

Mr. Broadaway from the committee to whom was referred the petition of N. H. Vinson, praying the remission of a fine,

Reported adversely to the prayer of the petitioner,

Which report,

On motion of Mr. Robinson,

Was

*Adopted.*

On motion of Mr. Betts,

The bill entitled "An Act concerning certain marsh meadow within the city of Wilmington, and to repeal an Act therein mentioned,"

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

On the question,

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows :

*Yeas*—Messrs. Appleton, Betts, Boyce, Broadaway, Calhoon, Chandler, Churchman, Clements, Cochran, Collins, Higgins, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Waples, C. Williamson, Mr. Speaker—19.

*Nays*—None.

So the bill having received the constitutional majority,

*Passed the House.*

*Ordered* to the Senate for concurrence.

On motion of Mr. Higgins,

The House adjourned.

EODEM DIE, 3 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Higgins,

The vote had this morning upon the bill entitled "An Act to authorize Clement C. Simpson to straighten a public road in Missillion Hundred, Kent County, Delaware,"

Was

*Reconsidered.*

Edward Ridgely, Esquire, Secretary of State, being admitted, presented certain documents received by His Excellency the Governor, from the State of Louisiana, with a request from the Governor that as the documents presented to the House were the only copies of the same received by him, the House after considering the same would cause them to be transmitted to the Senate.

And he withdrew.

[See Appendix, paper marked T.]

The vote then being taken upon the bill authorizing Clement C. Simpson to straighten a public road,

The bill

*Passed the House.*

*Ordered* to the Senate for concurrence.

Mr. Rickards from the Committee on Roads and Highways, to whom was referred the petition of J. P. Greenly and others,

Reported adversely to the prayer of the petitioner,

Which report,

On motion of Mr. Churchman,

Was

*Adopted.*

On motion of Mr. Appleton,

The documents received from the Governor by the Secretary of State,

Were read, and,

On motion of Mr. J. A. Moore,

Referred to the Committee on the State of the Union.

Mr. J. A. Moore presented the petition of William Temple and others, praying the passage of an Act to extend the limits of the town of Smyrna,

Which,

On his motion,

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

Whereupon,

Messrs. J. A. Moore, Betts and Rickards, were appointed said committee.

Mr. Rickards from the Committee on Roads and Highways, to whom was referred the petition of Wm. N. Hamilton and others, and the petition of James H. Walls and others,

Reported adversely to the prayer of the petitioners in each case,

Which report,

On motion of Mr. Churchman,

Was

*Adopted.*

On motion of Mr. Waples,

The bill entitled "An Act for the benefit of the County Agricultural Societies of the State of Delaware,"

Was taken up for consideration,

Mr. Waples offered the following amendment to said bill,

Which,

On his motion,

Was read, and

*Adopted.*

"Amend section 1, of the bill by inserting between the words "Society" and "for," the words, "and to the Treasurer of the Agricultural Society of Sussex County, Delaware,"

On motion of Mr. Waples,

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

On the question,

"Shall this be section 1 of the bill?"

The yeas and nays were ordered,

Which being taken, were as follows :

*Yeas*—Messrs. Betts, Broadaway, Calhoon, Cochran, Jonathan Moore, Robinson, Virden, Waples—8.

*Nays*—Messrs. Appleton, Boyce, Chandler, Churchman, Clements, Collins, Higgins, J. A. Moore, Phillips, Rickards, C. Williamson, Mr. Speaker—12.

So section 1 of the bill was

*Lost.*

And the bill was

*Lost.*

Mr. Rickards, from the Committee by whom the bill entitled "An Act directing the Levy Court and Court of Appeals in and for Sussex County to adopt a certain road, and make an appropriation to open the same," was reported to the House, asked, and,

On motion of Mr. Betts,

Obtained leave to withdraw said bill.

Mr. Betts gave notice that he would, on to-morrow, or some future day, ask leave to introduce a bill entitled "An Act to incorporate the Wilmington and Brandywine Railroad Company."

Also, a bill entitled "An Act concerning Shows in the city of Wilmington."

Also, a bill entitled "A supplement to an act entitled 'An Act for the protection of manufacturers and venders of mineral waters, porter, ale, and other beverages in bottles.'"

Mr. Betts, who had introduced the bill entitled "An Act to amend chapter 51 of the Revised Code," asked, and,

On motion of Mr. Chandler,

Obtained leave to withdraw said bill.

On motion Mr. Broadaway,

The bill entitled "An Act to amend chapter 55 of the Revised Statutes, and for other purposes,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

Mr. Chandler, from the Committee to whom was referred the petition of Edward Willey,

Reported adversely to the prayer of the petitioner.

Which report,

On motion of Mr. Churchman,

Was

*Adopted.*

Mr. Betts moved,

That the bill entitled "An Act to incorporate the Fire Insurance Association of Delaware,"

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

Which motion

*Prevailed.*

On the question,

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows:

*Yeas*—Messrs. Appleton, Betts, Boyce, Broadaway, Calhoon, Chandler, Churchman, Clements, Cochran, Collins, Higgins, J. A.

Moore, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Waples, C. Williamson, Mr. Speaker—20.

*Nays*—None.

So the bill having received the constitutional majority,

*Passed the House.*

*Ordered* to the Senate for concurrence.

Mr. Cochran moved,

That the bill entitled "An Act for the benefit of free schools in the State of Delaware,"

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

Which motion

*Prevailed.*

On motion of Mr. Calhoun,

No objection being made,

The bill was amended by striking out the word "fifty" in the twelfth line of section 1, of said bill, and inserting in lieu thereof the word "thirty."

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of the bill entitled "A further supplement to an Act entitled 'An Act to incorporate the Wesleyan Female Collegiate Institute.'"

And that the Senate had passed and requested the concurrence of the House in the bill entitled "An Act to repeal 'An Act concerning public roads in New Castle County.'"

Also, that the Senate had passed and requested the concurrence of the House in the bill entitled "An Act to enable Henry Todd to locate certain vacant salt-marsh therein named, and complete his title to the same."

And returned to the House the following enrolled bills, which had received the signature of the Speaker of the Senate, viz :

"An Act to incorporate Shawnee Tribe, No. 5, Improved Order of Red Men, Smyrna, Delaware."

"An Act concerning the town of Milford."

"An Act prohibiting burials in the grave yard of the African Union Church, in the city of Wilmington."

"A further supplement to the 'Act to incorporate the owners and possessors of a certain tract of meadow, marsh and cripple, known by the name of the Brandywine Marsh in the borough of Wilmington and County of New Castle.'"

"An Act to repeal an Act therein mentioned, and to vacate Fifteenth street, between Market and Tatnall streets, in the city of Wilmington."

"An Act to incorporate Good Intent Division, No. 3, Sons of Temperance."

"An Act concerning Lottery Policies."

"An Act allowing an additional Constable in Murderkill Hundred in Kent County."

"An Act to prevent the introduction into this State of foreign Lottery Tickets and Lottery Schemes."

And he withdrew.

The bill for the benefit of free schools in the State of Delaware was then read a third time by paragraphs,

On the question,

"Shall this bill now pass the House?"

Mr. Boyce called for the yeas and nays,

Which being taken, were as follows:

*Yeas*—Messrs. Appleton, Betts, Boyce, Broadway, Chandler, Churchman, Clements, Cochran, Higgins, J. A. Moore, C. Williamson, Mr. Speaker—12.

*Nays*—Messrs. Calhoon, Collins, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Waples—8.

And the bill

*Passed the House.*

*Ordered* to the Senate for concurrence.

On motion of Mr. Appleton,

The bill entitled "An Act to amend the Act entitled "An Act

regulating the sale of Intoxicating Liquors &c.' passed at Dover, March 3, 1857,"

Was taken up for consideration.

Mr. Appleton offered the following amendment to said bill,

Which,

On his motion,

Was read, and

*Adopted.*

"Amend section 1 of said bill as follows :

"Also, at the end of said section 2, add the following words: "If no license be granted to the applicant, the fee therefor shall be returned."

Mr. Appleton then moved,

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

Pending which motion,

Mr. Robinson moved,

That the further consideration of said bill be postponed until to-morrow morning.

Which motion was

*Lost.*

The motion to read a third time by paragraphs, then

*Prevailed.*

On the question,

" Shall this bill now pass the House?"

The House being divided,

Mr. Waples called for the yeas and nays,

Which being taken, were as follows :

Yeas—Messrs. Appleton, Betts, Broadway, Chandler, Churchman, Clements, Cochran, Higgins, J. A. Moore, Rickards, C Williamson, Mr. Speaker—12.

Nays—Messrs. Boyce, Calhoon, Collins, Jonathan Moore, Phillips, Robinson, Virden, Waples—8.

So the bill

*Passed the House.*

*Ordered* to the Senate for concurrence.

Mr. J. A. Moore gave notice that he would, on to-morrow, or some future day; ask leave to introduce a bill entitled "A supplement to the Act entitled 'An Act to incorporate a Company for the improvement of the navigation of what is now called Smyrna Creek.'"

On motion of Mr. Chandler,

The bill entitled "An Act to amend an Act entitled 'An Act to incorporate a Bank in Newport, in New Castle County, under the name of 'The Real Estate Bank of Delaware,'"

Was read a second time by its title.

On motion of Mr. J. A. Moore,

The House adjourned.

WEDNESDAY, *February 27, 1861, 10 o'clock, A. M.*

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. J. A. Moore from the committee to whom was referred the petition of H. F. Askew and other physicians of the city of Wilmington, submitted a report,

Which,

Was read, and,

On his motion,

*Adopted.*

It is as follows:

The committee appointed upon the petition of Dr. Henry F. Askew and others, in favor of the Institution of Dr. John A. Brown, near the city of Wilmington, called the "Living Home":

Respectfully report, that a majority of them visited the aforesaid Institution, and having carefully examined the same, were well pleased with the arrangements and accommodations provided for the reception of insane persons, and believe that that class of unfortunate beings would be in most cases better provided for, and greater facilities afforded for their restoration, than exist at the various Alms Houses in the respective Counties of this State, particularly in Kent and Sussex; and would recommend to individuals who may unfortunately have insane friends to take care of, to place them in said Institution, and also to the Trustees of the Poor of the several Counties, whose duty it is to provide for the accommodation and support of such insane persons as may be charges upon the public charity, to place such of them as may be susceptible of restoration or improvement in the aforesaid Institution.

(Signed,)

JOHN A. MOORE,  
G. W. CHURCHMAN,  
EDWARD BETTS,

• Committee.

Mr. Churchman, from the Committee on Enrollment, reported the following bills as correctly enrolled, and presented the same to the Speaker for his signature, viz:

"An Act to incorporate the St. Jones' Branch Ditch Company."

"An Act to divorce Frederick Craig and Matilda Craig from the bonds of matrimony,"

"An Act to amend section 1st, of chapter 34th, of the Revised Statutes of the State of Delaware."

"An Act to incorporate 'Felton Lodge, No. 80, of the Independent Order of Odd Fellows, of the State of Delaware, at Felton.'"

"An Act re-incorporating the Marshy Hope Improvement Company."

"An Act to enable William Marshall and John Sharp to locate certain vacant lands in Broadkilm Hundred, Sussex County, and complete their title to the same."

Mr. Churchman, pursuant to notice, asked, and,

On motion of Mr. Higgins,

Obtained leave to introduce a bill entitled "An Act to amend the Act passed at the present session, entitled "An Act dividing Brandywine Hundred into two election districts,"

Which,

On motion of Mr. Churchman,

Was read.

Mr. Churchman, from the Committee on Enrollment, asked that said committee might be increased by the addition of two members.

Mr. Appleton moved,

That the increase in the number of the Committee on Enrollment asked for, be made.

Which motion

*Prevailed.*

The Speaker then appointed as additional members of said committee, Messrs. Appleton and Broadaway.

Mr. Betts, from the Committee of Inquiry in reference to the Lottery Grants made by this State, submitted the following report,

Which,

On motion of Mr. Higgins,

Was read, and,

*Adopted:*

The special committee appointed to ascertain certain facts about the Lottery system in this State, beg leave to report as follows:

In reply to the first inquiry, they have to say, that they believe

the security for bonuses and prizes under the grant to A. E. Stimson (now assigned to Wood, Eddy & Co.) is entirely ample and satisfactory; but under the grant to Richard France, they have the best evidence for believing that the security he gave the State is entirely insufficient and unsatisfactory. Mr. France acknowledges this, and is himself desirous to have a law passed at this session permitting him to give new and good security, and to release his present bondsman, which request they think should be acceded to.

In reply to the second inquiry, they report that 31 persons were licensed to vend lottery tickets for the year ending February 1st, 1861. (See certified list from the Secretary of State herewith submitted.) They have no means of learning, with any degree of correctness, how many persons are engaged in vending lottery tickets in this State, but they are led to believe, from the statements of certain officers in the city of Wilmington, that not less than 50 persons are vending tickets there, thus showing that nearly 20 persons are selling tickets without license, to the injury of the State, the public and the legal venders, whose competitors they are. Your committee believe that the yearly license for vending lottery tickets, should be raised from One Hundred to Three Hundred Dollars.

In reply to the third inquiry, they report that, in their opinion, persons vending lottery tickets without license, should be punished by imprisonment as well as by fine, as it is very important that the law upon this subject be rigidly observed, and the only way to have it observed is to have the penalties for violation very severe.

In reply to the fourth inquiry, your committee report that the Legislature has already, on their recommendation, passed a law prohibiting lottery policies, which they believe will abate that nuisance.

The lottery business, as it is conducted in this State at this time, is disgraceful to the State and its people. In the first place it is very rare that any vender carries on his business in the name under which he is licensed, generally taking assumed names to operate under; many persons, it is believed, are engaged exclusively in doing a bogus business by correspondence, misrepresenting their place of business to avoid exposure, and not even pretending to keep a public place of business, but by a system of letter writing, holding out inducements and promises (which are false and deceptive) to the people of every State in the Union; (see samples of such letters herewith submitted;) oftentimes receiving money from their too trusty patrons by mail, and not even sending the purchased Lottery tickets in return; numerous letters are received daily by the Mayor and Postmaster of Wilmington from persons who have sent money for such tickets, but have had no return. Your committee have no data from which to judge of the amount of the bogus business, but they

have the estimate of the Postmaster at Wilmington, who believes that for the quarter ending December 31st, 1860, nine hundred thousand lottery letters, bogus and genuine, were sent from his office. Something should certainly be done by the General Assembly to prevent these frauds, as well as to protect legalized venders in their rights.

Your committee therefore take the liberty of recommending, in addition to the foregoing, the following measures to keep the lottery system within its proper sphere, and to make it more tolerable than at present :

1st. To make every person liable to a fine who vends tickets by letter or otherwise under any alteration of name from that named in the license granted.

2d. To require every vender to display in a suitable and public place on the front of his place of business, so it can be readily seen by the passers by, a sign with his name and the words, "Legally authorized venders of Lottery Tickets," painted distinctly thereon.

3. To make it punishable with fine and imprisonment for any person to engage in sending out circular letters with false and deceptive headings, and containing positive promises and guarantees to persons that they shall draw large sums of money.

Should the House approve of the report of the committee, they ask that they may employ an experienced attorney to draft a bill in accordance with the foregoing suggestions and recommendations.

All of which is respectfully submitted,

EDWARD BETTS,  
AMBROSE BROADAWAY,  
WM. H. RICKARDS,

Committee.

Dover, Del., Feb. 26, 1861.

Mr. J. A. Moore presented the petition of William Collins and others, praying the passage of an Act authorizing the State Treasurer to pay a certain sum of money to the legal representatives of David L. Casperson,

Which,

On his motion,

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

Whereupon,

Messrs. J. A. Moore, Churchman and Waples were appointed said committee.

On motion Mr. Chandler,

The Senate bill entitled "An Act to repeal 'An Act concerning public roads in New Castle County,'"

Was read.

On motion of Mr. Rickards,

The bill entitled "A supplement to an Act entitled 'An Act to authorize the laying out a Public Road in Kent County,'"

Was taken up for consideration,

Mr. Rickards moved,

"To amend the bill by striking out all the 3d section after the word 'supplement,' in the fifth line of said section,"

Which motion

*Prevailed.*

And the bill was so amended.

Mr. Rickards presented the petitions of G. S. Adkins and others, and of Charles T. Fleming, Trustee of the Potter estate, praying the passage of said bill,

Which,

On his motion,

Were read.

Mr. Robinson then presented the remonstrance of Benjamin Henderson and others, and accompanying papers, against the passage of said bill,

Which,

On his motion,

Were read.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had indefinitely postponed the "Joint Resolution (of the House) respecting the Farmers Bank."

Also, that the Senate had non-concurred in the passage of the bill entitled "An Act fixing the fees of the Levy Court Commissioners."

Also, that the Senate had concurred in the adoption of the "Joint Resolutions responding to the invitation of Georgia asking Delaware to join a Southern Confederacy;" had amended the same and requested the concurrence of the House in said amendments.

Also, that the Senate had concurred in the passage of the following House bills, viz :

An Act to authorize the removal of obstructions in Bottom Hill Drain."

"An Act to amend section 8, of chapter 48, of the Revised Statutes of the State of Delaware."

"An Act concerning the binding out to service of free negroes and mulattoes."

"An Act to enable Asbury C. Pepper to locate certain vacant lands in Broadkilm Hundred, Sussex County, and complete his title to the same."

And also, that the Senate had passed the following bills, and adopted the following Joint Resolution, and requested the concurrence of the House therein, viz:

"An Act to amend section 18, of chapter 99, of the Revised Statutes of the State of Delaware."

"An Act to authorize the making of certain Indexes to the Records in the office of the Recorder of Deeds in Sussex County."

An Act to prevent swine running at large within certain limits in Kent County."

"Joint Resolution in relation to the Union."

He also presented a document received by the Senate in reference to the Agricultural Society of New Castle County.

And presented for the signature of the Speaker of the House, the following enrolled bills, which had received the signature of the Senate, viz :

"An Act authorizing the sale of the real estate of Samuel Betton, a minor."

"An Act to authorise the Register of Wills in and for Kent County to copy Index."

"An Act authorizing the appointment of additional Commissioners to take acknowledgement of Deeds, &c., in the city of Philadelphia, in the State of Pennsylvania."

"An Act to incorporate the 'Living Home and Delaware Home for the Idiotic and Insane' Association."

"A supplement to the Act entitled 'An Act to incorporate the New Castle and Wilmington Passenger Railway Company,' passed February 18, 1859."

And he withdrew.

On motion of Mr. Rickards,

The consideration of the supplement to the Act authorizing the laying out a road in Kent County,

Was postponed for half an hour.

On motion of Mr. J. A. Moore,

The bill entitled "An Act to amend the Act entitled 'An Act to incorporate the Clayton and Smyrna Rail-road Company,'" was

Was read a second time by its title.

Mr. Waples presented the petition of Robert R. Russell, praying the passage of an Act to close a road in Lewes and Rehoboth Hundred, Sussex County,

Which,

On his motion,

Was read, and referred to the Committee on Roads and Highways.

Mr. Higgins moved,

That the vote by which the Senate bill entitled "An Act for the benefit of the County Agricultural Societies of the State of Delaware," was lost,

Be reconsidered,

Which motion

*Prevailed.*

On his further motion,

The memorial of Manlove Hayes and others, a committee appointed by the Agricultural Society of Kent County, and a communication from Samuel Canby, President of the Agricultural Society of New Castle County,

Were read.

Mr. Appleton moved,

That Rule 15 of the House be suspended, with a view to the amendment of the bill under consideration.

Which motion was

*Lost.*

On motion of Mr. Churchman,

The further consideration of said bill,

Was

*Indefinitely Postponed.*

On motion of Mr. Betts,

The bill entitled "An Act to incorporate the Artisans Savings Bank,"

Was read a second time by its title.

On motion of Mr. Betts,

The bill entitled "An Act authorizing the Wilmington and Philadelphia Turnpike Company to abandon their road."

Was read a second time by its title.

Mr. Clements gave notice that he would, on to-morrow, or some future day, ask leave to introduce a bill entitled "An Act to repeal an Act entitled 'An Act for the relief of certain free negroes and free mulattoes,'"

Pursuant to notice,

Mr. Betts asked, and,

On motion of Mr. Broadaway,

Obtained leave to introduce a bill entitled "A supplement to an Act entitled 'An Act for the protection of manufacturers and venders of mineral waters, porter, ale and other beverages in bottles.'"

Which,

On motion of Mr. Betts,

Was read.

Mr. C. Williamson gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled "An Act to change the name of place called Marshy Hope Bridge."

Also, a bill entitled "An Act appointing commissioners to lay out a public road in Kent County."

Also, a bill entitled "An Act reincorporating the Brights and Haynes Glades Ditch Company."

Pursuant to notice,

Mr. Betts asked, and,

On motion of Mr. Chandler,

Obtained leave to introduce a bill entitled "An Act concerning Shows in the city of Wilmington."

On motion of Mr. Rickards,

The bill entitled "A supplement to an Act entitled "An Act to authorize the laying out a public road in Kent County," (the time for which the consideration of said bill was postponed, having elapsed,)

Was taken up for consideration,

Mr. Rickards then moved,

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

Which motion

*Prevailed.*

Mr. Robinson then moved,

That the further consideration of said bill be postponed until Tuesday next.

Which motion was

*Lost.*

On motion of Mr. Waples,

The further consideration of said bill was postponed until this afternoon.

