th, 1866 ;”

“An act to amend Chapter 125 of the Revised Code, entitled, ‘Of the fees of public officers ;’”

“An act to divorce Robert M. Connery from the bonds of matrimony with Catherine Connery.”

On motion of Mr. Jackson,

The House bill entitled,

"An act to incorporate the Germania Building and Loan Association,"

Was read a second time by its title,

And further,

On his motion,

Was referred to the Committee on Corporations.

On motion of Mr. Jackson,

The Senate bill entitled,

"An act to divorce Rebecca Lilly from her husband, Henry Lilly, *a vinculo matrimonii*,"

Was read a second time by its title.

On motion of Mr. Williams,

The House bill entitled,

"An act to amend Chapter 12 of the Revised Code, entitled, 'Of Collectors,'"

Was read a second time by its title.

On motion of Mr. Williams,

The House bill entitled,

"An act to authorize the Recorder of Deeds, in and for Kent county, to procure a new seal of office,"

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. Williams offered a joint resolution in relation to the adjournment of both Houses of the General Assembly,

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 when the two Houses adjourn this day, they adjourn to meet on Tuesday next at 8½ o'clock, P. M.,

And further,

On his motion,

The resolution was

Adopted.

Ordered to the House for concurrence.

On motion of Mr. Ellison,

The House bill entitled,

"An act authorizing the conveyance of certain real estate in New Castle county to the United States,"

Was read a second time by its title.

On motion of Mr. Hall,

The House bill entitled,

"A supplement to Chapter 49 of the Revised Code, entitled, 'Of the Insane,'"

Was read a second time by its title.

On motion of Mr. Williams,

The House bill entitled,

"An act to incorporate the Hicks' Steam Engine Company, of Delaware,"

Was read.

Mr. Raymond, a member of the House, being admitted, informed the Senate that the House had concurred in the joint resolution adjourning both Houses until Tuesday next, at 8½ o'clock, P. M.,

And returned the same to the Senate.

On motion of Mr. Williams,

The House bill entitled,

"An act to incorporate the Electrical Brake Company of America,"

Was read.

On motion,

The Senate adjourned until Tuesday next, at 8½ o'clock, P. M.

TUESDAY, January 29, 1867—8½ o'clock, P. M.

The Senate met pursuant to adjournment.

On motion of Mr. Bewley,

The House bill entitled,

“An act for the relief of Alfred Lee Cummins, minor child of Daniel Cummins, deceased,”

Was read a second time by its title.

On motion of Mr. Williams,

The House bill entitled,

“An act to incorporate the Hicks' Steam Engine Company of 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. Bewley,

The House bill entitled,

“An act to revive and amend the act entitled, ‘An act to incorporate the Green Branch Ditch Company,’ passed at Dover, February 18, 1863, as amended by the acts passed at Dover, respectively, January 28, 1864, and January 30, 1866,”

Was read.

On motion of Mr. Williams,

The House bill entitled,

“An act to incorporate the Electrical Brake Company, of America,”

Was read a second time by its title.

And further,

On his motion,

The bill was referred to the Committee on Corporations.

On motion of Mr. Hall,

The House bill entitled,

"A supplement to Chapter 49 of the Revised Code, entitled, 'Of the Insane,'"

Was taken up for consideration,

Mr. Hall offered an amendment to the bill under consideration,

Which,

On his motion,

Was read, as follows :

Amend the bill by adding to the same as it now stands, the following :

"*And be it further enacted by the authority aforesaid, That Section 2 of the Chapter to which this act is a supplement be and the same is hereby amended by inserting therein, after the word 'recognizance' the word 'or into a bond to be taken in the name of the State,' and the said section shall be hereafter read, construed and applied as herein amended.*"

And further,

On his motion,

The amendment was *Adopted.*

And,

On his further motion,

The further consideration of the bill was postponed until to-morrow.

On motion of Mr. Bewley,

The House bill entitled,

"An act for the relief of Alfred Lee Cummins, minor child of Daniel Cummins, deceased,"

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.

On motion,

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

WEDNESDAY, January 30, 1867—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Jackson presented the petition of sundry citizens of Mill Creek hundred, New Castle county, praying for the passage of an act changing the method of repairing public roads,

Which,

On his motion,

Was read,

And further,

On his motion,

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

Whereupon,

Messrs. Jackson, Williams and Paynter were appointed said committee.

Mr. Grubb, 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 divorce Mary O'Daniel from her husband, William O'Daniel ;"

"An act to divorce Mattie E. McDonald from her husband, Wm. McDonald ;"

"An act to divorce James Lowe and his wife, Ann W. Lowe, from the bonds of matrimony ;"

"An act to divorce Hannah T. Doty from her husband, Edmund Doty ;"

"An act to divorce Elizabeth P. Waller from her husband, Levin E. Waller ;"

"An act to divorce George W. Unruh from his wife, Margaret Unruh, *a vinculo matrimonii*,"

And presented the same to the Senate.

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 for the relief of Alfred Lee Cummins, minor child of Daniel Cummins, deceased."

On motion of Mr. Bewley,

The House bill entitled,

"An act to lay out a public road in Duck Creek hundred,"

Was read a second time by its title,

And further,

On his motion,

Was referred to the Committee on Roads and Highways.