On motion of Mr. Chandler,

The House adjourned.

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EODEM DIE, 3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Chandler moved,

That the bill entitled "An Act to amend an Act entitled 'An Act to incorporate a bank in Newport, in New Castle County, under the name of the Real Estate Bank of Delaware,'"

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

Which motion

*Prevailed.*

On the question,

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows :

*Yeas*—Messrs. Appleton, Betts, Boyce, Broadway, Calhoon, Chandler, Churchman, Clements, Cochran, Collins, Higgins, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Waples, C. Williamson, Mr. Speaker—19.

*Nays*—None.

So the bill having received the constitutional majority,

*Passed the House.*

*Ordered to the Senate for concurrence.*

Pursuant to notice,

Mr. Rickards asked, and,

On motion of Mr. Betts,

Obtained leave to introduce a bill entitled "An Act to amend section 20, of chapter 99, of the Revised Statutes of the State of Delaware."

Which,

On motion of Mr. Rickards,

Was read.

Mr. Betts gave notice that he would, on to-morrow, or some future day, ask leave to introduce a bill entitled "An Act concerning the city of Wilmington."

Pursuant to notice,

Mr. Betts asked, and,

On motion of Mr. Chandler,

Obtained leave to introduce a bill entitled "An Act to incorporate the Wilmington and Brandywine Railroad Company,"

Which,

On motion of Mr. Betts,

Was read.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had indefinitely postponed the Joint Resolution (of the House) requesting information of the Governor concerning certain public arms."

And that the Senate had also indefinitely postponed the House bill entitled "An Act to dissolve the marriage tie existing between Isaac S. Elder and Mary C. his wife."

And he returned the following enrolled House bills, which had received the signature of the Speaker of the Senate, viz:

"An Act to authorize the trustees under the will of John Ferris, deceased, to sell and convey certain real estate."

"An Act dividing Brandywine Hundred into two election districts."

"An Act to incorporate Delaware Council, No. 2, Order of United American Mechanics, of Wilmington, Delaware."

And he withdrew.

On motion of Mr. Robinson,

The bill entitled "An Act to amend section 6, of chapter 36, of the Revised Statutes of the State of Delaware, entitled 'Of Notaries Public and Commissioners of Deeds,' and also to amend chapter 28 of said Revised Statutes, entitled 'Of the Secretary of State,'" was presented to the House, and read.

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

Pursuant to notice,

Mr. Rickards asked, and,

On motion of Mr. Chandler,

Obtained leave to introduce a bill entitled "An Act enabling

Constables whose terms of office have expired to proceed on writs remaining in their hands,"

Which,

On motion of Mr. Rickards,

Was read.

On motion of Mr. Churchman,

The bill entitled, "An Act securing to mechanics and others, payment for their labor and materials furnished in erecting or repairing any building or structure within the State of Delaware,"

Was taken up for consideration.

Mr. Churchman offered an amendment to said bill,

Which,

On his motion,

Was read, and

*Adopted.*

The amendment is as follows :

Strike out all of said bill after the enacting clause, and insert in lieu of the part stricken out, the following :

SECTION 1. It shall and may be lawful for any person or persons having performed or furnished work and labor, or materials, or both, to an amount exceeding twenty-five dollars, in or for the erection, alteration or repair of any building or structure, in pursuance of any contract, express or implied, with the owner of such building or structure, at any time within sixty days from the completion of said work and labor, or the furnishing of such materials, to file in the office of the Prothonotary of the Superior Court in and for the County wherein such building or structure is situated, a bill of particulars of his claim, accompanied with an affidavit, setting forth that the defendant is justly indebted to the plaintiff in a sum exceeding twenty-five dollars, and has refused or neglected to pay or secure to be paid to said plaintiff the amount due on his claim; said affidavit shall contain a description of the property upon or for which the work and labor or materials were furnished, sufficiently accurate to identify the property; and any judgment obtained thereon, as hereinafter provided, shall become a lien upon said building or structure and the

real estate upon which the same is situated, erected or constructed, and shall relate back to the day upon which said work and labor was begun, or the furnishing of said materials was commenced, and shall take priority accordingly.

SECTION 2. Upon the filing of such claim as aforesaid, a summons shall be issued by the Prothonotary, as in an action of assumpsit for work and labor, or materials furnished. If such claim be so filed as aforesaid, ten days before the first day of the term of the Superior Court to which the said process is returnable, judgment by default may be entered upon motion by the plaintiff, on the last day of the term to which said process is returnable, notwithstanding appearance by the defendant, unless said defendant shall have previously filed in the cause an affidavit, stating that he verily believes there is a legal defence to the whole or part of such cause of action, and setting forth the nature and character of the same; and if the defence be to a part only, then specifying the sum really due, and judgment may be entered for the plaintiff, at his election, for the sum acknowledged to be due. If such claim be not so filed as aforesaid, ten days before the first day of said term, to which said summons is returnable, or if judgment shall not be so entered by default as aforesaid, then like proceedings shall be had as in other cases of assumpsit.

SECTION 3. It shall be the duty of the Prothonotary in each County of this State, to procure and keep a docket to be called "The Mechanics' Lien Docket," in which he shall make an entry of each claim so filed as aforesaid, setting down therein the names of the parties, plaintiff and defendant, the amount claimed, the day upon which the claim is filed and of the issuing of the summons, a description of the property against which the claim is sought to be charged, the amount for which judgment is rendered, the day on which the same is rendered, the party for and against whom it is rendered, and in case judgment be for the plaintiff, the time to which the judgment relates back as a lien, and other entries necessary and proper to a full understanding of the case.

The time to which the judgment shall relate back as a lien shall be ascertained in the same manner as the amount of the judgment is ascertained.

SECTION 4. The provisions of this Act are hereby declared to extend to work and labor performed or furnished, or materials furnished in plumbing, gas fitting, paper-hanging, paving, wharf-building, and to iron works and machinery of every kind in mills and factories, and to bridges, and may be as well by and against corporations as individuals.

SECTION 5. This Act shall also extend to work and labor or materials performed or furnished in the construction, alteration, furnishing, rigging, launching or repairs of any ship or vessel, within this

State : provided nevertheless, that no bill of particulars and affidavit aforesaid, shall be filed more than four days after such ship or vessel has been launched, rigged, furnished and ready for sea, or after such repairs have been completed ; and the same shall contain the name of the ship or vessel, or a description thereof sufficient for identification. Upon filing said bill of particulars and affidavit under the provisions of this section, the Prothonotary may issue a writ of attachment, directed to the Sheriff of the County in which the vessel may be, commanding the Sheriff to attach the defendant by such ship or vessel, together with her tackle, apparel and furniture, wheresoever the same be found in his bailiwick, so that he be and appear at the next term of the Superior Court, to answer the plaintiff's demand. The Sheriff shall, under such writ, seize and take possession of the said ship or vessel and have the same inventoried and appraised, and shall be answerable therefor. If the defendant in the attachment shall at any time before judgment, appear and enter into a recognizance to the plaintiff in said writ of attachment in a reasonable penalty, and with surety to be approved by the Prothonotary, with condition to pay the condemnation money, and all costs, or otherwise abide the judgment of the Superior Court in the case if he fail to make good his plea, then the attachment shall be dissolved, the ship or vessel shall be discharged, and the case shall proceed as in other cases of assumpsit, for work and labor or materials furnished.

SECTION 6. On the return of said writ of attachment or summons, the Court may, upon petition of any person or persons claiming to have performed or furnished work and labor or materials, at the request of the plaintiff or plaintiffs in said attachment appoint three suitable persons to audit and determine the claim or claims of the said plaintiff or plaintiffs, and also the claim or claims of the petitioner or petitioners, who shall adjust and ascertain all the demands, including that of the plaintiff, in the writ. The auditors shall severally be sworn or affirmed to perform their duties according to the best of their skill and knowledge. They shall give ten days' notice to the parties of the time and place of their first meeting, by advertisement posted at the Court House door, and at least five other public places in the county. Their subsequent sittings shall be by adjournment duly made and publicly announced. They may investigate any claim presented in any form they may judge best, and may examine any of the parties upon oath or affirmation. On receipt of the proceeds of the sale of the property attached, or against which judgment is obtained, or any part thereof, the auditors shall calculate and settle the proportions and dividends due the several parties, and shall make report to the next term of Court after such appointment, and upon confirmation of the report, pay over to the several

parties their respective shares of the proceeds, according to such apportionment. The Court may hear exceptions to, and correct such account and report, either in the calculations, dividends, apportionment, or otherwise.

SECTION 7. If the attachment shall not have been dissolved as hereinbefore provided, judgment may be given for the plaintiff in the attachment, at the second term after issuing the writ, as in other cases of attachment, and thereupon the Court may order that the Sheriff shall sell the property attached, on due notice, and pay the proceeds, deducting legal costs and charges, to the auditor for distribution; any balance remaining due from the defendant in the attachment, to any of the parties, after such distribution of the proceeds, may be collected as other debts, and any surplus, after paying costs, shall be returned to the defendant, or his executors, administrators or assigns. All sales made under this Act shall be good against the defendant, his executors, administrators or assigns.

On the further motion of Mr. Churchman,

The bill was read a third time by paragraphs, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

On motion of Mr. Waples,

The Senate bill entitled "An Act to authorize the making of certain indexes to the Records in the office of the Recorder of Deeds in Sussex County,"

Was read.

On motion of Mr. Rickards,

The bill entitled "A supplement to an Act entitled 'An Act to authorize the laying out a public road in Kent County,'"

Was taken up for consideration.

When,

On motion of Mr. Collins,

The further consideration of said bill was postponed until Tuesday next, the 5th of March.

Mr. Phillips from the committee to whom was referred the petition of P. J. Pettyjohn and others,

Reported a bill entitled "An Act to prevent swine running at large within the town of Millsborough, Sussex County,"

Which,

On his motion,

Was read.

Mr. Churchman from the Committee on Enrollment, reported the following bills as correctly enrolled, and presented the same to the Speaker for his signature, viz:

"An Act to incorporate the town of Felton, and for other purposes."

"A supplement to the Act entitled 'An Act to incorporate the Duck Creek Improvement Company.'"

"An Act to incorporate a society under the name and title of 'The Agricultural Society of Sussex County, Delaware.'"

"A supplement to the Act entitled 'An Act to incorporate a Bank in Milford, under the name of the President, Directors and Company of the Farmers and Mechanics Bank of Milford,' passed at Dover February 25, 1859."

Mr. Churchman presented the claim of William H. Taggart against the State,

Which,

On his motion,

Was read, and referred to the Committee on Claims.

Mr. Betts from the Committee of Inquiry concerning Lottery Grants, &c.,

Reported a bill entitled "An Act regulating the sale of Lottery Tickets,"

Which,

On his motion,

Was read.

Mr. Betts presented the account of G. P. Fisher against the House of Representatives,

Which,

On his motion,

Was read, and referred to the Committee on Accounts.

Pursuance to notice,

Mr. Rickards asked, and,

On motion of Mr. Churchman,

Obtained leave to introduce a bill entitled "An Act to revive and continue in force the Act entitled 'An Act to enable Nathaniel Conoway to locate certain vacant land in Nanticoke Hundred, Sussex County, and to complete his title to the same,' passed at Dover February 24, 1859."

Which,

On motion of Mr. Rickards,

Was read:

On motion of Mr. Clements,

The bill entitled "An Act for the relief of John Hutchinson."

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

On motion of Mr. Waples,

The Senate bill entitled "An Act to amend Section 18, of chapter 99, of the Revised Statutes of the State of Delaware,"

Was read.

On motion of Mr. Betts,

The bill entitled "An Act further to amend an Act entitled 'A

supplement to chapter 19, of the Revised Statutes of the State of Delaware, title 'Of elections in Wilmington Hundred,'"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered to the Senate for concurrence.*

Mr. Broadaway from the Committee on Enrollment, reported the following bills and Joint Resolutions, to be correctly enrolled, and presented the same to the Speaker for his signature, viz :

"An Act concerning Notaries for Banks."

"An Act appointing Commissioners to lay out a public road partly in New Castle and partly in Kent Counties."

"An Act for the relief Samuel H. Jack."

"An Act to amend an Act entitled "An Act to amend the Charter of the city of Wilmington."

"Joint Resolution appointing certain persons to procure a monument for Ex-Governor Joseph Hazlett, deceased."

Mr. Betts moved

That the bill entitled "An Act to create a Board of Fire Wardens in the city of Wilmington,"

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

Which motion

*Prevailed.*

On the question,

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken were as follows :

*Yeas*—Messrs. Betts, Boyce, Broadaway, Calhoon, Chandler, Churchman, Clements, Cochran, Collins, Higgins, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Waples, Mr. Speaker—17.

*Nays*—None.

So the bill having received the constitutional majority,

*Passed the House.*

*Ordered to the Senate for concurrence.*

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of the bill entitled "An Act in relation to the town of Dover."

Also, that the Senate had concurred in the passage of the bill entitled "An Act to amend the charter of the city of Wilmington."

Also, that the Senate had concurred in the adoption of the "Joint Resolution appropriating a sum of money to erect monuments over the remains of Commodore Jones, and Surgeon General Tilton."

Also, that the Senate had passed and requested the concurrence of the House in a bill entitled "An Act concerning the imprisonment of free negroes and mulattoes for debt."

And he withdrew.

Mr. Richards presented the petition of G. W. Dorman and others, praying the passage of an Act to authorize the laying out a public road in Kent County,

Which,

On his motion,

Was read, and,

On motion of Mr. Jonathan Moore,

Referred to the Committee on Roads and Highways, with leave to report by bill or otherwise.

Mr. Virden presented the petition of Thomas H. Marvel and others, praying the passage of an Act to prevent hogs from running at large,

Which,

On his motion,

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

Whereupon,

Messrs. Virden, Calhoon and Higgins, were appointed said committee.

Mr. Virden also presented the petition of G. H. Hall and others, praying the passage of an Act concerning division fences,

Which,

On his motion,

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

Whereupon,

Messrs. Virden, Chandler and Phillips, were appointed said committee.

Mr. Robinson, from the committee to whom was referred the petition of N. W. Hickman and others,

Reported a bill entitled "An Act to repeal and supply chapter 52 of the Revised Statutes of the State of Delaware, entitled 'Of free negroes and mulattoes,'"

Which,

On his motion,

Was read.

On motion of Mr. Betts,

The bill entitled "A further supplement to the Act for the benefit of Public Schools in the city of Wilmington,"

Was taken up for consideration.

Mr. Betts then moved,

To amend the bill by adding the following words to the end of section 2:

"Provided that said loan shall be so arranged that five per cent. of the principal thereof shall become due and payable in cash, and every year after the debt is so contracted."

Which amendment,

On his motion,

Was

*Adopted.*

Mr. Betts then moved,

That the bill be read a third time by paragraphs in order to pass the House,

Which motion,

*Prevailed.*

On the question,

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows:

*Yeas*—Messrs. Betts, Boyce, Broadaway, Calhoon, Chandler, Churchman, Clements, Cochran, Collins, Higgins, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Waples, Mr. Speaker—17.

*Nays*—None.

So the bill having received the constitutional majority,

*Passed the House.*

*Ordered* to the Senate for concurrence.

Mr. Robinson gave notice that he would, on to-morrow, or some future day, ask leave to introduce a bill entitled "An Act to amend chapter 55 of the Revised Statutes of the State of Delaware, entitled 'For the protection of fish, oysters and game.'"

On motion of Mr. Broadaway,

The Senate bill entitled "An Act to prevent swine running at large within certain limits in Kent County,"

Was read.

Mr. Jonathan Moore, from the committee to whom was referred the petition of Jacob Knowles and others,

Reported a bill entitled "An Act to encourage the destruction of crows,"

Which,

On his motion,

Was read.

Mr. Rickards, from the Committee on Roads and Highways, to whom was referred the petition of Henderson Collins, Sr., asked for, and,

On motion of Mr. Robinson,

Was allowed further time to report.

On motion of Mr. Boyce,

The House adjourned.



THURSDAY, *February* 28, 1861, 10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Appleton moved,

That the latter clause of Rule 7, of the House, be suspended in order to allow him to introduce certain bills without the usual notice,

Which motion

*Prevailed.*

Mr. Appleton then asked, and,

On motion of Mr. Waples,

Obtained leave to introduce a bill entitled "An Act to establish Inferior Courts in the several Counties of this State,"

Which,

On his motion,

Was read.

Mr. Appleton also asked, and,

On motion of Mr. Betts,

Obtained leave to introduce a bill entitled "An Act to amend chapter 105, of the Revised Statutes, entitled 'Of Juries.' "

Which,

On his motion,

Was read.

Mr. Appleton further asked, and,

On motion of Mr. Betts,

Obtained leave to introduce a bill entitled "An Act to amend chapter 25, of the Revised Statutes of the State of Delaware,"

Which,

On his motion,

Was read.

Mr. Robinson from the Committee on Enrollment reported the following bills as correctly enrolled, and presented the same to the Speaker for his signature, viz:

"An Act to incorporate the Clayton and Smyrna Railroad Company."

"An Act for the relief of certain of the devisees of David Bush, deceased."

"A supplement to the Act entitled 'An Act to incorporate a Bank in Smyrna, under the name of the Citizens Bank of Smyrna.' "

Pursuant to notice,

Mr. J. A. Moore asked, and,

On motion of Mr. Betts,

Obtained leave to introduce a bill entitled "A supplement to the Act entitled 'An Act to incorporate a Company to improve the navigation of what is now called Smyrna Creek,' passed at Dover February 24, 1859,"

Which,

On motion of Mr. J. A. Moore,

Was read.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had indefinitely postponed the consideration of the House bill entitled "An Act to authorize the appointment of an additional Justice of the Peace in Kent County, to reside at or near Smyrna Station."

Also, that the Senate had 'non concurred' in the passage of the bill entitled "An Act to extend the criminal jurisdiction of Justices of the Peace."

That the Senate had concurred in passage of the bill entitled "An Act in relation to binding by the Northern Home for Friendless Children."

And that the Senate had passed and requested the concurrence of the House in the following bills :

"An Act for the suppression of vagrancy."

"An Act to provide for the measurement and inspection of lime."

And he withdrew.

On motion of Mr. Appleton,

Five hundred copies of the bill to create Inferior Courts, were ordered to be printed.

Mr. Appleton from the Committee on Enrollment, reported the following bills as correctly enrolled, and presented the same to the Speaker for his signature, viz :

"An Act to authorize the removal of obstructions in Bottom Hill Drain."

"An Act to amend section 8, of chapter 48, of the Revised Statutes of the State of Delaware."

"An Act concerning the binding out to service of free negroes and mulattoes."

"A supplement to the Act entitled 'An Act to authorize the construction of a public bridge across Blackbird Creek, in New Castle County,' passed at Dover, February 16, 1859."

"A further supplement to an Act entitled 'An Act to incorporate the Wesleyan Female Collegiate Institute.'"

On motion of Mr. Churchman,

The bill entitled "An Act to amend the Act passed at the present session entitled "An Act dividing Brandywine Hundred into two Election Districts,"

Was read a second time by its title.

Mr. J. A. Moore from the committee to whom was referred the petition of William Collins and others,

Reported a bill entitled "An Act for the relief of the estate of David S. Casperson, deceased,"

Which,

On his motion,

Was read.

Mr. Rickards presented the claim of James Cannon against the State,

Which,

On his motion,

Was read and referred to the Committee on Claims.

On motion of Mr. Rickards,

The bill entitled "An Act to authorize the laying out a new public road from Staytonville to Milton, in the County of Sussex,"

Was taken up for consideration.

And,

On his motion,

The further consideration thereof was

*Indefinitely postponed.*

Mr. Collins presented the petition of Thomas R. Hammersly and others, praying an alteration in the law in reference to granting licences to pedlars,

Which,

On his motion,

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

Whereupon,

Messrs. Collins, Waples and Cochran, were appointed said committee.

On motion of Mr. Chandler,

The bill entitled "An Act to repeal 'An Act concerning public roads in New Castle County,'"

Was read a second time by its title.

On motion of Mr. Waples,

The bill entitled "An Act to authorize the making of certain indexes to the Records in the office of the Recorder of Deeds in Sussex County,"

Was read a second time by its title.

On motion of Mr. J. A. Moore,

The Senate bill entitled "An Act to enable Henry Todd to locate certain vacant salt-marsh therein named, and complete his title to the same."

Was read.

On motion of Mr. Rickards,

The bill entitled "An Act to amend section 20, of chapter 99, of the Revised Statutes, of the State of Delaware,"

Was read a second time by its title.

Also, on motion of Mr. Rickards,

The bill entitled "An Act enabling Constables whose terms of office have expired, to proceed on writs remaining in their hands,

Was read a second time by its title.

On motion of Mr. Betts,

The bill entitled "A further supplement to the Act entitled 'An Act to incorporate a Company for making an artificial road from the borough of Wilmington, on the east side of Brandywine Bridge, to the Pennsylvania line, on the route leading to the city of Philadelphia;'"

Was taken up for consideration.

The question being,

"Shall this bill now pass the House?"

The yeas and nays were ordered thereon,

Which being taken, were as follows :

Yeas—Messrs. Appleton, Betts, Boyce, Broadaway, Calhoon, Chandler, Clements, Cochran, Collins, Higgins, John A. Moore, Jonathan Moore, Rickards, Robinson, Virden, C Williamson, Mr. Speaker—17.

Nays—Messrs. Churchman, Phillips, Waples—3.

So the bill having received the constitutional majority,

*Passed the House.*

*Ordered to the Senate for concurrence.*

Mr. Higgins moved,

That the bill entitled "An Act to establish Inferior Courts in the several Counties of this State,"

Be taken up for consideration,

Which motion

*Prevailed.*

Mr. Appleton moved,

That the bill be amended by striking out in line 35, of section 2, the words "Monday in July;" in line 36, of same section, the words "Monday in October;" in line 37, of same section, the words "Monday in January;" in line 38, of same section, the words "Monday in April;" in lines 39 and 40, the words "Monday in July," and in line 40, the words "Monday in October."

Which motion to amend

*Prevailed.*

On motion of Mr. J. A. Moore,

The Joint Resolution offered by him providing for the adjournment of both Houses of the Legislature,

Was taken up for consideration,

And read.

Mr. Churchman moved,

That the consideration of the resolution be postponed until Thursday next.

Pending which motion,

Mr. J. A. Moore moved,

To amend the motion to postpone by postponing the consideration of the resolution until Tuesday next,

Which motion was

*Lost.*

The question then recurring to the motion to postpone until Thursday next,

The motion

*Prevailed.*

Mr. Robinson presented the petition of C. R. Paynter and others, praying the passage of a militia law,

Which,

On his motion,

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

Whereupon,

Messrs. Robinson, Broadaway and Churchman, were appointed said committee.

Mr. Boyce presented the petition of Joseph S. Jones, praying the passage of an Act to enable him to locate and complete his title to tracts of vacant land in Broad Creek Hundred, Sussex County,"

Which,

On his motion,

Was read, and referred to the Committee on Vacant Lands, with leave to said committee to report by bill or otherwise.

Mr. J. A. Moore moved,

That the bill entitled "An Act to amend an Act entitled 'An Act to incorporate the Clayton and Smyrna Railroad Company,'"

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

Which motion

*Prevailed.*

On the question,

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows :

*Yeas*—Messrs. Appleton, Betts, Boyce, Broadaway, Calhoon, Chandler, Churchman, Clements, Cochran, Collins, Higgins, J. A. Moore, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Waples, C. Williamson, Mr. Speaker—20.

*Nays*—None.

So the bill having received the constitutional majority,

*Passed the House.*

*Ordered* to the Senate for concurrence.

Mr. Higgins moved,

That the "Joint Resolution authorizing the State Treasurer to pay a sum of money towards the erection of a monument in Inde

pendence Square, in the city of Philadelphia," (the consideration of which had been postponed,)

Be adopted,

Which motion was

*Lost.*

On motion of Mr. Appleton,

The Senate bill entitled "An Act to provide for the measurement and inspection of lime,"

Was read.

Mr. Robinson presented the petition of C. R. Paynter and others, praying the passage of an Act authorizing the sale of certain arms and accoutrements in the armory in Georgetown, Sussex County,

Which,

On his motion,

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

Whereupon,

Messrs. Robinson, Williamson and Churchman, were appointed said committee.

On motion of Mr. Higgins,

The House adjourned.

EODEM DIE, 3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of the Act entitled "An Act to amend chapter 73 of the Revised Code, entitled, 'Of the city of Wilmington;'" had amended the same and requested the concurrence of the House in the amendments.

Also, that the Senate had adopted, and requested the concurrence of the House in a Joint Resolution appointing a Committee on Accounts."

And that the Senate had adopted, and requested the concurrence of the House in a "Joint Resolution in relation to contingent expenses."

And he withdrew.

On motion of Mr. Waples,

The Senate bill entitled "An Act for the suppression of vagrancy."

Was read.

Pursuant to notice,

Mr. Clements asked, and,

On motion of Mr. Broadaway,

Obtained leave to introduce a bill entitled "An Act to repeal an Act entitled 'An Act for the relief of certain free negroes and free mulattoes,'"

Which,

On his motion,

Was read.

Mr. J. A. Moore from the committee to whom was referred the petition of William Temple, and others,

Reported a bill entitled "A supplement to an Act entitled 'An Act in relation to the town of Smyrna,'"

Which,

On his motion,

Was read.

Mr. Betts gave notice that he would, on to-morrow, or some future day, ask leave to introduce a bill entitled "An Act to revive an Act entitled 'An Act for the relief of William Little and others.'"

On motion of Mr. Betts,

The bill entitled "An Act to amend chapter 73 of the Revised Code, entitled 'Of the city of Wilmington,'"

Was taken up for consideration.

And,

On the further motion of Mr. Betts,

The Senate amendments to said bill,

Were read, as follows :

"In Senate, February 28th, 1861.

"Amend section 1 of the bill, by striking out all after the word 'follows,' in the 5th line of said section, and inserting the following in lieu thereof:

"Beginning at the mouth of the Brandywine Creek, on the easterly side of the same, thence along the easterly and north-easterly side thereof to a point opposite where a line from the westerly point of Broom street, extended parallel with Market street, would strike said creek, thence South thirty-two degrees west and parallel to Market street to the northerly side of Front street, thence continuing the same course over Front street to a point sixteen hundred and ninety feet (1690) from the southerly side thereof, thence south fifty-eight degrees east and parallel to Front street, to a stone marked

No. 1, at the southerly side of the Christiana river, thence continuing down that side of the same to the river Delaware, thence crossing to the northerly point of the Christiana at its mouth, thence up that side of the same to the place of beginning."

"Amend section 4, by striking out all after the word "assessments" in the thirty-first line of said section."

Extract from the Journal.

J. L. PRATT,  
Clerk of Senate.

*For Concurrence.*

Mr. Betts then moved,

That the amendments of the Senate to said bill, be concurred in,

The yeas and nays being ordered on said motion,

Were taken, and were as follows:

*Yeas*—Messrs. Appleton, Betts, Boyce, Broadway, Calhoon, Chandler, Churehman, Clements, Cochran, Collins, Higgins, J. A. Moore, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Waples, C. Williamson, Mr. Speaker—20.

*Nays*—None.

So the amendments of the Senate,

Were

*Concurred in.*

*Ordered*, that the Senate be informed thereof.

Mr. J. A. Moore moved.

That the bill entitled "An additional supplement to an act entitled 'An Act to incorporate the town of Leipsie, and for other purposes,' passed at Dover, February 26, 1852,"

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

Which motion

*Prevailed.*

The question being taken upon the adoption of section 1 of the bill,

It was

*Lost.*

And the bill was

*Lost.*

On motion of Mr. Betts,

The Senate bill entitled "An Act to incorporate the Artisans Savings Bank,"

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

On the question,

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows :

*Yeas*—Messrs. Appleton, Betts, Boyce, Broadaway, Calhoon, Chandler, Churchman, Clements, Cochran, Collins, Higgins, J. A. Moore, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Waples, C. Williamson, Mr. Speaker—20.

*Nays*—None.

So the bill having received the constitutional majority,

*Passed the House.*

*Ordered*, that the Senate be informed thereof.

Pursuant to notice,

Mr. C. Williamson asked, and,

On motion of Mr. Betts,

Obtained leave to introduce a bill entitled "An Act to change the name of the place called Marshy Hope Bridge."

Which,

On motion of Mr. C. Williamson,

Was read.

On motion Mr. Broadaway,

The bill entitled "An Act to prevent swine running at large within certain limits in Kent County,"

Was read a second time by its title.

Mr. Rickards gave notice that he would, on to-morrow, or some

future day, ask leave to introduce a bill entitled "An Act to prevent monopolies, and for the encouragement of free schools in the State of Delaware, and other purposes."

Mr. Rickards from the Committee on Roads and Highways, to whom was referred the petition of G. W. Dorman and others,

Reported a bill entitled "An Act to authorize the laying out a public road in Kent County,"

Which,

On his motion,

Was read.

On motion of Mr. Waples,

The Senate bill entitled "An Act to amend section 18, of chapter 99, of the Revised Statutes of the State of Delaware,"

Was read a second time by its title.

On motion of Mr. Betts,

The bill entitled "An Act to incorporate the Wilmington and Brandywine Railroad Company,"

Was read a second time by its title.

On motion of Mr. Robinson,

The bill entitled "An Act to prohibit the granting of licenses to negroes and mulattoes to retail goods, wares and merchandise,"

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

On the question,

"Shall this bill now pass the House?"

The House being divided,

Mr. Robinson called for the yeas and nays,

Which being taken, were as follows :

Yeas—Messrs. Boyce, Calhoon, Clements, Collins, Jonathan Moore, Phillips, Robinson, Virden, Waples—9.

*Nays*—Messrs. Appleton, Betts, Broadaway, Chandler, Churchman, Cochran, Higgins, J. A. Moore, Rickards, C. Williamson, Mr. Speaker—11.

So the bill was

*Lost.*

On motion of Mr. Betts,

The bill entitled "An Act regulating the sale of Lottery Tickets,"

Was read a second time by its title.

Mr. Rickards, from the Committee on Roads and Highways, to whom were referred the petition of R. R. Russell and others, praying the passage of an Act to enable him to stop up a road,

Reported adversely to the prayer of the petitioners,

Which report,

On motion of Mr. Higgins,

Was read, and

*Adopted.*

On motion of Mr. Betts,

The bill entitled "An Act concerning Shows in the city of Wilmington,"

Was read a second time by its title.

Mr. Robinson moved,

That the bill entitled "An Act to repeal and supply chapter 52, of the Revised Statutes of the State of Delaware, entitled 'Of free negroes and mulattoes,'"

Be read a second time by its title.

Pending which motion,

Mr. Churchman moved,

That said bill be indefinitely postponed :

The question being upon the motion to postpone,

Mr. Robinson called for the yeas and nays,

Which being taken, were as follows :

*Yeas*—Messrs. Churchman, Higgins—2.

*Nays*—Messrs. Appleton, Betts, Boyce, Broadaway, Calhoun, Chandler, Clements, Cochran, Collins, J. A. Moore, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Waples, C. William-son, Mr. Speaker—18.

So the motion to postpone was

*Lost.*

And the motion to read said bill a second time by its title,

*Prevailed.*

And the bill was so read.

On motion of Mr. Betts,

The bill entitled "A supplement to an act entitled 'An Act for the protection of manufacturers and venders of mineral waters, porter, ale, and other beverages in bottles,'"

Was read a second time by its title.

On motion of Mr. Rickards,

The bill entitled "An Act to revive and continue in force the Act entitled 'An Act to enable Nathaniel Conoway to locate certain vacant land in Nanticoke Hundred, Sussex County, and to complete his title to the same,' passed at Dover February 24, 1859."

Was read a second time by its title.

Mr. Rickards offered the following resolutions,

Which,

On his motion,

Were read, and

*Adopted:*

*Resolved*, That the use of this Hall be appropriated to Judge Layton and General Tilghman, this evening, at 8½ o'clock, to address the members and others upon the subject and propriety of State aid for the benefit of internal improvements in this State.

*Resolved*, That the Clerk be directed to invite the members of the Senate to be present.

On motion of Mr. Jonathan Moore,

The bill entitled "An Act to encourage the destruction of crows,"

Was read a second time by its title.

Pursuant to notice,

Mr. C. Williamson asked, and,

On motion of Mr. Broadaway,

Obtained leave to introduce a bill entitled "An Act appointing commissioners to lay out a public road in Kent County,"

Which,

On motion of Mr. C. Williamson,

Was read.

On motion of Mr. Phillips,

The bill entitled "An Act to prevent swine running at large within the town of Millsborough, Sussex County,"

Was read a second time by its title.

Mr. Betts moved,

That the bill entitled "An Act authorizing the Mayor and Council of Wilmington to borrow the sum of fifteen thousand dollars for the purposes therein mentioned,"

Was taken up for consideration.

Mr. Betts then moved,

That the bill be amended by adding to the end of section 1, of said bill, the following words:

"Provided that said loan shall be so arranged that five per centum of the principal thereof shall become due and be payable in each and every year after the debt is contracted."

Which amendment,

On his further motion,

Was read, and

*Adopted,*

On motion of Mr. Betts,

The bill was then read a third time by paragraphs in order to pass the House,

On the question,

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows:

*Yeas*—Messrs. Betts, Boyce, Broadaway, Calhoon, Chandler, Churchman, Clements, Cochran, Collins, Higgins, J. A. Moore, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Waples, C. Williamson, Mr. Speaker—19.

*Nays*—None.

So the bill having received the constitutional majority,

*Passed the House.*

*Ordered to the Senate for concurrence.*

On motion of Mr. C. Williamson,

The bill entitled "An Act to change the place of voting in Missillion Hundred, Kent County,"

Was read a second time by its title.

On motion of Mr. Jonathan Moore,

The bill entitled "An Act to divide Broad Creek Hundred into two election districts,"

Was read a second time by its title.

Pursuant to notice,

Mr. C. Williamson asked, and,

On motion of Mr. Betts,

Obtained leave to introduce a bill entitled "An Act, incorporating the Bright's and Haynes' Glades Ditch Company."

Which,

On motion of Mr. C. Williamson,  
Was read.

Mr. Betts, in pursuance of notice, asked, and,

On motion Mr. Chandler,

Obtained leave to introduce a bill entitled "An Act concerning the city of Wilmington,"

Which,

On motion of Mr. Betts,

Was read.

Mr. Betts moved,

That when this House adjourn, it will adjourn to meet at nine o'clock to-morrow morning.

Which motion,

*Prevailed.*

Mr. Cochran from the Committee on Education, to whom was referred the petition of a committee of School District No. 98, in Sussex County, praying the passage of an Act for their relief,

Reported adversely to the prayer of the petitioners,

Which report,

On motion of Mr. Chandler,

Was

*Adopted.*

Mr. Virden, from the Committee to whom was referred the petition of Thomas J. Marvel and others, praying the passage of an Act to prevent hogs from running at large in this State,

Reported adversely to the prayer of the petitioners,

Which report,

On motion of Mr. Broadaway,

Was

*Adopted.*

On motion of Mr. Appleton,

The bill entitled: "An Act providing for the increase of the number of the members of the Senate and House of Representatives of the State of Delaware,"

Was taken up for consideration,

On motion of Mr. Appleton,

The bill was amended by striking out the word "seven," in line 7, of section 1, and inserting in lieu thereof the word "five;" also by striking out in the 8th line of said section, the word "seventeen," and inserting in lieu thereof the word "fifteen;" also by striking out the word "seventeen," in line 6, of section 2, of said bill, and inserting in lieu thereof the word "fifteen."

Mr. Appleton then moved,

That the further consideration of said bill be postponed until Tuesday next,

Which motion was

*Lost.*

Mr. Appleton further moved,

That the consideration of said bill was postponed until to-morrow,

Which motion was

*Lost.*

Mr. Appleton then moved,

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

Which motion

*Prevailed.*

On the question,

"Shall this be section I of the bill?"

And the House being divided,

The yeas and nays were ordered,

Which being taken, were as follows:

*Yeas*—Messrs. Appleton, Betts, Broadaway, Chandler, Churchman, Clements, Cochran, Collins, Higgins, Rickards, Robinson, Virden, C. Williamson, Mr. Speaker—14.

*Nays*—Messrs. Boyce, Calhoun, Jonathan Moore, Phillips, Waples—5.

And section 1, of the bill was

*Adopted.*

On motion of Mr. Appleton,

The further consideration of said bill was then postponed until Tuesday next, the 5th of March.

On motion of Mr. Churchman,

The Senate "Joint Resolutions in relation to the Union,"

Were read.

Mr. Robinson moved,

That the House concur in the adoption of said resolutions;

Pending which motion,

Mr. Chandler moved,

That the further consideration of said resolutions be postponed until to-morrow.

Which motion

*Prevailed.*

And the resolutions were postponed.

On motion of Mr. Cochran,

The House adjourned.

FRIDAY, *March 1, 1861, 9 o'clock, A. M.*

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Robinson,

The vote had yesterday upon the 1st section of the bill entitled "An Act providing for the increase of the number of the members of the Senate and House of Representatives of the State of Delaware,"

Was reconsidered.

Mr. Appleton moved,

That the further consideration of the bill be postponed until Tuesday next,

Which motion was

*Lost.*

The question before the House being,

"Shall this be section. 1, of the bill?"

And the House being divided,

Mr. Robinson called for the yeas and nays,

Which being taken, were as follows :

*Yeas*—Messrs. Appleton, Betts, Chandler, Churchman, Cochran, Higgins, Mr. Speaker—7.

*Nays*—Messrs. Boyce, Broadaway, Calhoon, Clements, Collins, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Waples, C. Williamson—12.

So section 1 of the bill was

*Lost.*

And the bill was

*Lost.*

Mr. Rickards gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled "An Act for the benefit of the State of Delaware."

On motion of Mr. Chandler,

The Senate bill entitled "An Act to repeal 'An Act concerning public roads in New Castle County,'"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered*, that the Senate be informed thereof.

Mr. Collins gave notice that he would, on to-morrow, or some future day, ask leave to introduce a bill entitled "An Act authorizing Daniel C. Godwin to straighten a public road in Kent County, through his own lands, and at his own expense."

On motion of Mr. Waples,

The Senate bill entitled "An Act to authorize the making of certain indexes to the Records in the office of the Recorder of Deeds in Sussex County,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered*, that the Senate be informed thereof.

On motion of Mr. Churchman,

The bill entitled "An Act to amend the Act passed at the present session, entitled 'An Act dividing Brandywine Hundred into two election districts,'"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

Mr. Betts moved,

That the bill entitled "An Act to incorporate the Wilmington and Brandywine Railroad Company,"

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

Which motion *Prevailed.*

On the question,

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken were as follows :

*Yeas*—Messrs. Appleton, Betts, Boyce, Broadaway, Calhoon, Chandler, Churchman, Clements, Cochran, Collins, Higgins, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Waples, C. Williamson, Mr. Speaker—19.

*Nays*—None.

So the bill having received the constitutional majority,

*Passed the House.*

*Ordered* to the Senate for concurrence.

On motion of Mr. Appleton,

The bill entitled "An Act for the preservation of fruits and vegetables,"

Was taken up for consideration.

Mr. Appleton then offered the following amendments to said bill :

Amend section 1, by striking out all between the word "lot," line 5, and the word "be," in line 6, and insert in lieu thereof the following words, viz : "Shall if the same be attached to the soil."

Amend further by inserting between the word "imprisoned," in line 13, and the word "for," in line 14, the words "at the discretion of the Court."

Which amendments,

Were read, and,

On motion of Mr. Appleton,

*Adopted.*

The bill then,

On the further motion of Mr. Appleton,  
Was read a third time by paragraphs, and

*Passed the House,*

*Ordered* to the Senate for concurrence.

On motion of Mr. Waples,

The bill entitled "An Act for the suppression of vagrancy,"  
Was read a second time by its title.

On motion of Mr. Appleton,

The "Joint Resolution (of the Senate) in relation to the contingent expenses of the Secretary of State,"

Was read, and

*Concurred in.*

*Ordered*, that the Senate be informed thereof.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of the bill entitled "An Act to provide for the Registration of Births, Marriages and Deaths;" had amended the same, and requested the concurrence of the House in said amendments.

Also, that the Senate had concurred in the passage of the bill entitled "An Act for the renewal of the charter of the Delta Phi Literary Society of Delaware College;" had amended the same, and requested the concurrence of the House in said amendment.

Also, that the Senate had concurred in the passage of the following House bills, viz :

"An Act to incorporate the Delaware and Chesapeake Steamboat Navigation Company."

"An Act to enable Elijah Davidson to locate certain vacant lands in Dagsborough Hundred, Sussex County, and complete his title to the same."

And that the Senate had passed and requested the concurrence of the House in the following bills, viz :

"An Act to amend chapter 36, section 4, of the Revised Statutes of the State of Delaware."

"An Act to incorporate the Dover Classical Seminary."

"An Act to enable Isaac McCabe to locate certain vacant lands in Baltimore Hundred, in Sussex County, and to complete his title to the same."

And also, that the Senate had adopted a Joint Resolution in reference to the report of the Commissioners to the Peace Conference, and requested the concurrence of the House therein.

And he presented the Report of the Commissioners from this State in the Peace Conference, to the Senate and House of Representatives of this State, the same having been considered in the Senate.

And he withdrew.

On motion of Mr. Appleton,

The Senate "Joint Resolution appointing a Committee on Accounts,"

Was read, and the consideration thereof postponed until Tuesday next.

Pursuant to notice,

Mr. Rickards asked, and,

On motion of Mr. Betts,

Obtained leave to introduce a bill entitled "An Act to prevent monopolies, and for the encouragement of free schools in the State of Delaware, and for other purposes,"

Which,

On motion of Mr. Rickards,

Was read.

Mr. Rickards moved,

That three hundred copies of the bill be printed for the use of the House.

Mr. Appleton moved,

To amend the motion to print so as to cause three hundred copies of the bill, and the like number of the bill increasing the members of the Senate and House of Representatives, to be printed.

Mr. Churchman moved,

That the consideration of said bill be postponed until Monday week.

Which motion was

*Lost.*

Mr. Appleton's amendment to the motion to print,

Was

*Lost.*

And the question being taken on the motion to print said bill,

It was

*Lost.*

On motion of Mr. Churchman,

The report of the Commissioners of this State to the Peace Conference,

Was read, and referred to the Committee on the State of the Union.