On motion of Mr. Paynter,

The House bill entitled,

"An act to authorize the Recorder of Deeds to make a direct and reverse general index to the mortgages, in separate records, in the Recorder's office of Sussex county,"

Was read a third time, and by paragraphs,

And

Passed the Senate.

Ordered to the House for concurrence.

On motion of Mr. Bewley,

The House bill entitled,

"An act to revive and amend the act entitled, 'An act to incorporate the Green Branch Ditch Company,' passed at Dover, February 18, 1863, as amended by the acts passed at Dover, respectively January 28, 1864, and January 30, 1866,"

Was read a second time by its title,

And further,

On his motion,

The bill

Was referred to the Committee on Corporations.

Mr. Williams, from the Committee on Enrollment, reported the following House bill as being duly and correctly enrolled, and presented the same to the Speaker, for his signature, to wit :

"An act for the relief of Alfred Lee Cummins, minor child of Daniel Cummins, deceased."

Mr. Jackson presented the petition of sundry citizens of New Castle county, praying for the passage of an act regulating the election of the members of the school committee of each district,

Which,

On his motion,

Was read,

And further,

On his motion,

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

Whereupon,

Messrs. Jackson, Bewley and Paynter were appointed said committee.

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

“A further supplement to the act entitled ‘An act to incorporate the Wilmington Coal Gas Company,’”

Reported the bill back to the Senate, without amendment, and with the recommendation that it pass.

And, 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. Bewley, Elliott, Ellison, Hall, Jackson, Paynter, Williams and Mr. Speaker—8.

Nays—None.

So the question was decided in the affirmative,

And the bill, having received the constitutional majority,

Passed the Senate.

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

Mr. Ellison moved

That the House bill entitled,

"An act for recording settlements by guardians, executors and administrators, in New Castle county,"

Be read a third time by paragraphs, with a view to pass the Senate.

Which motion,

He afterwards, with the unanimous consent of the Senate,

Withdrew.

Mr. Elliott moved

That the House bill entitled,

"An act to incorporate the Wilmington Loan Association,"

Be read a third time, and by paragraphs, with a view to pass the Senate.

Which motion,

He afterward, by the unanimous consent of the Senate,

Withdrew.

On motion of Mr. Ellison,

The House bill entitled,

"An act authorizing the conveyance of certain real estate in New Castle county to the United States,"

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. Williams asked,

And was excused from serving on the Committee on Roads and Highways.

Whereupon,

The Speaker appointed Mr. Hall to fill the vacancy in said committee.

Mr. Paynter, from the Committee on Roads and Highways, to whom was referred the petition of J. A. Hurlock and others, praying for the passage of an act to locate a public road in Duck Creek hundred, Kent county,

Reported a bill entitled,
 "An act to authorize the opening and making a new public road
 in Duck Creek hundred, Kent county,"

Which,
 On his further motion,
 Was read.

Mr. Bewley, from the committee to whom was referred the petition
 of Noble T. German and others, to lay out a new ditch in Duck
 Creek hundred, Kent county,

Reported a bill entitled,
 "An act to incorporate the Dead Branch Ditch Company,"
 Which,
 On his motion,
 Was read.

Mr. Jackson presented the petition of sundry citizens of Christi-
 ana and Mill Creek hundreds, in New Castle county, praying the pas-
 sage of an act to lay out a new school district,

Which,
 On his motion,
 Was read,
 And further,
 On his motion,
 Was referred to a committee of three, with leave to report by bill
 or otherwise.

Whereupon,
 Messrs. Jackson, Hall and Bounds were appointed said com-
 mittee.

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. Elliott,

The House bill entitled,

“An act to incorporate the Mechanics' Loan Association of Wilmington,”

Was taken up for consideration.

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

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Bewley, Bounds, Elliott, Ellison, Hall, Jackson, Paynter, Williams 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 that the House be informed thereof, and the bill returned to that body.

On motion of Mr. Hall,

The House bill entitled,

“A supplement to Chapter 49 of the Revised Code, entitled ‘Of the Insane,’”

Was taken up for consideration.

And further,

On his motion,

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

And

Passed the Senate.

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

On motion of Mr. Jackson,

The Senate bill entitled,

“An act to divorce Rebecca Lilly from her husband, Henry Lilly, *a vinculo matrimonii*,”

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Was read a third time, and by paragraphs, with a view to pass the Senate.

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

Mr. Williams called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bewley, Bounds, Elliott, Ellison, Hall, Jackson, Paynter and Mr. Speaker—8.

Nays—Mr. Williams—1.

So the question was decided in the affirmative,

And the bill

Passed the Senate.

Ordered to the House for concurrence.

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

"An act to incorporate the Delaware Gas Light Improvement Company,"

Reported the bill back to the Senate without amendment, and with the recommendation that it pass.

And, thereupon,

On motion of Mr. Bewley,

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. Bewley, Bounds, Elliott, Ellison, Hall, Jackson, Paynter, Williams 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 that the House be informed thereof and the bill returned to that body.

On motion of Mr. Elliott,

The House bill entitled,

"An act to incorporate the Wilmington Loan Association,"

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