It is as follows :

*To the Honorable the Senate and House of Representatives  
of the State of Delaware :*

The undersigned Commissioners appointed by your honorable bodies to represent the State of Delaware, in a Convention of Delegates from the States of the Union, held at Washington on the 4th day of February, instant, for the purpose of taking into consideration and perfecting some plan for adjusting the matters of controversy between the sections of the Union, respectfully report :

That on the 4th day of February, instant, we repaired to the city of Washington, and met in the proposed Convention, Commissioners from the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, Tennessee, Kentucky, Missouri, Kansas, Iowa, Illinois, Indiana, and Ohio. The Convention continued in session from day to day until this date, and as the result of its deliberations has by a majority of the States represented, recommended to Congress now in session, that as a mode of adjusting the present unhappy sectional controversy, Congress pursuant to

the 5th Article of the Federal Constitution, shall propose for ratification, by Conventions in the several States, an amendment of the Constitution to consist of an additional Article, a copy whereof is hereto annexed.

In view of the preference expressed by the Legislature of Delaware, at its present session, for the plan of adjustment proposed by the Hon. John J. Crittenden, in the United States Senate, (in which preference our own opinions concurred,) we adhered to that plan so long as there was any reasonable hope of its adoption, but finding in the course of the deliberations of the Convention that the Crittenden plan was wholly impracticable, and that the measure adopted by the Convention was the only one which could possibly harmonize the interests and opinions of a majority of the States represented, we felt it to be our duty to give to that measure our support. The State of Delaware has less interest than the other slaveholding States in the questions the agitation of which has brought the Union into its present perilous condition; but from its small size and border location, the preservation of the Union is vital to it. Any reasonable adjustment, therefore, of the questions at issue which shall command the acquiescence of the States more deeply interested in them, and preserve the Union, we felt assured would be acceptable to Delaware, certainly preferable to the calamities of disunion.

The plan of adjustment adopted lacks some features which we have desired, and contains some provisions which we do not approve; nevertheless, as a whole, we consider that it substantially secures the rights of the South for which guarantees were sought, and as a measure of peace ought to be accepted by all sections of the Union. We take the liberty respectfully to recommend it to the approval of the people of Delaware, should Congress by its action render it necessary for our State to exercise a judgment upon it.

GEORGE B. RODNEY,  
D. M. BATES,  
H. RIDGELY,  
JOHN W. HOUSTON,  
WILLIAM CANNON.

WASHINGTON, February 27, 1861.

#### ARTICLE 13.

SECTION 1. In all the present territory of the United States, north of the parallel of thirty-six degrees and thirty minutes of north latitude, involuntary servitude, except in punishment of crime, is prohibited. In all the present territory south of that line, the status of persons held to involuntary service or labor, as it now exists, shall

not be changed; nor shall any law be passed by Congress or the Territorial Legislature to hinder or prevent the taking of such persons from any of the States of this Union to said territory, nor to impair the rights arising from said relation; but the same shall be subject to judicial cognizance in the federal courts, according to the course of the common law. When any territory north or south of said line, within such boundary as Congress may prescribe, shall contain a population equal to that required for a member of Congress, it shall, if its form of government be republican, be admitted into the Union on an equal footing with the original States, with or without involuntary servitude, as the constitution of such State may provide.

SECTION 2. No territory shall be acquired by the United States, except by discovery and for naval and commercial stations, depots, and transit routes, without the concurrence of a majority of all the Senators from States which allow involuntary servitude, and a majority of all the Senators from States which prohibit that relation; nor shall territory be acquired by treaty, unless the votes of a majority of the Senators from each class of States hereinbefore mentioned be cast as a part of the two-thirds majority necessary to the ratification of such treaty.

SECTION 3. Neither the Constitution, nor any amendment thereof, shall be construed to give Congress power to regulate, abolish, or control, within any State, the relation established or recognized by the laws thereof touching persons held to labor or involuntary service therein, nor to interfere with or abolish involuntary service in the District of Columbia without the consent of Maryland, and without the consent of the owners, or making the owners who do not consent just compensation; nor the power to interfere with or prohibit representatives and others from bringing with them to the District of Columbia, retaining and taking away, persons so held to labor or service, nor the power to interfere with or abolish involuntary service in places under the exclusive jurisdiction of the United States within those States and Territories where the same is established or recognized; nor the power to prohibit the removal or transportation of persons held to labor, or involuntary service in any State or Territory of the United States to any other State or Territory thereof where it is established or recognized by law or usage; and the right during transportation, by sea or river, of touching at ports, shores, and landings, and of landing in case of distress, shall exist; but not the right of transit in or through any State or Territory, or, of sale or traffic, against the laws thereof. Nor shall Congress have power to authorize any higher rate of taxation on persons held to labor or service than on land.

The bringing into the District of Columbia of persons held to

labor or service for sale, or placing them in depots to be afterwards transferred to other places for sale as merchandise, is prohibited.

SECTION 4. The third paragraph of the second section of the fourth article of the Constitution shall not be construed to prevent any of the States, by appropriate legislation, and through the action of their judicial and ministerial officers, from enforcing the delivery of fugitives from labor to the person to whom such service or labor is due.

SECTION 5. The foreign slave trade is hereby forever prohibited; and it shall be the duty of Congress to pass laws to prevent the importation of slaves, coolies, or persons held to service or labor, into the United States and the Territories from places beyond the limits thereof.

SECTION 6. The first, third, and fifth sections, together with this section of these amendments, and the third paragraph of the second section of the first article of the Constitution, and the third paragraph of the second section of the fourth article thereof, shall not be amended or abolished without the consent of all the States.

SECTION 7. Congress shall provide by law that the United States shall pay to the owner the full value of his fugitive from labor, in all cases where the marshal, or other officer, whose duty it was to arrest such fugitive, was prevented from so doing by violence or intimidation from mobs or riotous assemblages, or when, after arrest, such fugitive was rescued by like violence or intimidation, and the owner thereby deprived of the same; and the acceptance of such payment shall preclude the owner from further claim to such fugitive. Congress shall provide by law for securing to the citizens of each State the privileges and immunities of citizens in the several States.

On motion of Mr. Appleton,

The Joint Resolution of the Senate in reference to the report of the Commissioners to the Peace Conference,

Was read, and

*Concurred in.*

*Ordered*, that the Senate be informed thereof.

On motion of Mr. Betts,

The bill entitled "An Act regulating the sale of Lottery Tickets,"

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

When,

On his motion,

The further consideration thereof was postponed until Tuesday next.

Mr. Higgins moved,

That when this House adjourns this afternoon, it will adjourn until Monday at 3 o'clock, P. M.

Which motion

*Prevailed.*

On motion of Mr. Broadaway,

The Senate bill entitled "An Act to prevent swine running at large within certain limits in Kent County,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* that the Senate be informed thereof,

Mr. Boyce from the Committee on Vacant Lands, to whom was referred the petition of Joseph S. Jones,

Reported a bill entitled "An Act to enable Joseph S. Jones to locate certain vacant lands in Broad Creek Hundred, Sussex County, and complete his title to the same."

Which,

On his motion,

Was read.

Pursuance to notice,

Mr. Robinson asked, and,

On motion of Mr. Broadaway,

Obtained leave to introduce a bill entitled "An Act to amend chapter 55 of the Revised Statutes of the State of Delaware, entitled 'Of fish, oysters and game.'"

Which,

On his motion,

Was read.

On motion of Mr. Betts,

The bill entitled "A supplement to an Act entitled 'An Act for the protection of manufacturers and venders of mineral waters, porter, ale and other beverages in bottles,'"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

On motion of Mr. Clements,

The bill entitled "An Act to repeal an Act entitled 'An Act for the relief of certain free negroes and free mulattoes,'"

Was read a second time by its title.

On motion of Mr. C. Williamson,

The bill entitled "An Act to change the name of the place called Marshy Hope Bridge,"

Was read a second time by its title.

Mr. Clements moved,

That the bill entitled "An Act to repeal an Act entitled 'A further supplement to the Act for the encouragement of Internal Improvements in the State of Delaware,' so far as the same relates to the Maryland and Delaware Railroad Company,"

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

When,

On motion of Mr. Higgins,

The consideration of the motion to read said bill,

Was postponed until Tuesday next, the fifth instant.

On motion of Mr. Appleton,

The bill entitled "An Act to provide for the measurement and inspection of lime,"

Was read a second time by its title.

Also, on motion of Mr. Appleton,

The bill entitled "An Act to amend chapter 25, of the Revised Statutes of the State of Delaware,"

Was read a second time by its title.

Also, on motion of Mr. Appleton,

The bill entitled "An Act to amend chapter 109, of the Revised Statutes, entitled 'Of Juries.'"

Was read a second time by its title.

On motion of Mr. Broadaway,

The Senate bill entitled "An Act concerning the imprisonment of free negroes and mulattoes for debt,"

Was read.

On motion of Mr. Betts,

The bill entitled "An Act to provide for the Registration of Births, Marriages and Deaths,"

Was taken up for consideration.

On his further motion,

The Senate amendments to said bill,

Was read, as follows :

"Senate, February 28, 1861.

"Amend the bill by inserting section 14:

SECTION 14. The Secretary of State shall cause this Act to be published in all the newspapers of this State for the space of one month from its passage."

Extract from the Journal.

J. L. PRATT,

Clerk of Senate.

*For Concurrence.*

On motion of Mr. Betts,

The amendment was:

*Concurred in.*

*Ordered* that the Senate be informed thereof.

Mr. Betts offered the following resolution,

Which was read, and,

On motion of Mr. Higgins,

*Adopted:*

WHEREAS, the State of Delaware through her duly appointed Delegates (see 10th volume of Laws, page 706) agreed to join in the erection of the proposed monument in Independence Square, Philadelphia, to the signers of the Declaration of Independence; and

WHEREAS, it is probable said monument will be commenced and may be completed before the next meeting of the General Assembly; and

WHEREAS, it is important that the good faith and credit of the State should always be maintained, but most especially so in this most praiseworthy and patriotic movement; therefore,

*Resolved*, That the Committee on Finance be directed to report such a Joint Resolution for the paying said money, or any part thereof, as may be necessary to maintain the honor and integrity of the State in the matter, while depleting our treasury as little as possible at this time.

Mr. Cochran from the Committee on Education, to whom was referred the petition of J. A. B. Smith and others, praying the passage of an Act to form a new School District in New Castle County,

Reported adversely to the prayer of the petitioner,

Which report,

On motion of Mr. Churchman,

Was

*Adopted.*

On motion of Mr. C. Williamson,

The bill entitled "An Act appointing Commissioners to lay out public road in Kent County."

Was read a second time by its title.

On motion of Mr. Churchman,

The bill entitled "A supplement to an Act entitled 'An Act in relation to the town of Smyrna,'"

Was read a second time by its title.

Mr. Churchman from the Committee on Enrollment, asked for an increase in the number of said Committee,

And moved that one member be added to the committee,

Which motion *Prevailed.*

Whereupon,

Mr. Phillips was appointed a member of said committee.

Mr. Churchman gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled "An Act proposing an amendment to the Constitution for the purpose of abolishing life tenure in office."

Mr. Virden from the committee to whom was referred the petition of G. H. Hall and others, praying the passage of an Act in relation to division fences,

Reported adversely to the prayer of the petitioners ;

Which report,

On motion of Mr. Robinson,

Was *Adopted.*

Mr. Appleton moved,

That the bill entitled "An Act for the renewal of the charter of the Delta Phi Literary Society of Delaware College,"

Be taken up for consideration :

Which motion *Prevailed.*

The Senate amendment to said bill,

Was read, as follows :

"In Senate, February 28, 1861.

"Amend the bill by striking out section 2."

Extract from the Journal,

J. L. PRATT,

Clerk of Senate.

*For concurrence.*

Mr. Appleton then moved,

That the amendment of the Senate be "concurred in."

And the yeas and nays being ordered on said motion,

Were taken, and were as follows :

*Yeas*—Messrs. Appleton, Betts, Boyce, Broadaway, Chandler, Churchman, Clements, Cochran, Higgins, Phillips, Robinson, Vir-  
den, C. Williamson, Mr. Speaker—14.

*Nays*—None.

So the amendment

Was

*Concurred in.*

*Ordered*, that the Senate be informed thereof.

On motion of Mr. Churchman,

The House adjourned until 2 o'clock this afternoon.

EODEM DIE, 2 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Betts,

The bill entitled "An Act concerning the City of Wilmington,"

Was read a second time by its title.

Mr. Clements offered "Joint Resolutions calling a State Convention,"

Which,

Were read, and,

On motion of Mr. Churchman,

Referred to the Committee on the State of the Union.

Mr. Clements presented the petition of Samuel S. Hewes and others, praying the passage of an Act authorizing a change in the course of a road in Dover Hundred, Kent County,

Which,

On his motion,

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

Whereupon,

Messrs. Clements, Phillips and Appleton, were appointed said committee.

Pursuant to notice,

Mr Betts asked, and,

On motion of Mr. Chandler,

Obtained leave to introduce a bill entitled "An Act to revive an Act entitled 'An Act for the relief of William Little and others,'"

Which,

On motion of Mr. Betts,

Was read.

Mr. Boyce gave notice that he would, on to-morrow, or some future day, ask leave to introduce a bill entitled "An Act to amend chapter 107, of the Revised Statutes of the State of Delaware."

On motion of Mr. Broadaway,

The vote had upon the passage of the bill entitled "An Act to prevent swine running at large within certain limits in Kent County,"

Was *Reconsidered.*

And on his further motion,

The consideration of said bill was postponed until Tuesday next, the 5th instant.

On motion of Mr. Appleton,

The bill entitled "An Act to establish Inferior Courts in the several Counties of this State,"

Was read a second time by its title,

Mr. Betts, from the Committee of Inquiry in reference to Lottery Grants, &c ,

Reported a bill entitled "A further supplement to the Act entitled 'An Act for the encouragement of Internal Improvements in the State of Delaware.'"

Which,

On his motion,

Was read.

On motion of Mr. Broadaway,

The bill entitled "An Act to enable Henry Todd to locate certain vacant salt marsh therein named, and complete his title to the same,"

Was read a second time by its title.

On motion of Mr. Churchman,

The bill entitled "An Act for the relief of the estate of David S. Casperson, deceased,"

Was read a second time by its title.

Also, on motion of Mr. Churchman,

The bill entitled "A supplement to the Act entitled 'An Act to incorporate a Company to improve the navigation of what is now called Smyrna Creek,' passed at Dover, February 24, 1859,"

Was read a second time by its title.

On motion of Mr. Betts,

The bill entitled "An Act to amend the Act entitled 'An Act regulating the sale of intoxicating liquors, &c.,'"

Was read a second time by its title.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of the bill entitled "An Act to authorise and empower the Levy Court of New Castle to erect a pivot bridge or draw bridge over Christiana Creek, in New Castle County;" had amended the same, and requested the concurrence of the House in said amendments.

And that the Senate had passed and requested the concurrence of the House in a bill entitled "An Act to authorize Thomas M. Parker and others to straighten a public road in Dover Hundred.

Also, that the Senate had passed and requested the concurrence of the House in a bill entitled "An Act to incorporate a Bank at Seaford, under the name of the Citizens' Bank of the State of Delaware, at Seaford."

And he withdrew.

On motion of Mr. Churchman,

The bill entitled "An Act to authorize and empower the Levy Court of New Castle County, to erect a pivot bridge or draw bridge over Christiana Creek, in New Castle County,"

Was taken up for consideration,

And the Senate amendment to said bill,

Was read.

When,

On his further motion,

The consideration of said amendment was postponed until Tuesday next, the 5th instant.

On motion of Mr. Clements,

The Senate bill entitled "An Act to authorize Thomas M. Parker and others to straighten a public road in Dover Hundred,"

Was read,

And also the petition accompanying said bill.

On motion of Mr. Churchman,

The bill entitled "An Act to authorize the laying out a public road in Kent County,"

Was read a second time by its title.

On motion of Mr. Betts,

The Senate bill entitled "An Act to incorporate a Bank at Seaford, under the name of the Citizens' Bank of the State of Delaware, at Seaford,"

Was read, and,

On motion of Mr. Robinson,

Referred to the Committee on Corporations

On motion of Mr. Betts,

The Senate bill entitled "A supplement to an Act to incorporate the Delaware Savings Bank,"

Was read a second time by its title.

On motion of Mr. Broadaway,

The House adjourned.



MONDAY, *March 4*, 1861, 3 o'clock, P. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Pursuant to notice,

Mr. Collins asked, and,

On motion of Mr. Betts,

Obtained leave to introduce a bill entitled "An Act to authorize Daniel C. Godwin to straighten a certain public road in Milford Hundred, Kent County, Delaware,"

Which,

On motion of Mr. Collins,

Was read.

On motion of Mr. Chandler,

The Senate bill entitled "An Act to incorporate 'The Dover Classical Seminary,'"

Was read.

On motion of Mr. Broadaway,

The Senate bill entitled "An Act concerning the imprisonment of free negroes and mulattoes for debt,"

Was read a second time by its title.

Pursuant to notice,

Mr. Boyce asked, and,

On motion Mr. Broadaway,

Obtained leave to introduce a bill entitled "An Act to amend chapter 107, of the Revised Statutes of the State of Delaware,"

Which,

On motion of Mr. Boyce,

Was read.

On motion of Mr. Betts,

The bill entitled "A further supplement to the Act entitled 'An Act for the encouragement of Internal Improvements in the State of Delaware,'"

Was read a second time by its title.

Also, on motion of Mr. Betts,

The bill entitled "An Act to revive 'An Act for the benefit of William Little and others,'"

Was read a second time by its title.

On motion of Mr. C. Williamson,

The vote whereby the bill entitled "An Act to prohibit the granting licenses to negroes and mulattoes to retail goods, wares and merchandise," was lost,

Was

*Reconsidered.*

And, on motion of Mr. Robinson,

The further consideration of said bill was postponed until tomorrow.

On motion of Mr. Chandler,

The Senate bill entitled "An Act to amend chapter 36, section 4, of the Revised Statutes of the State of Delaware,"

Was read.

Also, on motion of Mr. Chandler,

The Senate bill entitled "An Act to enable Isaac McCabe to locate certain vacant lands in Baltimore Hundred, in Sussex County, and to complete his title to the same,"

Was read.

On motion of Mr. Robinson,

The bill entitled "An Act to amend chapter 55, of the Revised Statutes of the State of Delaware, entitled 'Of fish, oysters and game,'"

Was read a second time by its title.

Mr. J. A. Moore presented the claim of R. N. Merriken against the State,

Which,

On his motion,

Was read and referred to the Committee on Claims.

On motion of Mr. Boyce,

The bill entitled "An Act to enable Joseph S. Jones, to locate certain vacant lands in Broad Creek Hundred, Sussex County, and complete his title to the same,"

Was read a second time by its title.

Mr. Phillips, from the Committee on Enrollment, reported the

following bills and Joint Resolution to be duly and correctly enrolled, and presented the same to the Speaker for his signature, viz:

"An Act for the improvement of the navigation of the Brandywine and Christiana Creeks, within the limits of the city of Wilmington."

"An Act to lay out a public road from Felton to the road to Ross' Crossing."

"Joint Resolution appropriating a sum of money to erect monuments over the remains of Commodore Jones, and Surgeon General Tilton."

Mr. Robinson, from the committee to whom was referred the petition of C. R. Paynter and others,

Reported a bill entitled "An Act to authorize the Commissary of Sussex County to sell certain arms now in the armory in Georgetown, in said County,"

Which,

On his motion,

Was read.

On motion of Mr. Broadaway,

The Senate bill entitled "An Act to authorize Thomas M. Parker and others to straighten a public road in Dover Hundred,"

Was read a second time by its title.

On motion of Mr. Appleton,

The House adjourned,

TUESDAY, *March 5, 1861, 10 o'clock, A. M.*

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Clements from the committee to whom was referred the petition of Samuel F. Hewes and others,

Reported a bill entitled "An Act to authorize Samuel F. Hewes to change two public roads in Dover Hundred,"

Which,

On motion of Mr. Clements,

Was read.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of the bill entitled "An Act appointing commissioners to lay out a public road in Sussex County," had amended the same, and requested the concurrence of the House in the amendment.

Also, that the Senate had concurred in the passage of the following House bills, viz :

"An Act for the benefit of free schools in the State of Delaware."

"An Act to authorize Capt. John M. Phillips to straighten a public road in Indian River Hundred, Sussex County."

"An Act further to amend section 2, of chapter 63, of the Revised Code."

"An Act to incorporate the Fire Insurance Association of Delaware."

And that the Senate had passed and requested the concurrence of the House in the following bills and Joint Resolution, viz :

"A supplement to the Act entitled 'An Act to authorize the making of a public road in Little Creek Hundred, Kent County,' passed at Dover February 21, 1859."

"An Act to amend section 23, of chapter 97, of the Revised Statutes of the State of Delaware."

"A supplement to the Act entitled 'An Act to incorporate the Dover Gas Light Company.'"

"Joint Resolution authorizing the State Treasurer to borrow a certain sum of money."

"Joint Resolution directing the Secretary of State to have published a certain Act of Assembly."

And returned the following enrolled House bills, which had received the signature of the Speaker of the Senate, viz:

"An Act to incorporate the St. Jones' Branch Ditch Company."

"An Act to incorporate 'Felton Lodge, No. 30, of the Independent Order of Odd Fellows, of the State of Delaware, at Felton.'"

"An Act to incorporate the town of Felton, and for other purposes."

"An Act to divorce Frederick Craig and Matilda Craig from the bonds of matrimony."

"An Act to amend section 1st of chapter 34th of the Revised Statutes of the State of Delaware."

And he withdrew.

Mr. Robinson from the Committee on Enrollment, reported the following bills as duly correctly enrolled, and presented the same to the Speaker for his signature, viz :

"An Act to provide for the Registration of Births, Marriages and Deaths."

"An Act for the renewal of the charter of the Delta Phi Literary Society of Delaware College."

"An Act in relation to the town of Dover."

On motion of Mr. Chandler,

The bill entitled "An Act to incorporate the Dover Classical Seminary."

Was read a second time by its title.

On motion of Mr. Churchman,

The bill entitled "An Act to authorize and empower the Levy Court of New Castle County to erect a Pivot Bridge or Draw Bridge over Christiana Creek in New Castle County,"

Was taken up for consideration,

And the Senate amendments to said bill,

Were read, as follows :

"Senate, February 19th, 1861.

"Amend the bill as follows :

"After section 2, insert, "that the said Levy Court cause to be erected a House near said bridge in which a man shall reside, whose duty it shall be at the sound of a horn, conch, or any instrument by which notice shall be given to remove and open said draw, that vessels and boats may pass and repass without hindrance.

"Also, amend the bill by striking out section 3."

Extract from the Journal.

J. L. PRATT,

Clerk of Senate.

*For concurrence.*

Mr. Churchman moved,

That the first amendment to said bill, be concurred in,

Which motion was:

*Lost.*

On motion of Mr. Betts,

The second amendment to said bill was *Non Concurred in.*

*Ordered*, that the Senate be informed thereof.

Mr. Churchman moved,

That a committee of conference be appointed on the part of the House, to meet a similar committee on the part of the Senate, in reference to the disagreement of the two Houses on the bill entitled "An Act to authorise and empower the Levy Court of New Castle County to erect a Pivot Bridge or Draw Bridge over Christiana Creek in New Castle County,"

Which motion

*Prevailed.*

Whereupon,

Messrs. Churchman, Appleton and Betts, were appointed said committee.

*Ordered*, that the Senate be informed thereof, and requested to appoint a similar committee.

On motion of Mr. Appleton,

The bill of James Kirk against the State,

Was read, and referred to the Committee on Accounts.

Mr. J. A. Moore moved,

That the bill entitled "An Act for the relief of the estate of David S. Casperson, deceased,"

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

Which motion

*Prevailed.*

Section 1, of said bill having been read,

And the question being taken upon the adoption of said section,

It was

*Lost.*

And the bill was

*Lost.*

On motion of Mr. Waples,

The Senate bill entitled "An Act for the suppression of vagrancy,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered*, that the Senate be informed thereof.

On motion of Mr. J. A. Moore,

The Senate bill entitled "An Act to enable Henry Todd to locate certain vacant salt marsh therein named, and complete his title to the same,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered*, that the Senate be informed thereof.

On motion of Mr. Collins,

The bill entitled "An Act to authorize Daniel C. Godwin to straighten a certain public road in Milford Hundred, Kent County, Delaware,"

Was read a second time by its title.

On motion of Mr. Rickards,

The bill entitled "An Act to amend section 20, of chapter 99, of the Revised Statutes, of the State of Delaware,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

On motion of Mr. J. A. Moore,

The bill entitled "An Act incorporating the Bright's and Haynes' Glades Ditch Company."

Was taken up for consideration.

Mr. J. A. Moore then offered the following amendments to said bill,

Which,

On his motion,

Were read, and

*Adopted:*

"Amend the bill by adding the following sections:

"SECTION 5. At all the meetings of the said Bright's and Haynes' Glades Ditch Company, every owner of marsh or low ground,

liable to be taxed by said Company, may vote, if present, and every absent member may vote by proxy regularly constituted, and the voting shall be upon the following principle, that is to say: Every owner of marsh or low ground liable to be taxed by said Company, shall have one vote; every owner as aforesaid, whose marsh or low ground shall exceed in the assessment thereof the sum of one hundred dollars, shall have two votes; every owner as aforesaid whose marsh or low ground shall exceed in the assessment thereof the sum of two hundred dollars, shall be entitled to three votes; and in the same proportion of one vote for every hundred dollars of assessment as aforesaid.

SECTION 6. The said Company may at any annual meeting by a majority of the votes cast, make an allowance to any person for work done upon the ditch of the Company during the year A. D. 1860, which allowance shall be paid by the Treasurer of the Company, and deducted from the amount applicable to the division or prong upon which said work was done.

On the further motion of Mr. Moore,

The bill was read a second time by its title.

On motion of Mr. Waples,

The Senate bill entitled "An Act to amend section 18, of chapter 99, of the Revised Statutes of the State of Delaware,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered*, that the Senate be informed thereof.

On motion of Mr. Appleton,

The bill entitled "An Act to provide for the measurement and inspection of lime,"

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

Section 3, of said bill having been read,

On motion of Mr. Betts,

No objection being made,

Said section was amended by striking out the word "slacked" in

the 16th line thereof, and inserting in lieu thereof the word "un-slacked."

The bill then

*Passed the House.*

*Ordered* to the Senate for concurrence.

On motion of Mr. Robinson,

The Senate "Joint Resolutions in relation to the Union,"

Were taken up for consideration,

And read.

Mr. Churchman moved,

That the further consideration thereof be indefinitely postponed.

Mr. Appleton moved,

To amend said motion by postponing the consideration of the same until Thursday next.

Which motion was

*Lost.*

The question recurring to the motion indefinitely to postpone the consideration of said resolutions,

And the House being divided,

Mr. Robinson called for the yeas and nays,

Which being taken, were as follows :

*Yeas*—Messrs. Appleton, Betts, Chandler, Churchman, Cochran, Higgins, Jonathan Moore, Phillips, Rickards, Waples, Mr. Speaker—11.

*Nays*—Messrs. Boyce, Broadway, Calhoon, Clements, Collins, Davis, John A. Moore, Robinson, Virden, C. Williamson—10.

So the resolutions were

*Indefinitely postponed.*

*Ordered*, that the Senate be informed thereof.

On motion of Mr. Rickards,

The bill entitled "An Act enabling Constables whose terms of office have expired, to proceed on writs remaining in their hands,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

On motion Mr. Rickards,

The bill entitled "An Act to revive and continue in force the Act, entitled 'An Act to enable Nathaniel Conoway to locate certain vacant lands in Nanticoke Hundred, Sussex County, and to complete his title to the same,' passed at Dover February 24, 1859,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

Mr. Clements moved,

That the bill entitled "An Act to repeal an Act entitled 'An Act for the relief of certain free negroes and free mulattoes,'"

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

Which motion to amend

*Prevailed.*

On the question,

"Shall this bill now pass the House?"

The House being divided,

The yeas and nays were ordered,

Which being taken, were as follows :

*Yeas*—Messrs. Betts, Boyce, Broadaway, Calhoon, Chandler, Clements, Collins, Davis, John A. Moore, Phillips, Rickards, Robinson, Virden, C. Williamson—14.

*Nays*—Messrs. Appleton, Churchman, Cochran, Higgins, Jonathan Moore, Waples, Mr. Speaker—7.

So the bill

*Passed the House.*

*Ordered* to the Senate for concurrence.

On motion of Mr. Robinson,

The bill entitled "An Act to authorize the Commissary of Sussex County, to sell certain arms now in the armory at Georgetown, in said County,"

Was read a second time by its title.

On motion of Mr. C. Williamson,

The bill entitled "An Act to change the name of the place called Marshy Hope Bridge,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

On motion of Mr. Rickards,

The bill of James H. Bell against James R. Lofland, Esquire, late Secretary of State, (for transcribing for publication laws of the State,)

Was read, and referred to the Committee on Claims.

Pursuant to notice,

Mr. Churchman asked leave to introduce a bill entitled "An Act proposing an amendment to the Constitution for the purpose of abolishing life tenures in office."

Mr. Higgins moved,

That leave be granted.

Which motion was

*Lost.*

Mr. Betts moved,

That the bill entitled "An Act concerning Shows in the city of Wilmington,"

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

Which motion

*Prevailed.*

On the question,

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows :

*Yeas*—Messrs. Appleton, Betts, Boyce, Broadaway, Calhoon, Chandler, Churchman, Clements, Cochran, Collins, Davis, Higgins, J. A. Moore, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Waples, C. Williamson, Mr. Speaker—21.

*Nays*—None.

So the bill having received the constitutional majority,

*Passed the House.*

*Ordered* to the Senate for concurrence.

On motion of Mr. J. A. Moore,

The House adjourned.

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EODEM DIE, 3 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Betts,

The bill entitled "An Act concerning the city of Wilmington,"

Was taken up for consideration.

Mr. Betts then moved,

That said bill be amended by striking out the word "citizens" in the 39th line of section 2, of said bill, and insert in lieu thereof the words "freeholders of said city."

Which motion

*Prevailed.*

Mr. Betts then moved,

That the bill be read a third time by paragraphs in order to pass the House,

Which motion,

*Prevailed.*

The question being,

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows:

*Yeas*—Messrs. Appleton, Betts, Boyce, Broadway, Calhoon, Chandler, Clements, Cochran, Collins, Davis, Higgins, J. A. Moore, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Waples, C. Williamson, Mr. Speaker—20.

*Nay*—Mr. Churchman—1.

So the bill having received the constitutional majority,

*Passed the House.*

*Ordered to the Senate for concurrence.*

On motion of Mr. Appleton,

The bill entitled "An Act to establish Inferior Courts in the several Counties of this State,"

Was taken up for consideration.

On motion of Mr. Appleton,

The blanks in the second section of said bill were filled as follows:

By filling the first blank with the words, "second Monday in July."

By filling the second blank with the words "first Monday in October."

By filling the third blank with the words "second Monday in January."

And by filling the fourth blank with the words "first Monday in April."

Mr. Appleton also moved,

To amend said bill by inserting in the 7th line of section 3, between the words "said" and "in," the word "Court."

Which motion

*Prevailed.*

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the following House bills and Joint Resolution, viz :

"An Act to amend the Act entitled 'An Act to incorporate the Clayton and Smyrna Railroad Company.'"

"An Act to amend chapter 34, of the Revised Code."

"An Act to amend an Act entitled 'An Act to incorporate a bank in Newport, in New Castle County, under the name of the Real Estate Bank of Delaware.'"

"A supplement to an act entitled 'An Act for the protection of manufacturers and venders of mineral waters, porter, ale, and other beverages in bottles.'"

"An Act to enable the Governor to appoint an additional Justice of the Peace and Notary Public for New Castle County, to reside at or near Claymont."

"An Act to authorize Clement C. Simpson to straighten a public road in Mispillion Hundred, Kent County, Delaware."

"An Act for the relief of John Hutchinson."

"An Act to amend the Act passed at the present session, entitled 'An Act dividing Brandywine Hundred into two election districts.'"

"An Act concerning certain marsh meadow within the city of Wilmington, and to repeal an Act therein mentioned."

"Joint Resolution in relation to the construction of a pier at Lewes."

And that the Senate had concurred in the passage of the bill en-

titled "An Act to incorporate the Wilmington and Brandywine Railroad Company;" had amended the same and requested the concurrence of the House in said amendment.

And that the Senate had passed and requested the concurrence of the House in the following bills, viz :

"An Act to enable the Trustees of Delaware College to reconvey certain property in the village of Newark."

"An Act to repeal an Act entitled 'An Act to repeal an Act to form two Hundreds of what was heretofore Broadkilm Hundred, in Sussex County, as to holding General and Special Elections, the Elections of Assessors and Inspectors and of the appointment of Constables.'"

"An Act in relation to public roads and highways in St. Georges and Appoquinimink Hundreds in New Castle County."

And that the Senate had concurred in the amendments of the House to the bill entitled "An Act to provide for the measurement and inspection of lime."

And he returned the following enrolled House bills, which had received the signature of the Speaker of the Senate, viz :

"A supplement to the Act entitled 'An Act to incorporate a Bank in Smyrna under the name of the Citizens Bank of Smyrna.'"

"An Act to incorporate the Clayton and Smyrna Railroad Company."

"An Act for the relief of certain devisees of David Bush, deceased."

"A supplement to the Act entitled 'An Act to authorize the construction of a public bridge across Blackbird Creek Creak in New Castle County,' passed at Dover, February 16, 1859."

"A further supplement to an Act entitled an 'Act to incorporate the Wesleyan Female Collegiate Institute.'"

"An Act to authorize the removal of obstructions in Bottom Hill Drain."

"An Act to amend section 8, of chapter 48, of the Revised Statutes of the State of Delaware."

"An Act concerning the binding out to service of free negroes and mulattoes"

And he withdrew.

On motion of Mr. Appleton,

The bill establishing Inferior Courts was further amended by striking out the word "three," in the second line of section 11 of said bill, and inserting in lieu thereof the word "two."

Mr. Appleton then moved,

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

Which motion

*Prevailed.*

On the question,

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken were as follows:

Yeas—Messrs. Appleton, Betts, Boyce, Broadaway, Chandler, Churchman, Clements, Cochran, Higgins, Jonathan Moore, Phillips, Robinson, Waples, Mr. Speaker—14.

Nays—Messrs. Calhoun, Davis, J. A. Moore, Rickards, Virden, C. Williamson—6.

So the bill having received the constitutional majority,

*Passed the House.*

*Ordered* to the Senate for concurrence.

On motion of Mr. Appleton,

The bill entitled "An Act to amend chapter 109 of the Revised Statutes, entitled 'Of Juries,'"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

On motion of Mr. Chandler,

The "Joint Resolution (of the Senate) directing the Secretary of State to have published a certain Act of Assembly,"

Was

*Concurred in.*

*Ordered* that the Senate be informed thereof.

On motion Mr. Chandler,

The Senate bill entitled "An Act to amend chapter 36, section 4, of the Revised Statutes of the State of Delaware,"

Was read a second time by its title.

Also, on motion of Mr. Chandler,

The Senate bill entitled "An Act to enable Isaac McCabe to locate certain vacant lands in Baltimore Hundred, in Sussex County, and to complete his title to the same,"

Was read a second time by its title.

Mr. Appleton moved,

That the bill entitled "An Act to amend chapter 25 of the Revised Statutes of the State of Delaware,"

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

Which motion

*Prevailed.*

On the question,

"Shall this be section 1 of the bill?"

The vote being taken,

The section was

*Lost.*

And the bill was

*Lost.*

On motion of Mr. J. A. Moore,

The bill entitled "A supplement to the Act entitled 'An Act to incorporate a Company to improve the navigation of what is now called Smyrna Creek,' passed at Dover, February 24, 1859,"

Was taken up for consideration.

On motion of Mr. J. A. Moore,

The remonstrance of Wm. Temple and others, to the passage of said bill,

Was read.

Also, the petition of H. R. Cummins and others, praying the passage of the bill.

On motion of Mr. J. A. Moore,

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

The question being,

"Shall this bill now pass the House?"

And the House being divided,

The yeas and nays were ordered,

Which being taken, were as follows :

*Yeas*—Messrs. Appleton, Betts, Chandler, Churchman, Clements, Cochran, Jonathan Moore, Rickards, Robinson, Mr. Speaker—10.

*Nays*—Messrs. Boyce, Broadway, Calhoon, Collins, Davis, Higgins, J. A. Moore, Phillips, Virden, Waples, C. Williamson—11.

So the bill was

*Lost.*

On motion of Mr. Clements,

The bill entitled "An Act to repeal an Act entitled 'A further supplement to the Act for the encouragement of Internal Improvements in the State of Delaware,' so far as the same relates to the Maryland and Delaware Railroad Company,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered to the Senate for concurrence.*

On motion of Mr. Waples,

The vote whereby the bill entitled "A supplement to the Act entitled "An Act to incorporate a Company to improve the navigation of what is now called Smyrna Creek," was lost,

Was

*Reconsidered.*

Mr. Waples then offered the following resolution,

Which,

On his motion,

Was read, and

*Adopted :*

*Resolved*, That the petitioners for, and the remonstrants against, the passage of the bill entitled, "A supplement to the Act entitled 'An Act to incorporate a Company to improve the navigation of what is now called Smyrna Creek,' passed at Dover, February 24, 1859," have leave to be heard through their counsel by the House of Representatives, in the Hall of the House, this evening at 9 o'clock.

Mr. Waples moved,

The further consideration of said bill be postponed until to-morrow morning,

Which motion

*Prevailed.*

Mr. Betts moved,

That when this House adjourns this afternoon, it will adjourn to meet at 7 o'clock this evening.

Which motion

*Prevailed.*

On motion of Mr. C. Williamson,

The bill entitled "An Act appointing commissioners to lay out a public road in Kent County,"

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

On the question,

"Shall this be section 1, of the bill?"

The vote being taken thereon,

The section was

*Lost.*

And the bill was

*Lost.*

On motion of Mr. Boyce,

The bill entitled "An Act to enable Joseph S. Jones to locate cer-

tain vacant lands in Broad Creek Hundred, Sussex County, and complete his title to the same,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

Mr. Betts moved,

That the vote had upon the motion to appoint a Committee of Conference in reference to the amendments of the Senate to the bill entitled "An Act to authorize and empower the Levy Court of New Castle County, to erect a pivot bridge or draw bridge over Christiana Creek, in New Castle County," be reconsidered,

Which motion

*Prevailed.*

The question then being taken on the motion to appoint a Committee of Conference,

The motion was

*Lost.*

On motion of Mr. Robinson,

The vote whereby the second amendment of the Senate to said bill was non concurred in, was reconsidered.

And the question being taken on the motion that the House do non concur in said amendment,

The motion was

*Lost.*

Mr. Robinson then moved,

That the vote whereby the House refused to concur in the first amendment of the Senate to said bill, be reconsidered,

Which motion

*Prevailed.*

Mr. Appleton moved,

That the further consideration of said amendment be postponed until next January a year.

Which motion was

*Lost.*

And the question being taken on the motion to concur in the amendment of the Senate,

The motion was

*Lost.*

On motion of Mr. Waples,

The House adjourned.

*7 o'clock, P. M.*

The House met pursuant to adjournment.

On motion of Mr. Churchman,

The Senate bill entitled "An Act in relation to public roads and highways in St. Georges and Appoquinimink Hundreds, in New Castle County,"

Was read.

On motion of Mr. Phillips,

The Senate bill entitled "An Act to repeal an Act entitled 'An Act to repeal an Act to form two Hundreds of what was heretofore Broadkiln Hundred, in Sussex County, as to the holding the General and Special Elections, the Elections of Assessors and Inspectors, and of the appointment of Contables,'"

Was read.

On motion of Mr. Waples,

The bill entitled "An Act appointing Commissioners to lay out a public road in Sussex County,"

Was taken up for consideration.

On motion of Mr. Waples,

The amendment of the Senate to said bill,

Was read, as follows :

"Senate, March 1, 1861.

"Amend the bill by striking out all of section 2, of said bill, and inserting the following in lieu thereof; to wit :

SECTION 2. And be it further enacted, That the plot and return so to be made as aforesaid by the said Commissioners, shall be returned to the Court of General Sessions of the Peace and Jail Delivery, within the County of Sussex; but the said return shall not be conclusive; the said Court shall have power to make orders of review, and thereby appoint five suitable persons, to review the premises, and determine concerning the same, and make return on the first day of the next term, granting them all the authority which is conferred by the first section of this act, with similar instruction, and directing them if they approve of the previous proceedings, or any part thereof to adopt the same. A review shall be granted on application to the Court of any one interested in, or affected by the proceedings of the Commissioners appointed by this act. If the entire proceedings of the said last named Commissioners, or all except the computation of costs, be adopted by the return to the order of review, that return shall be confirmed by the Court; in any other case, another order of review shall be made on application of any one interested or affected as aforesaid; and all the proceedings in and before said Court, in relation to orders of review shall be as are provided in section 7, of chapter 60, of the Revised Statutes of this State."

Extract from the Journal.

J. L. PRATT,  
Clerk of Senate.

*For Concurrence.*

On motion of Mr. Waples,

The amendment was

*Concurred in.*

*Ordered*, that the Senate be informed thereof.

On motion of Mr. Phillips,

The bill entitled "An Act to prevent swine running at large within the town of Millsborough, Sussex County,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

On motion of Mr. Robinson,

The bill entitled "An Act to amend chapter 55 of the Revised Statutes of the State of Delaware, entitled 'Of fish, oysters and game.'"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

On motion of Mr. Betts,

The bill entitled "An Act to incorporate the Wilmington and Brandywine Railroad Company,"

Was taken up for consideration, and,

On his motion,

The amendment of the Senate to said bill,

Was read, as follows:

"In Senate, March 5th, 1861.

"Amend the bill by striking out all after the word 'and' in the sixth line of section 21, and inserting the following in lieu thereof: 'legal fence wherever the same may be necessary, provided that the said Company shall have the right to make special contracts for erecting and maintaining fences with any persons through whose lands said road shall pass.'"

Extract from the Journal.

J. L. PRATT,

Clerk of Senate,

*For concurrence.*

Mr. Betts moved,

That the amendment of the Senate be "concurrent in."

The yeas and nays being ordered on said motion,

Were taken, and were as follows :

*Yeas*—Messrs. Appleton, Betts, Boyce, Broadaway, Calhoon, Chandler, Churchman, Clements, Cochran, Collins, Davis, Higgins, J. A. Moore, Jonathan Moore, Phillips, Rickards, Robinson, Vir-den, Waples, C. Williamson, Mr. Speaker—21.

*Nays*—None.

So the amendment was

*Concurrent in.*

*Ordered* that the Senate be informed thereof.

On motion of Mr. Appleton,

The Senate bill entitled "An Act to enable the Trustees of Delaware College to reconvey certain property in the village of Newark,"

Was read.

Mr. Collins from the committee to whom was referred the petition of Thomas R. Hammersley and others,

Reported a bill entitled "An Act to amend the Act entitled 'An Act to amend chapter 68, of the Revised Code,' passed at Dover, February 24, 1859,"

Which,

On his motion,

Was read.

On motion of Mr. Broadaway,

The bill entitled "An Act to authorize Thomas M. Parker and others, to straighten a public road in Dover Hundred,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered*, that the Senate be informed thereof.

Mr. Rickards moved,

That the bill entitled "A supplement to an Act entitled 'An Act to authorize the laying out a public road in Kent County,'"

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

Which motion *Prevailed.*

And, on the question,

"Shall this bill now pass the House?"

The vote being taken,

The bill was *Lost.*

On motion of Mr. Betts,

The bill entitled "An Act regulating the sale of Lottery tickets,"

Heretofore read by paragraphs and postponed,

Was taken up for consideration, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

Mr. Robinson moved,

That the bill entitled "An Act to aid the Junction and Breakwater Railroad Company, and the Maryland and Delaware Railroad Company,"

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

Which motion *Prevailed.*

On the question,

"Shall this be section 1 of the bill?"

The vote being taken thereon,

The section was *Lost.*

And the bill was *Lost.*

On motion of Mr. Betts,

The bill entitled "An Act to revive an Act for the benefit of William Little and others,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

On motion of Mr. Rickards,

The bill entitled "An Act to authorize the laying out a public road in Kent County,"

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

On the question,

"Shall this bill now pass the House?"

The House being divided,

The yeas and nays were ordered,

Which being taken, were as follows:

*Yeas*—Messrs. Betts, Boyce, Broadway, Calhoon, Chandler, Clements, J. A. Moore, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Waples, C. Williamson—14.

*Nays*—Messrs. Appleton, Churchman, Cochran, Collins, Davis, Higgins, Mr. Speaker—7.

So the bill *Passed the House.*

*Ordered* to the Senate for concurrence.

On motion of Mr. Robinson,

The bill entitled "An Act to prohibit the granting licenses to negroes and mulattoes to retail goods, wares and merchandise,"

Was taken up for consideration, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

On motion of Mr. Betts,

The bill entitled "A further supplement to the Act entitled 'An

Act for the encouragement of Internal Improvements in the State of Delaware,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered*, to the Senate for concurrence.

On motion of Mr. Rickards,

The bill entitled "An Act to prevent monopolies, and for the encouragement of free schools in the State of Delaware, and for other purposes,"

Was read a second time by its title.

Mr. Appleton from the Committee on the State of the Union, to whom was referred the "Report of the Commissioners to the Peace Conference,"

Submitted the following report:

The Committee on the State of the Union to whom was referred the report of the Commissioners appointed by this General Assembly to meet like Commissioners from other States, at Washington, for the purpose of taking into consideration the unhappy controversy now existing between the different sections of the Union, and recommending to Congress some plan for the adjustment and reconciliation thereof, beg leave to report the same back to the House, with the following resolution:

*Resolved*, by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the thanks of the General Assembly be, and they are hereby tendered to the said Commissioners from this State, for their conservative and patriotic efforts in that Convention to preserve the peace, harmony and integrity of the Union.

On motion of Mr. Appleton,

The report and resolution,

Were

*Adopted.*

*Ordered* that the Senate be informed of the adoption of said resolution.

Mr. Appleton offered the following resolution :

*Resolved*, By the Senate and House of Representatives of the State of Delaware in General Assembly met, That the State Treasurer be, and he is hereby authorized and directed to pay to George B. Rodney, Daniel M. Bates, Henry Ridgely, John W. Houston and William Cannon, upon their several and respective orders, the sum of two hundred dollars each, as a compensation for their services as Commissioners to the Peace Convention.

Which resolution,

On motion of Mr. Appleton,

Was

*Adopted.*

*Ordered*, that the Senate be informed thereof.

On motion of Mr. Boyce,

The bill entitled "An Act to amend chapter 107, of the Revised Statutes of the State of Delaware,"

Was read a second time by its title.

Mr. C. Williamson moved,

That the bill entitled "An Act to change the place of voting in Mispillion Hundred, Kent County,"

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

Which motion

*Prevailed.*

On the question,

"Shall this bill now pass the House?"

The vote being taken thereon,

The bill was

*Lost.*

On motion of Mr. Waples,

The House adjourned.

WEDNESDAY, *March 6, 1861, 10 o'clock, A. M.*

The House met pursuant to adjournment.

Prayer by the Chaplain.

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

"An Act further to amend an act entitled 'A supplement to chapter 19 of the Revised Statutes of the State of Delaware; title, 'Of Elections in Wilmington Hundred,''"

"An Act to create a Board of Fire Wardens in the city of Wilmington."

And that the Senate had passed and requested the concurrence of the House in the following bills, viz :

"An Act to enable the Recorder of Deeds of New Castle County to keep an assignment Record."

"A further supplement to the Act entitled 'An Act to incorporate the Mispillion and Choptank Railroad Company,' passed at Dover, February 17, 1857."

And he returned the following enrolled House bills and Joint Resolution, which had received the signature of the Speaker of the Senate, viz :

"An Act for the improvement of the navigation of the Brandywine and Christiana Creeks, within the limits of the city of Wilmington"

"An Act to lay out a public road from Felton to the road to Ross Crossing."

"An Act in relation to the town of Dover."

"An Act to provide for the Registration of Births, Marriages and Deaths."

"An Act for the renewal of the charter of the Delta Phi Literary Society of Delaware College."

"Joint Resolution appropriating a sum of money to erect monuments over the remains of Commodore Jones, and Surgeon General Tilton."

He also presented for the signature of the Speaker the following enrolled Senate bills and Joint Resolution, which had received the signature of the Speaker of the Senate, viz :

"An Act to incorporate the Artisans Savings Bank."

"An Act to repeal 'An Act concerning public roads in New Castle County.'"

"An Act to change the appropriation made by the Act entitled 'An Act for the encouragement of Internal Improvements in the State of Delaware,' passed at Dover, January 26, 1859, to certain commissioners, for the purpose of building an Academy at Concord,"

"An Act to provide for the idiotic children of the State of Delaware."

"An Act to authorize the making of certain Indexes to the Records in the office of the Recorder of Deeds in Sussex County."

"Joint Resolution in relation to contingent expenses of the Secretary of State."

And he withdrew.

On motion of Mr. Phillips,

The bill entitled "A supplement to the Act entitled 'An Act to incorporate the Junction and Breakwater Railroad Company,'"

Was taken up for consideration, and,

On his further motion,

The amendments of the Senate to said bill,

Were read, as follows :

"In Senate, January 20th, 1861.

"Amend section 1, of the bill, by striking out of lines 7 and 8, the words 'Frankfort to the South line of this State so as to unite and,' and by inserting in lieu thereof these words, 'in Baltimore Hundred within a mile of Frankfort. But it shall not be lawful for said Company to unite or.'

Also, amend by striking from the 11th and 12th lines of said section, the words, 'To the South line of this State.'

Also, strike out section 3, of the bill, and insert the following :

SECTION 3. And be it enacted, That this Act shall be accepted by the Stockholders of the Junction and Breakwater Railroad Company, representing a majority of shares and such acceptance duly certified to the Secretary of State, within twelve months from the passage hereof, or it shall be void.

Extract from the Journal,

J. L. PRATT,  
Clerk of Senate.

*For concurrence:*

On motion of Mr. Phillips,

The amendments of the Senate,

Were

*Non Concurred in.*

*Ordered,* that the Senate be informed thereof.

On motion of Mr. J. A. Moore,

The bill entitled "A supplement to the Act entitled 'An Act to incorporate a company to improve the navigation of what is now called Smyrna Creek,' passed at Dover, February 24, 1859,"

Was taken up for consideration,

The question under consideration being,

"Shall this bill now pass the House?"

And the House being divided,

The yeas and nays were ordered,

Which being taken, were as follows :

*Yeas*—Messrs. Appleton, Betts, Chandler, Churchman, Clements, Cochran, Collins, Jonathan Moore, Rickards, Robinson, Virden, Waples, Mr. Speaker—13.

*Nays*—Messrs. Boyce, Broadaway, Calhoon, Davis, Higgins, J. A. Moore, Phillips, C. Williamson—8.

So the bill having failed to receive the constitutional majority,

Was

*Lost.*

Mr. Broadaway presented the claim of J. Wyatt against the House of Representatives,

Which,

On his motion,

Was read and referred to the Committee on Claims.

Mr. Churchman from the Committee on Enrollment, reported the following bills as duly and correctly enrolled, and presented the same to the Speaker for his signature, viz :

“An Act in relation to binding by ‘The Northern Home for Friendless Children.’”

“An Act appointing Commissioners to lay out a public road.”

“An Act to amend chapter 73, of the Revised Code, entitled ‘Of the City of Wilmington.’”

“An Act to incorporate the Fire Insurance Association of Delaware.”

“An Act to amend section 2, of chapter 63, of the Revised Code.”

“An Act for the benefit of free schools in the State of Delaware.”

“An Act to incorporate the town of Middletown.”

“An Act to amend the charter of the city of Wilmington.”

“An Act to incorporate the Delaware and Chesapeake Steamboat Navigation Company.”

“An Act to authorize Capt. John M. Phillips, to straighten a public road in Indian River Hundred, Sussex County.”

"An Act to enable Asbury C. Pepper to locate certain vacant lands in Broadkill Hundred, Sussex County, and complete his title to the same."

Mr. Appleton offered the following resolutions,

Which were read :

*Resolved*, By the Senate and House of Representatives of the State of Delaware in General Assembly met, That James Cowgill & Son be, and they are hereby authorized and requested to purchase the necessary coal, wood, oil and stationery for the next session of the Legislature, and the State Treasurer is hereby directed to pay to the order of the said James Cowgill & Son the sum of fifty dollars, to enable them to carry into effect the provisions of this resolution, and the said James Cowgill & Son are hereby directed to present their account and vouchers to the Legislature, at its next session, for allowance.

*Resolved further*, That Elias S. Reed be, and he is hereby appointed to take charge of the books and papers of the Senate and House of Representatives.

And the following resolutions :

*Resolved*, By the Senate and House of Representatives of the State of Delaware in General Assembly met, That Samuel C. Leatherbury be, and he is hereby appointed to take charge of the Senate chamber and of the Hall of the House of Representatives, and the Library Room, and to take care of the furniture belonging to the same.

*Resolved further*, That it shall be the duty of the said Samuel C. Leatherbury to pay strict attention to the proper airing of the said rooms and to the furniture belonging to each, and keep the same in the best condition within his power, and that he be required strictly to enforce the rules made or lawfully to be made for the regulation of the said Library and the use of the books therein.

*Resolved further*, That for the faithful performance of the duties above specified, the State Treasurer shall pay to the said Samuel C. Leatherbury the sum of fifty dollars per annum, the first year to commence on the day succeeding the day of the adjournment of this General Assembly.

Mr. Higgins moved,

That the resolutions providing for the appointment of persons to furnish stationery, &c., and to take charge of the papers, &c., of the Senate and House, be adopted:

Which motion

*Prevailed.*

*Ordered*, that the Senate be informed thereof.

On the further motion of Mr. Higgins,

The resolutions appointing S. C. Leatherbury to take charge of the Senate Chamber, and the Hall of the House of Representatives,

Were

*Adopted.*

*Ordered* that the Senate be informed thereof.

Mr. Betts from the Committee on Corporations, to whom was referred the bill entitled "An Act to incorporate a Bank at Seaford, under the name of the Citizens Bank of the State of Delaware, at Seaford,"

Reported back said bill to the House with sundry amendments thereto,

Which,

On his motion,

Were read, and

*Adopted.*

They are as follows :

Amend the title of said bill so that the same shall read and be construed as follows :

"An Act to incorporate a Bank at Seaford in the County of Sussex, under the name of 'The Seaford Bank, at Seaford.'"

Further amend said bill by striking out all after the enacting clause in the first section thereof, and insert in lieu thereof the following :

"That William Cannon, Rhodes Hazzard, Michael Colbourn, George W. Green, Benjamin Stockley, William W. Wright, and Charles Wright, be and they are hereby appointed commissioners to do and perform the things hereinafter mentioned, that is to say : they or a majority of them shall, on or before the first day of January, 1862, procure a suitable number of books, one of which shall be opened in Seaford, and the others at such place or places as may be deemed advisable by said Commissioners, in each of which books they shall enter as follows, viz : We, whose names are hereunto

subscribed, do promise to pay to 'The Seaford Bank, at Seaford,' the sum of twenty-five dollars for each and every share of Stock set opposite our respective names, in such manner, sums, and at such times as shall be directed by the President and Directors of the said Bank, and shall thereupon give notice in two newspapers printed in this State, and in such other newspapers as they may deem proper, at least twenty days, of the time and place or places when and where the said books shall be opened, to receive subscriptions for the Capital Stock of the said Bank, at which time and place or places one or more of said Commissioners shall attend and permit all persons of lawful age who shall offer, to subscribe in the manner following, that is to say: On the first day on which the said books are opened, no person shall subscribe for more than forty shares, either in his own name or as attorney or agent for another; and on the second day on which the said books are opened, the same restrictions shall apply as to those who have not previously subscribed to Stock, and if at the expiration of the second day, the whole number of two thousand shares shall not have been subscribed, then on the third, or any following day, during which said books shall be open, it shall be lawful for any person or persons in his or their own name or names, or as attorney for another or others, to subscribe for any number of shares in the said Stock until the whole number of two thousand shares shall have been taken. The said commissioners shall keep the books open at least three days, and at least six hours in each of said days, unless the whole number of two thousand shares shall have been taken and subscribed for before that time; and upon ascertaining at any time that the said whole number of shares are taken, they may close the said books. And if it so happen that more than two thousand shares shall have been taken, then the said commissioners, or a majority of them, are hereby authorized and directed to deduct from the highest subscription or subscriptions, until the number of shares shall have been reduced to two thousand.

And further amend said bill by striking out all after the enacting clause, in section 2, of said bill, and insert in lieu thereof the following:

"That the Capital Stock of the said Bank shall be fifty thousand dollars, divided into two thousand shares of twenty-five dollars each."

And further amend the said bill, by striking out all between the word "title," in the eighth line of section 3, and the word "Seaford," inclusive, in the ninth line of said section 3, and insert in lieu thereof the following: "Of the Seaford Bank at Seaford."

And further amend said bill, by inserting between the word "di-

rectors," and the word "who," in the fifth line of section 5, the following, to wit: "Five of whom shall reside in the State of Delaware, and one of said directors shall not be eligible at the next election."

Amend section 6, by striking out the whole of the nineteenth line thereof, and inserting the words "next ensuing," in lieu thereof.

And further amend said bill by striking out the word "half," in the fourth line of section 10 of said bill, and insert in lieu thereof the word "fourth."

Mr. Appleton moved,

Further to amend the bill by inserting the following as section 13, and by changing section 13 of said bill as it stands, to section 14,

Which amendments were

*Adopted.*

The amendment is :

SECTION 13. And be it further enacted, That the Stockholders of the Corporation created by this Act, in addition to said stock, shall be individually responsible to the amount of their respective share or shares of stock, for the payment and redemption of all circulating notes made and issued by the said corporation.

On motion of Mr. Churchman,

The bill was then read a second time by its title.

On the further motion of Mr. Churchman,

Rule 15 was suspended, in order that said bill might be passed to a third reading : and,

On his motion,

The bill was read a third time by paragraphs in order to pass the House.

On the question,

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken were as follows :

*Yeas*—Messrs. Appleton, Betts, Boyce, Broadway, Calhoun,

Chandler, Churchman, Clements, Cochran, Collins, Davis, Higgins, J. A. Moore, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Waples, C. Williamson, Mr. Speaker—21.

*Nay*—None.

So the bill having received the constitutional majority,

*Passed the House.*

*Ordered*, that the Senate be informed thereof.

On motion of Mr. Clements,

The bill entitled "An Act to authorize Samuel F. Hewes, to change two public roads in Dover Hundred,"

Was read a second time by its title.

On motion of Mr. Rickards,

The bill entitled "An Act to prevent monopolies, and for the encouragement of free schools in the State of Delaware, and for other purposes,

Was taken up for consideration :

When,

Mr. Appleton moved,

That the further consideration thereof be indefinitely postponed.

Upon which motion,

The House being divided,

The yeas and nays were ordered,

Which being taken, were as follows :

*Yeas*—Messrs. Appleton, Betts, Boyce, Broadaway, Calhoon, Chandler, Churchman, Clements, Cochran, Collins, Davis, Higgins, J. A. Moore, Jonathan Moore, Robinson, Virden, C Williamson, Mr. Speaker—18.

*Nays*—Messrs. Phillips, Rickards, Waples,—3.

So the bill was

*Indefinitely postponed.*

Mr. Robinson asked, and,

On motion of Mr. Betts,

Obtained leave to withdraw the bill entitled "An Act for the preservation of game in Sussex County."

Mr. Robinson then asked, and,

On motion of Mr. Betts,

Obtained leave to introduce a bill, in the place of the one withdrawn, entitled "An Act for the further protection of game in Sussex County,"

Which,

On motion of Mr. Robinson;

Was read.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had indefinitely postponed the bill entitled "An Act to authorize the appointment of an additional Justice of the Peace in Kent County, to reside at or near Arthursville."

Also, that the Senate had indefinitely postponed the bill entitled "An Act to authorize the Recorder of Deeds in and for Kent County, to transcribe Marriage Record, and to make a Direct Index thereto."

And that the Senate had "non concurred" in the passage of the bill entitled "An Act appointing Commissioners to lay out a new public road in Milford Hundred, Kent County."

And he withdrew.

On motion of Mr. Robinson,

Rule 15 of the House was suspended, in order to pass to its second reading the Act for the further protection of game in Sussex County.

On his motion,

Said bill was then read a second time by its title.

On motion of Mr. Collins,

The bill entitled "An Act to authorize Daniel C. Godwin to straighten a certain public road in Milford Hundred, Kent County, Delaware,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

On motion of Mr. Phillips,

The Senate bill entitled "An Act to enable Isaac McCabe to locate certain vacant lands in Baltimore Hundred, Sussex County, and complete his title to the same,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* that the Senate be informed thereof.

On motion of Mr. Chandler,

The bill entitled "An Act to incorporate the Dover Classical Seminary,"

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

On the question,

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows :

*Yeas*—Messrs. Appleton, Betts, Boyce, Broadaway, Calhoon, Chandler, Churchman, Clements, Cochran, Davis, Higgins, J. A. Moore, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Waples, Mr. Speaker—19.

*Nays*—None.

So the bill having received the constitutional majority,

*Passed the House.*

*Ordered*, that the Senate be informed thereof.

On motion of Mr. Jonathan Moore,

The bill entitled "An Act to divide Broad Creek Hundred into two Election Districts,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered to the Senate for concurrence.*

On motion of Mr. Appleton,

The Joint Resolution of the Senate in reference to the appointment of a Committee of Accounts,

Was read, and postponed until this afternoon.

On motion of Mr. Churchman,

The House adjourned until half-past two o'clock this afternoon.

EODEM DIE, 2½ o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Chandler,

The Senate bill entitled "An Act to amend chapter 36, section 4, of the Revised Statutes of the State of Delaware,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* that the Senate be informed thereof.

On motion of Mr. Churchman,

The Senate bill entitled "An Act in relation to public roads and highways in St. Georges and Appoquinimink Hundreds, in New Castle County,"

Was read a second time by its title.

On motion of Mr. Robinson,

The bill entitled "An Act to authorize the Commissary of Sussex County to sell certain arms now in the armory at Georgetown,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

Mr. J. A. Moore asked, and,

On motion of Mr. Churchman,

Obtained leave to withdraw the bill reported by him, entitled "A supplement to an Act entitled 'An Act in relation to the town of Smyrna.'"

On motion of Mr. Appleton,

The Senate bill entitled "An Act to enable the Trustees of Delaware College to reconvey certain property in the village of Newark,"

Was read a second time by its title.

On motion of Mr. Broadway,

The bill entitled "An Act concerning the imprisonment of free negroes and mulattoes for debt,"

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

Mr. Churchman moved,

That the further consideration of the bill be indefinitely postponed.

Which motion was

*Lost.*

Mr. Appleton moved,

That Rule 15 be suspended in order to amend said bill,

Which motion was

*Lost.*

The question pending, being,

"Shall this bill now pass the House?"

And the House being divided,

The yeas and nays were ordered thereon,

Which being taken, were as follows:

*Yeas*—Messrs. Boyce, Broadaway, Calhoon, Clements, Cochran, Collins, Davis, J. A. Moore, Phillips, Rickards, Robinson, Virden, C. Williamson—13.

*Nays*—Messrs. Appleton, Betts, Chandler, Churchman, Higgins, Jonathan Moore, Waples, Mr. Speaker—8.

So the bill

*Passed the House.*

*Ordered* to the Senate for concurrence.

Mr. Pratt, Clerk of the Senate, being admitted, returned the following enrolled House bills and Joint Resolution, which had received the signature of the Speaker of the Senate, viz :

"An Act to incorporate the town of Middletown."

"An Act to enable William Marshall and John Sharp to locate certain vacant lands in Broadkirk Hundred, Sussex County, and complete their title to the same."

"A supplement to the Act entitled 'An Act to incorporate the Duck Creek Improvement Company.'"

"An Act concerning Notaries for Banks."

"An Act for the relief of Samuel H. Jack."

"An Act to amend an Act entitled 'An Act to amend the Charter of the city of Wilmington.'"

"An Act reincorporating the Marshy Hope Improvement Company."

"An Act appointing commissioners to lay out a public road."

"An Act to incorporate a Society under the name and style of 'The Agricultural Society of Sussex County, Delaware.'"

"A supplement to the Act entitled 'An Act to incorporate a Bank in Milford under the name of the President, Directors and Company of the Farmers and Mechanics Bank at Milford,' passed at Dover, February 25, 1859."

"An Act to enable Asbury C. Pepper to locate certain vacant lands in Broadkilm Hundred, in Sussex County, and to complete his title to the same."

"An Act to amend the Charter of the city of Wilmington."

"An Act in relation to binding by 'The Northern Home for Friendless Children.'"

"An Act to amend chapter 73, of the Revised Code, entitled 'Of the city of Wilmington.'"

"An Act to authorize Capt. John M. Phillips, to straighten a public road in Indian River Hundred, Sussex County."

"An Act to incorporate the Delaware and Chesapeake Steamboat Navigation Company."

"An Act for the benefit of free schools in the State of Delaware."

"An Act to amend section 2, of chapter 63, of the Revised Code."

"An Act to incorporate the Fire Insurance Association of Delaware."

"Joint Resolution appointing certain persons to procure a monument for ex-Governor Joseph Hazlett."

And he withdrew.

Mr. Appleton presented the following claims,

Which,

On his motion,

Were read, and referred to the Committee on Accounts, to wit:

Claim of E. J. Smithers, against the State.

Claim of T. C. Killen, against the State.

Mr. J. A. Moore presented the following claims,

Which,

On his motion,

Were read, and referred to the Committee on Accounts, viz:

Claim of Zadock Butler, against the State.

Claim of ——— Flowers, against the State.

Mr. Robinson moved,

That the bill entitled "An Act to repeal and supply chapter 52 of the Revised Statutes of the State of Delaware, entitled 'Of free negroes and mulattoes,'" .

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

Which motion,

*Prevailed.*

Section 1 having been read,

On motion of Mr. Churchman,

The further consideration of said bill,

Was

*Indefinitely Postponed.*

On motion of Mr. Betts,

The "Joint Resolution authorizing the State Treasurer to borrow a sum of money,"

Was read, and referred to the Committee on Finance.

Mr. J. A. Moore moved,

That the bill entitled "An Act incorporating the Bright's and Haynes' Glades Ditch Company,"

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

Which motion

*Prevailed.*

The question being,

“ Shall this bill now pass the House ? ”

The yeas and nays were ordered thereon,

Which being taken, were as follows :

*Yeas*—Messrs. Appleton, Betts, Boyce, Broadway, Calhoon, Chandler, Churchman, Clements, Cochran, Collins, Davis, Higgins, J. A. Moore, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Waples, C. Williamson, Mr. Speaker—21.

*Nays*—None.

So the bill having received the constitutional majority,

*Passed the House.*

*Ordered* to the Senate for concurrence.

On motion of Mr. Betts,

The Senate bill entitled “A supplement to the Act entitled ‘An Act to authorize the making of a public road in Little Creek Hundred, Kent County,’ passed at Dover February 21, 1859,”

Was read.

Also, on motion of Mr. Betts,

The Senate bill entitled “A supplement to the Act entitled ‘An Act to incorporate the Dover Gas Light Company,’ ”

Was read.

On motion of Mr. Betts,

The Senate bill entitled “An Act to amend section 23, of chapter 97, of the Revised Statutes of the State of Delaware.”

Was read.

By special order,

On motion of Mr. Betts,

The following bills were read a second time by their titles, viz:

"A supplement to the Act entitled 'An Act to authorize the making of a public road in Little Creek Hundred, Kent County,' passed at Dover, February 21, 1859."

"A supplement to the Act entitled 'An Act to incorporate the Dover Gas Light Company.'"

"An Act to amend section 23, of chapter 97, of the Revised Statutes of the State of Delaware."

On motion of Mr. Waples,

The Senate bill entitled "An Act to repeal an Act entitled 'An Act to repeal an Act entitled 'An Act to form two Hundreds of what was heretofore Broadkilm Hundred, in Sussex County, as to holding the General and Special Elections, the Elections of Assessors and Inspectors and the appointment of Constables,'"

Was read a second time by its title.

On motion of Mr. Broadway,

The Senate bill entitled "An Act to prevent swine running at large within certain limits in Kent County,"

Was taken up for consideration.

On his motion,

The remonstrance of I. J. Short to the passage of said bill,

Was read.

The bill then

*Passed the House.*

*Ordered* that the Senate be informed thereof.

On motion of Mr. Collins,

The bill entitled "An Act to amend the Act entitled 'An Act to amend chapter 68, of the Revised Code,' passed at Dover, February 24, 1857,"

Was read a second time by its title.

On motion of Mr. Rickards,

The Senate bill entitled "A supplement to the Act entitled 'An Act appointing freeholders to lay out a new public road,' passed at Dover February 16, 1859,"

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

On the question,

"Shall this be section 1, of the bill?"

The vote being taken,

The section was

*Lost.*

And the bill was

*Lost.*

*Ordered*, that the Senate be informed thereof.

Mr. Collins moved,

That the vote had upon the motion to grant leave to Mr. Churchman to introduce a bill in relation to life tenures, be reconsidered.

Which motion was

*Lost.*

On motion of Mr. Jonathan Moore,

The bill entitled "An Act to encourage the destruction of crows,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

Mr. Boyce moved,

That the bill entitled "An Act to amend chapter 107 of the Revised Statutes of the State of Delaware,"

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

Which motion

*Prevailed.*

The question being taken on the adoption of section 1, of the bill,

It was

*Lost.*

And the bill was

*Lost.*

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of the bill entitled "An Act to amend the Act entitled 'An Act regulating the sale of intoxicating liquors, &c., passed at Dover, March 3, 1857,'" had amended the same and requested the concurrence of the House in the amendments.

That the Senate had receded from the amendments to the House bill entitled "An Act to authorize and empower the Levy Court of New Castle County to erect a Pivot Bridge or Draw Bridge over Christiana Creek in New Castle County."

And that the Senate had concurred in the amendments of the House to the bill entitled "An Act to incorporate a Bank at Seaford, under the name of the Citizens' Bank of the State of Delaware, at Seaford."

And he withdrew.

On motion of Mr. Betts,

The Senate bill entitled "A further supplement to the Act entitled 'An Act to incorporate the Mispillion and Choptank Railroad Company,'" passed at Dover, February 17th, 1857,"

Was read.

Also, on motion of Mr. Betts,

The Senate bill entitled "An Act to enable the Recorder of Deeds of New Castle County to keep an assignment Record,"

Was read.

On motion Mr. Churchman,

The Joint Resolution (of the Senate) appointing a Committee of Accounts,

Was read, and *Adopted.*

*Ordered*, that the Senate be informed thereof.

The following gentlemen were appointed and placed upon the committee on the part of the House, viz :

Messrs. Henry H. Appleton, Ambrose Broadaway, and Lemuel W. Waples.

On motion of Mr. Appleton,

The amendments of the Senate to the bill entitled "An Act to amend the Act entitled 'An Act regulating the sale of intoxicating liquors, &c.,' passed at Dover, March 3, 1857,"

Were read, as follows :

"Senate, March 6th, 1861.

"Amend section 2, of the bill by striking out the words 'five gallons or in cases containing not less than one dozen bottles equal to at least two gallons,' in the second, third and fourth lines of said section, and inserting in lieu thereof the words 'one gallon.'

"Amend section 7, of the bill, by striking out the words 'five gallons or in cases containing not less than one dozen bottles, equal to at least two gallons,' in the eighth, ninth and tenth lines of said section, and inserting in lieu thereof the words 'one gallon.'

"Amend the bill by adding as follows :

"SECTION 10. It shall be the duty of all persons having a license to sell intoxicating drink, to hang the said license in a conspicuous place in the bar-room or store, and if not so found, it shall be evidence that such parties have no license."

Extract from the Journal,

J. L. PRATT,

Clerk of Senate.

*For concurrence.*

On the further motion of Mr. Appleton,

The amendments were

*Concurred in.*

*Ordered*, that the Senate be informed thereof.

Mr. Betts moved,

That the Senate bill entitled "A supplement to an Act to incorporate the Delaware Savings Bank,"

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

When,

On motion of Mr. Churchman,

The further consideration of said bill was

*Indefinitely postponed.*

*Ordered*, that the Senate be informed thereof.

By special order,

On motion of Mr. Robinson,

The bill entitled "An Act for the further protection of game in Sussex County,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

Mr. J. A. Moore presented the account of R. N. Merriken against the State,

Which,

On his motion,

Was read and referred to the Committee on Claims.

By special order,

On motion of Mr. Churchman,

The following bills were read a second time by their titles, viz:

"A supplement to the Act entitled 'An Act to incorporate the Mispillion and Choptank Railroad Company,' passed at Dover February 17, 1857."

"An Act to enable the Recorder of Deeds of New Castle County to keep an assignment Record."

On motion of Mr. Collins,

The bill entitled "An Act to amend the Act entitled 'An Act to amend chapter 68, of the Revised Code,' passed at Dover, February 24, 1859,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

Mr. Churchman moved,

That the House adjourn until half-past seven o'clock this evening.

Mr. Appleton moved,

To amend the motion by substituting "nine o'clock to-morrow morning," for "half-past seven o'clock this evening,"

Which motion

*Prevailed.*

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



THURSDAY, *March 7, 1861, 9 o'clock, A. M.*

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Clements moved,

That the bill entitled "An Act to authorize Samuel F. Hewes to change two public roads in Dover Hundred,"

Be read a third time by its title,

Which motion

*Prevailed.*

On the question,

"Shall this be section 1 of the bill?"

The vote being taken thereon,

The section was

*Lost.*

And the bill was

*Lost.*

Mr. Betts presented the account of Henry Eckel against the House of Representatives,

Which,

On his motion,

Was read, and referred to the Committee on Accounts.

Mr. Churchman from the Committee on Enrollment, reported the following bills to be duly and correctly enrolled, and presented the same to the Speaker for his signature, viz :

"An Act to incorporate the Wilmington and Brandywine Railroad Company."

"An Act to enable Elijah Davidson to locate certain vacant lands in Dagsborough Hundred, Sussex County, and complete his title to the same."

"An Act to amend an Act entitled 'An Act to incorporate a bank in Newport, in New Castle County, under the name of the Real Estate Bank of Delaware.'"

Mr. Broadway, from the Committee on Enrollment, reported the following bills and Joint Resolution to be duly and correctly enrolled, and presented the same to the Speaker for his signature, viz :

"An Act for the relief of John Hutchinson."

"An Act to amend the Act entitled 'An Act to incorporate the Clayton and Smyrna Railroad Company.'"

"Joint Resolution in relation to the construction of a pier at Lewes."

Mr. Higgins, from the Committee on Claims, reported a bill entitled "An Act for the payment of claims against the State."

Which,

On his motion,

Was read, and,

On motion of Mr. J. A. Moore;

The further consideration of said bill was postponed until this afternoon;

On motion of Mr. Churchman,

The Senate bill entitled "An Act in relation to public roads and highways in St. Georges and Appoquinimink Hundreds in New Castle County,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* that the Senate be informed thereof.

Also, on motion of Mr. Churchman,

The Senate bill entitled "An Act to enable the Trustees of Delaware College to reconvey certain property in the village of Newark,"

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

On the question;

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows:

*Yeas*—Messrs. Betts, Boyce, Broadaway, Calhoon, Chandler, Churchman, Clements, Cochran, Collins, Davis, Higgins, J. A. Moore, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Wapples, C. Williamson, Mr. Speaker—20.

*Nays*—None.

So the bill having received the constitutional majority,

*Passed the House.*

*Ordered*, that the Senate be informed thereof.

Mr. Phillips, from the Committee on Enrollment, reported the fol-

lowing bills to be duly and correctly enrolled, and presented the same to the Speaker for his signature, viz :

"An Act to authorize Clement C. Simpson to straighten a public road in Mispillion Hundred, Kent County, Delaware."

"An Act to amend chapter 34, of the Revised Code."

"An Act to enable the Governor to appoint an additional Justice of the Peace and Notary Public for New Castle County, to reside at or near Claymont."

"An Act concerning certain marsh meadow within the city of Wilmington, and to repeal an Act therein mentioned."

Mr. Broadaway moved,

That the Senate bill entitled "A further supplement to the Act entitled 'An Act to incorporate the Mispillion and Choptank Railroad Company,' passed at Dover, February 17, 1857,"

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

Which motion

*Prevailed.*

On the question,

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows :

*Yeas*—Messrs. Appleton, Betts, Boyce, Broadaway, Calhoon, Chandler, Churchman, Clements, Cochran, Collins, Davis, Higgins, J. A. Moore, Jonathan Moore, Phillips, Rickards, Robinson, Vir-den, Waples, C. Williamson, Mr. Speaker—21.

*Nays*—None.

So the bill having received the constitutional majority,

*Passed the House.*

*Ordered,* that the Senate be informed thereof.

Mr. Robinson from the committee to whom was referred the petition of C. R. Paynter and others,

Reported a bill entitled "An Act for the encouragement of Volunteer Companies, within this State."

Which,

On his motion;

Was read.

And, on his further motion;

By special order,

The bill was read a second time by its title.

Mr. Robinson moved,

That the bill be read a third time, by special order, with a view to pass the House.

Which motion was

*Lost.*

On motion of Mr. Waples,

The Senate bill entitled "An Act to repeal an Act entitled 'An Act to repeal an Act to form two Hundreds of what was heretofore Broadkilm Hundred, in Sussex County, as to the holding the General and Special Elections, the Elections of Assessors and Inspectors, and of the appointment of Contables,'"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* that the Senate be informed thereof.

On motion of Mr. Appleton;

The Senate bill entitled "An Act to amend the Act entitled 'An Act to incorporate the Dover Gas Light Company,'"

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

The question being;

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows :

*Yeas*—Messrs. Appleton, Betts, Boyce, Broadaway, Calhoon, Chandler, Churchman, Clements, Cochran, Collins, Davis, Higgins,

J. A. Moore, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Waples, C. Williamson, Mr. Speaker—21.

*Nays*—None.

So the bill having received the constitutional majority,

*Passed the House.*

*Ordered* that the Senate be informed thereof.

Mr. Appleton from the Committee on Finance to whom was referred the Joint Resolution of the Senate authorizing the State Treasurer to borrow a sum of money, reported the same back to the House, with an amendment,

Which,

On his motion,

Was read, as follows :

“Amend the resolution by striking out the word ‘twenty’ in the — line of said resolution, and insert in lieu thereof the word ‘ten.’ ”

On motion of Mr. Phillips,

The amendment was

*Adopted.*

The Joint Resolution was then,

On motion of Mr. Appleton,

*Concurred in.*

*Ordered* to the Senate for concurrence.

Mr. Appleton from the Committee on Finance to whom was referred the question of reporting a resolution in reference to an appropriation on the part of the State, towards the erection of a monument in Independence Square, Philadelphia,

Reported that the committee deemed it inexpedient at this time make any appropriation or to take any action in the matter.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of the following House bills and Joint Resolutions, to wit:.

"An Act to amend chapter 103 of the Revised Statutes, entitled 'Of Bail.'"

"A further supplement to the Act entitled 'An Act to incorporate a Company for making an artificial road from the borough of Wilmington on the east side of Brandywine Bridge to the Pennsylvania line on the route leading to the city of Philadelphia.'"

"An Act to revive the Act for the benefit of William Little and others."

"An Act regulating the sale of Lottery Tickets."

"Joint Resolution directing State Treasurer to pay certain sums of money."

"Joint Resolution tendering thanks to Commissioners to Peace Convention."

Also, that the Senate had concurred in the passage of the bill establishing Inferior Courts, had amended the same and requested the concurrence of the House in the amendment.

And that the Senate had passed and requested the concurrence of the House in the following resolutions and bill :

"Joint Resolution appointing James M. Wise to take charge of the Hall of the House of Representatives and the Senate Chamber."

"Joint Resolution appointing David Clayton to take charge of the papers of the Senate and House of Representatives."

"An Act to enable John Mansfield to locate a certain tract of salt marsh, in Little Creek Hundred, Kent County, and complete his title to the same."

And he withdrew.

On motion of Mr. Cochran,

The report of the committee in reference to monument in Independence Square,

Was

*Adopted.*

On motion of Mr. Clements,

The bill entitled "An Act to amend section 23, of chapter 97, of the Revised Statutes of the State of Delaware,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* that the Senate be informed thereof.

On motion of Mr. Higgins,

The Senate bill entitled "An Act to enable the Recorder of Deeds of New Castle County to keep an Assignment Record,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* that the Senate be informed thereof.

On motion of Mr. J. A. Moore,

The Senate bill entitled "An Act to enable John Mansfield to locate certain tract of salt marsh in Little Creek Hundred, Kent County, and complete his title to the same,"

Was read, and,

By special order,

On motion of Mr. Clements,

Was read a second time by its title.

On motion of Mr. Broadaway,

The Senate bill entitled "A supplement to the Act entitled 'An Act to authorize the making of a public road in Little Creek Hundred, Kent County,' passed at Dover February 21, 1859,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered*, that the Senate be informed thereof.

On motion of Mr. Appleton,

The Joint Resolution of thanks to the Commissioners to the Peace Conference,

Was taken up for consideration.

And the amendment of the Senate to said resolution,

Was read, as follows :

" In Senate, March 6th, 1861.

"Amend the resolution by striking out all after the word 'met,' in the third line, and insert in lieu thereof the following: 'That the thanks of this General Assembly be, and they are, hereby tendered to George B. Rodney, Daniel M. Bates, Henry Ridgely, John W. Houston and William Cannon, Commissioners from this State to the Peace Convention held at Washington, for their conservative and patriotic efforts in said Convention, to preserve the peace, harmony and integrity of the Union.'"

Extract from the Journal.

J. L. PRATT,  
Clerk of Senate.

*For concurrence.*

On motion of Mr. Appleton,

The amendment was

*Concurred in.*

*Ordered*, that the Senate be informed thereof.

On motion of Mr. Appleton,

The bill entitled "An Act to establish Inferior Courts in the several Counties of this State,"

Was taken up for consideration,

And the amendment of the Senate to said bill,

Was read, as follows :

" In Senate, March 7, 1861.

"Amend the bill by adding thereto the following section, which shall be section 15, of said bill :

"SECTION 15. And be it further enacted, That in consideration of the increased duties imposed by this Act upon the Associate Judges of this State, they shall receive a yearly salary each, of twelve hundred dollars.

"Further amend by making section 14 section 13, and section 15 section 14."

Extract from the Journal.

J. L. PRATT,  
Clerk of Senate.

*For Concurrence.*

Mr. Appleton moved,

That the amendment be concurred in,

When,

On motion of Mr. Robinson,

The consideration of the motion to concur in said resolution,

Was postponed for half an hour.

On motion of Mr. Broadway,

The Senate bill entitled "An Act to enable John Mansfield to locate a certain tract of salt marsh, in Little-Creek Hundred, Kent County, and complete his title to the same,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* that the Senate be informed thereof.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of the following House bills, viz:

"An Act for the preservation of fruits and vegetables," had amended the same, and requested the concurrence of the House in said amendment.

"An Act to change the name of the place called Marshy Hope Bridge."

"An Act allowing Constables whose terms of office have expired to execute writs remaining in their hands."

"A supplement to the Act entitled 'An Act for the encouragement of Internal Improvements in the State of Delaware,' passed Dover, February 20, 1859."

And that the Senate had passed and requested the concurrence of the House in the bill entitled "A supplement to the Act entitled 'An Act to amend chapter 73 of the Revised Code, title 'Of the city of Wilmington.''"

And he presented sundry enrolled Senate bills for the signature of the Speaker, the same having received the signature of the Speaker of the Senate.

And he withdrew.

On motion of Mr. Appleton,

The bill entitled "An Act for the preservation of fruits and vegetables,"

Was taken up for consideration,

And the amendments of the Senate thereto,

Were read, as follows :

"In Senate, March 6, 1861.

"Amend the bill by inserting in the first line of section 1, after the word 'shall,' the words 'within the limits of the County of New Castle ;' and also, by striking out the word 'fifty,' in the twelfth line, and inserting in lieu thereof the word 'twenty;' and also by striking out all of said section after the word 'prosecution.'"

Extract from the Journal,

J. L. PRATT,

Clerk of Senate.

*For concurrence.*

On motion of Mr. Appleton,

The amendments of the Senate,

Were

*Concurred in.*

On motion of Mr. Betts,

The Senate bill entitled "A supplement to the Act entitled 'An Act to amend chapter 73, of the Revised Code, title 'Of the city of Wilmington.''"

Was read. And,

By special order,

On motion of Mr. Betts,

Was read a second time by its title.

By special order,

On the further motion of Mr. Betts,

The bill was read a third time by paragraphs in order to pass the House.

On the question,

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken were as follows:

*Yeas*—Messrs. Appleton, Betts, Boyce, Broadway, Calhoon, Chandler, Churchman, Clements, Cochran, Collins, Davis, Higgins, J. A. Moore, Jonathan Moore, Phillips, Rickards, Robinson, Virden, Waples, C. Williamson, Mr. Speaker—21.

*Nays*—None.

So the bill having received the constitutional majority,

*Passed the House.*

*Ordered* that the Senate be informed thereof.

Mr. Higgins from the Committee on Claims to whom was referred the contingent expenses of the Secretary's office in account with the Secretary of State,

Reported back said said account to the House.

On motion of Mr. Betts,

The amendments of the Senate to the bill entitled "An Act to establish Inferior Courts in the several Counties of this State,"

Was taken up for consideration.

Mr. Betts offered an amendment to the amendment of the Senate, as follows:

Amend the section proposed to be added as section 15, by striking out all after the word "received," in the fourth line thereof, and inserting in lieu thereof the words, "an additional yearly salary of two hundred dollars."

And moved that the amendment of the Senate be concurred in with the amendment offered by him.

Mr. J. A. Moore moved,

That the motion to "concur" be indefinitely postponed,

Which motion was

*Lost.*

Mr. Waples moved,

That the consideration of the motion be postponed until this afternoon.

Which motion was

*Lost.*

And the yeas and nays being taken on the motion to concur with the amendment, were as follows :

*Yeas*—Messrs. Appleton, Betts, Boyce, Chandler, Churchman, Cochran, Higgins, Jonathan Moore, Phillips, Robinson, Waples, Mr. Speaker—12.

*Nays*—Messrs. Broadaway, Calhoon, Clements, Collins, Davis, John A. Moore, Rickards, Virden, C. Williamson—9.

So the motion to concur having failed to receive the requisite vote,

Was

*Lost.*

On motion of Mr. Betts,

The amendments of the Senate,

Were

*Non Concurred in.*

*Ordered*, that the Senate be informed thereof.

On motion of Mr. Robinson,

The House adjourned.

EODEM DIE, 3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of the following House bills, viz :

"An Act concerning Shows in the city of Wilmington,"

"An Act to enable Joseph S. Jones to locate certain vacant lands in Broad Creek Hundred, Sussex County, and complete his title to the same."

"An Act authorizing the laying out a public road in Kent County."

"An Act to revive an Act entitled 'An Act to enable Nathaniel Conoway to locate certain vacant lands in Nanticoke Hundred, Sussex County, and complete his title to the same,' passed at Dover, ——— 1859."

"An Act to prevent swine running at large within the town of Millsborough."

"An Act to authorize Daniel C. Godwin to straighten a public road in Milford Hundred, Kent County."

He also informed the House that the Senate adhered to the amendments to the bill establishing Inferior Courts—had appointed Messrs. McFerran and Tatum as a committee of conference on disagreement of the two Houses, and requested the appointment of a similar committee on the part of the House.

He also informed the House that the Senate had passed the following Joint Resolutions, and requested the concurrence of the House therein, viz :

"Joint Resolution providing for the adjournment of both Houses *sine die*."

"Joint Resolution authorizing John Green to repair the State House."

"Joint Resolution authorizing John Green to close up window of cellar under the State House."

Mr. Appleton moved,

That a committee of conference be appointed on the part of the House, to meet the committee appointed by the Senate, in reference to the disagreement of the two Houses upon the bill entitled "An Act to establish Inferior Courts in the several Counties of this State,"

Which motion

*Prevailed.*

Mr. Churchman, from the Committee on Enrollment, reported the following bills to be correctly enrolled, and presented the same to the Speaker for his signature, viz :

"An Act to amend chapter 103, of the Revised Statutes, entitled 'Of Bail.'"

"An Act for the preservation of fruits and vegetables."

"An Act enabling Constables whose terms of office have expired, to proceed on writs remaining in their hands."

Mr. Broadaway, from the Committee on Enrollment, reported the following bills to be correctly enrolled, and presented the same to the Speaker for his signature, viz :

"A further supplement to the Act entitled 'An Act for the encouragement of Internal Improvements in the State of Delaware.'"

"A supplement to an act entitled 'An Act for the protection of manufacturers and venders of mineral waters, porter, ale, and other beverages in bottles.'"

"An Act to create a Board of Fire Wardens in the city of Wilmington."

"An Act further to amend an act entitled 'A supplement to chapter 19 of the Revised Statutes of the State of Delaware; title, 'Of Elections in Wilmington Hundred.'"

"An Act regulating the sale of Lottery Tickets."

"A further supplement to the Act entitled 'An Act to incorporate a Company for making an artificial road from the borough of Wilmington, on the east side of Brandywine Bridge, to the Pennsylvania line, on the route leading to the city of Philadelphia.'"

"An Act to revive the Act for the benefit of William Little and others."

Mr. Phillips, from the Committee on Enrollment, reported the following bills and Joint Resolutions, as duly and correctly enrolled, and presented the same to the Speaker for his signature, viz :

"An Act appointing commissioners to lay out a public road in Sussex County."

"An Act to authorize and empower the Levy Court of New Castle County, to erect a pivot bridge or draw bridge over Christiana Creek, in New Castle County."

"An Act to amend the Act entitled 'An Act regulating the sale of intoxicating liquors, &c.,' passed at Dover, March 3, 1857."

"An Act to change the name of the place called Marshy Hope Bridge."

"An Act to amend the Act passed at the present session, entitled 'An Act dividing Brandywine Hundred into two election districts.'"

"Joint Resolution directing State Treasurer to pay certain sums of money."

"Joint Resolution tendering thanks to the Commissioners to Peace Convention."

On motion of Mr. Higgins,

The bill entitled "An Act for the payment of claims against the State,"

Was,

By special order,

Read a second time by its title.

The Speaker announced as the Committee of Conference on the bill establishing Inferior Courts :

Messrs. Appleton, Broadway and Jonathan Moore.

On motion of Mr. J. A. Moore,

By special order,

The bill entitled "An Act for the payment of claims against the State,"

Was read a third time by paragraphs, and

*Passed the House.*

*Ordered* to the Senate for concurrence.

On motion of Mr. Churchman,

The vote had upon the motion to read a third time by special order, the bill entitled "An Act for the encouragement of Volunteer Companies within this State,"

Was

*Reconsidered.*

And,

On motion of Mr. Robinson,

Was,

By special order,

Read a third time by paragraphs, in order to pass the House.

On the question,

"Shall this be section I of the bill?"

The vote being taken thereon,

The section was

*Lost.*

And the bill was

*Lost.*

Mr. Appleton from the Committee of Conference on the bill establishing Inferior Courts,

Submitted a report,

Which,

On motion of Mr. Appleton,

Was read, and

*Adopted.*

It is as follows :

We, the undersigned, Committee of Conference, appointed by the House to meet like Committee on the part of the Senate, to take into consideration the disagreement of the two Houses in reference to a Senate amendment to the House bill entitled "An Act to establish Inferior Courts in the several Counties of this State," beg leave to submit the following as a report, to wit :

That the Senate agree to recede from their amendment.

H. H. APPLETON,  
A. BROADAWAY,  
JONATHAN MOORE.

On motion of Mr. Churchman,

The Joint Resolution of the Senate providing for an adjournment of both Houses, *sine die*, on the 8th instant,

Was taken up for consideration,

And read, as follows :

*Resolved*, by the Senate and House of Representatives, in General Assembly met, That both branches of the Legislature shall adjourn on Friday, March 8th, *sine die*.

Mr. Robinson moved,

That the resolution be "concurred in."

Mr. Betts offered the following amendment to said resolution,

Which was read :

Strike out the words "*sine die*" and insert in lieu thereof the following : "to meet again at two o'clock, P. M., on Tuesday the 9th day of April next."

Mr. Betts moved,

That the amendment be adopted,

Which motion was

*Lost.*

The question then being on the motion to concur,

And the House being divided,  
 The yeas and nays were ordered,  
 Which being taken, were as follows:

*Yeas*—Messrs. Boyce, Broadway, Calhoon, Churchman, Clements, Collins, Davis, J. A. Moore, Robinson, Virden, C. Williamson—11.

*Nays*—Messrs. Appleton, Betts, Chandler, Cochran, Higgins, Jonathan Moore, Phillips, Rickards, Waples, Mr. Speaker—10.

So the Joint Resolution,

Was

*Concurred in.*

*Ordered*, that the Senate be informed thereof.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had adopted the report of the Committee of Conference on the bill establishing Inferior Courts.

Also, that the Senate had passed and requested the concurrence of the House in a Joint Resolution increasing the salaries of the Associate Judges.

And that the Senate had passed and requested the concurrence of the House in a bill entitled "An Act proposing an amendment to the Constitution of the State of Delaware."

And he withdrew.

On motion of Mr. Churchman,

The Senate bill entitled "An Act proposing an amendment to the Constitution of the State of Delaware,"

Was read, and,

By special order,

On his further motion,

Was read a second time by its title.

Mr. Appleton from the Committee on Accounts,

Submitted a report,

Which,

On his motion,

Was read, and

*Adopted.*

The Committee on Accounts recommend the following allowances :

	DAYS.	MILES.	DOLLS.	CTS.
To John F. Williamson, Speaker,	69	45	289	50
George W. Churchman,	69	57	224	10
Edward Betts,	69	50	222	00
Abram Chandler,	69	47	221	10
Anthony M. Higgins,	69	32	216	60
Henry H. Appleton,	69	30	216	00
Robert A. Cochran,	69	24	214	20
John A. Moore,	67	12	204	60
Thomas Davis,	69	15	211	50
Thomas Clements, Jr.,	69	14	211	20
Ambrose Broadway,	67	9	203	70
William Virden,	67	12	204	60
Charles Williamson,	69	30	216	00
Henderson Collins,	69	20	213	00
William Rickards,	69	20	213	00
Peter Calhoon,	69	24	214	20
James H. Boyce,	69	49	221	70
Jonathan Moore,	69	49	221	70
Lemuel W. Waples,	69	50	222	00
William S. Phillips,	69	57	224	10
Peter Robinson,	69	59	224	70
C. Rodney Layton, Clerk, for his daily attendance, transcribing, engrossing and other services,			750	00
William Freeston, Sergeant-at-arms and door-keeper, for his daily attendance,			225	00
Rev. Charles Cook, D. D., Chaplain of the House of Representatives,			50	00
C. Rodney Layton—this sum paid by him for news- papers for members,			22	40
Timothy C Killen, postage stamps and postage on papers for use of House and Senate,			230	99
James Kirk for printing sundry bills, &c., for the use of the House,			197	38
George P Fisher, for drawing bill to regulate the sale of lottery tickets,			10	00
<i>Amount carried forward,</i>			\$6,095	27

	DOLLS. CTS.
<i>Amount brought forward,</i>	\$3,095 27
E. J. Smithers, for preparing, as Clerk of the Committee of the House, an Act to extend criminal jurisdiction to Justices of Peace,	20 00
Edward Ridgely, Secretary of State, furnishing certified copy of list of authorized venders of lottery tickets,	2 50
Joseph L. Tull Messenger, payable to Samuel C. Leatherbury,	35 00
Zadock L. Butler, Fireman for the Senate and House of Representatives,	50 00
Henry Eckel, for printing list of Committees for House,	3 00
Zadock Butler, for sweeping Library Room,	5 00
	<hr/>
	\$6,210 77

On motion of Mr. Robinson,

The Joint Resolution of the Senate providing for an increase of the salaries of the Associate Judges,

Was read, and

*Concurred in.*

*Ordered* that the Senate be informed thereof.

The Resolution is as follows :

WHEREAS, there has been passed at the present session of the Legislature an Act entitled "An Act to establish Inferior Courts in the several Counties of this State; and

WHEREAS, said Act imposes increased duties upon the Associate Judges in their respective Counties, without making any provision for compensating them for their services; be it, therefore,

*Resolved*, by the Senate and House of Representatives in General Assembly met, That each of the Associate Judges of this State shall receive two hundred dollars yearly as an additional salary to that which is provided for in chapter 25 of the Revised Statutes of the State of Delaware, so far as relates to the Associate Judges in the several Counties.

*And be it further Resolved*, That said increase shall commence on July 1st eighteen hundred and sixty-one.

On motion of Mr. Robinson,

The Joint Resolution of the Senate appointing James W. Wise to take charge of the Hall of the House of Representatives and the Senate Chamber,

Was taken up for consideration,

And read.

Mr. Boyce moved,

To postpone the consideration of the resolution until to-morrow morning.

Which motion was

*Lost.*

On motion of Mr. Appleton,

The Resolutions were

*Non Concurred in.*

*Ordered* that the Senate be informed thereof.

Mr. Waples offered the following resolutions,

Which were read :

*Resolved*, by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the State Treasurer be and he is hereby authorized and directed to pay to the respective Treasurers, on orders drawn by the respective Presidents of the several County Agricultural Societies chartered by the Legislatures of this State, each the sum of two hundred dollars on or before the first day of October A. D. 1861, and to each a like amount on or before the first day of October, A. D. 1862.

*Resolved further*, That the Treasurers of the said County Agricultural Societies shall account to the members of the said Societies respectively, for the money received from the State Treasurer as aforesaid, which money shall be applied to the uses of said Societies under the rules and regulations which govern the same.

Mr. Waples moved,

That the resolutions be adopted.

Mr. Rickards moved,

That the consideration of the Resolutions be indefinitely postponed.

Which motion was

*Lost.*

The question being on the motion to adopt said resolutions,

And the House being divided,

Mr. Appleton called for the yeas and nays,

Which being taken, were as follows :

*Yeas*—Messrs. Betts, Broadaway, Clements, Cochran, Collins, Higgins, J. A. Moore, Phillips, Robinson, Waples, Mr. Speaker—11.

*Nays*—Messrs. Appleton, Boyce, Calhoon, Chandler, Churchman, Davis, Jonathan Moore, Rickards, Virden, Williamson—10.

So the resolutions,

Were

*Adopted.*

*Ordered* to the Senate for concurrence.

Mr. Cannon, a member of the Senate, being admitted, informed the House that the Senate had indefinitely postponed the Joint Resolution of the House, appointing Samuel C. Leatherbury to take charge of the Senate Chamber, Hall of the House of Representatives and Library.

And that the Senate had non concurred in the resolution appointing James Cowgill & Son, to furnish stationery, &c., for the next session of the General Assembly.

And he withdrew.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had appointed Messrs. McFerran and Tatum, a committee of conference on the disagreement of the two Houses upon the Joint Resolution authorizing the State Treasurer to borrow a sum of money; and requested that the House would appoint a similar committee.

And he withdrew.

Mr. Appleton moved,

That a committee of conference on the part of the House be appointed to meet a similar committee of the Senate in reference to

the disagreement of the two Houses on the Joint Resolution authorizing the State Treasurer to borrow a sum of money.

Which motion

*Prevailed.*

Whereupon,

Messrs. Appleton, J. A. Moore and Rickards, were appointed said committee.

Mr. Churchman from the Committee on the State of the Union, to whom was referred the Resolutions in reference to calling a Convention to amend the Constitution of the State,

Reported that the committee deemed it inexpedient to legislate upon the subject.

Which report,

On motion of Mr. Churchman,

Was

*Adopted.*

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of the following House bills and Joint Resolution, viz :

“An Act securing to Mechanics and others payment for their labor and materials in erecting or repairing any building or structure within the State of Delaware.”

“An Act to amend chapter 187, of the Revised Statutes of the State of Delaware.”

“Joint Resolution appropriating a sum of money to the Agricultural Societies of the several Counties.

Mr. Broadaway from the Committee on Enrollment, reported the following bills to be duly and correctly enrolled, and presented the same to the speaker for his signature, viz :

“An Act to authorize Daniel C. Godwin to straighten a certain public road in Milford Hundred, Kent County, Delaware.”

“An Act to revive and continue in force the Act entitled ‘An Act to enable Nathaniel Conoway to locate certain vacant land in Nanticoke Hundred, Sussex County, and to complete his title to the same,’ passed at Dover, February 24, 1859.”

"An Act concerning shows in the city of Wilmington."

"An Act to prevent swine running at large within the town of Millsborough, Sussex County."

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the bill entitled 'A supplement to the 'An Act entitled 'An Act to incorporate the Maryland and Delaware Railroad Company.'

And he returned the following enrolled bills and Resolution, which had received the signature of the Speaker of the Senate, viz:

"An Act to enable the Governor to appoint an additional Justice of the Peace and Notary Public for New Castle County, to reside at or near Claymont."

"An Act for the relief of John Hutchinson."

"An Act to amend chapter 34, of the Revised Code."

"An Act to authorize Clement C. Simpson to straighten a public road in Mispillion Hundred, Kent County, Delaware."

"An Act to enable Elijah Davidson to locate certain vacant lands in Dagsborough Hundred, Sussex County, and complete his title to the same."

"An Act to amend an Act entitled 'An Act to incorporate a bank in Newport, in New Castle County, under the name of the Real Estate Bank of Delaware.'"

"An Act concerning certain marsh meadow within the city of Wilmington, and to repeal an Act therein mentioned."

"An Act to incorporate the Wilmington and Brandywine Railroad Company."

"Joint Resolution in relation to the construction of a pier at Lewes."

Mr. Appleton, from the Committee of Conference on the disagreement of the two Houses, in relation to authorizing the State Treasurer to borrow a sum of money,

Made the following report:

We, the undersigned, a committee of conference appointed on the

part of the Senate and House of Representatives, beg leave to submit the following report, viz :

*Resolved*, That the House recede from the amendments to the joint resolution authorizing the State Treasurer to borrow twenty thousand dollars.

J. A. McFERRAN,  
JOHN R. TATUM,  
H. H. APPLETON,  
JOHN A. MOORE,  
WM. H. RICKARDS.

Which report,

On motion of Mr. Appleton,

Was

*Adopted.*

On motion of Mr. J. A. Moore,

The House adjourned until 7½ o'clock this evening.

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7½ o'clock, P. M.

The House met pursuant to adjournment.

Mr. Churchman offered the following resolution,

Which,

On his motion,

Was read, and

*Adopted:*

*Resolved*, By the Senate and House of Representatives of the State of Delaware in General Assembly met, That James Cowgill & Son be, and they are hereby authorized and requested to purchase the necessary coal, wood, oil and stationery, for the next session of the Legislature, and the State Treasurer is hereby directed to pay to the order of the said James Cowgill & Son the sum of fifty dollars, to enable them to carry into effect the provisions of this resolution; and the said James Cowgill & Son are hereby directed to present their account and vouchers to the Legislature at its next session, for allowance.

Also, the following resolution,

Which,

On his motion,

Was read, and

*Adopted:*

*Resolved*, By the Senate and House of Representatives of the State of Delaware in General Assembly met, That James W. Wise be, and he is hereby appointed to take charge of the Senate Chamber and of the Hall of the House of Representatives, and to take care of the furniture belonging to the same.

*Resolved further*, That it shall be the duty of the said James W. Wise to pay strict attention to the proper airing of the said rooms, and to the furniture belonging to each, and keep the same in the best condition within his power; and that he be required strictly to enforce the rules made, or lawfully to be made, for the regulation of the same.

*Resolved further*, That for the faithful performance of the duties above specified, the State Treasurer shall pay to the said James W. Wise the sum of thirty-five dollars per annum—the first year to commence on the day succeeding the day of adjournment of this General Assembly.

On motion of Mr. Betts,

The Senate bill entitled "An Act proposing an amendment to the Constitution of the State of Delaware,"

Was taken up for consideration.

Mr. Rickards offered the following amendment to said bill,

Which was read, and

*Adopted:*

Amend the bill by adding the following section:

SECTION 3. And be it further enacted, That the State of Delaware shall be bound, in one year after the passage of this bill, to build a railroad from Milford to the south line of this State, and to pay for such other internal improvements as may be asked for in this State, during the term of eighteen years, including a pier at Lewistown.

Mr. Rickards moved,

That the bill be read a third time by paragraphs, by special order, to pass the House.

Which motion was

*Lost.*

On motion of Mr. Churchman,

The further consideration of said bill was

*Indefinitely postponed.*

*Ordered*, that the Senate be informed thereof.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of the bill entitled "An Act to amend chapter 68 of the Revised Statutes of the State of Delaware."

And presented for the signature of the Speaker of the House sundry enrolled Senate bills, which had received the signature of the Speaker of the Senate.

And he withdrew.

Mr. Phillips from the committee on Enrollment reported the following bill to be duly and correctly enrolled, and presented the same to the Speaker for his signature, viz:

"An Act to authorize the laying out a public road in Kent County."

On motion of Mr. J. A. Moore,

The report of the Committee on Accounts was amended by adding

at the end of the allowances made, an allowance of five dollars to Zadock Butler for sweeping Library room.

Mr. Tatum, a member of the Senate, being admitted, requested, on the part of the Senate, the return of the resolution appointing James Cowgill & Son, to furnish stationery, &c., for the next session of the General Assembly; which Joint Resolution had been non concurred in by the Senate.

Which request was complied with.

On motion of Mr. Robinson,

The Joint Resolution authorizing John Moore to repair the State House,

Was

*Concurred in.*

*Ordered* that the Senate be informed thereof.

Also, on motion of Mr. Robinson,

The Joint Resolution of the Senate authorizing John Green to close up a window in the cellar under the State House,

Was read, and

*Adopted.*

*Ordered* that the Senate be informed thereof.

On motion of Mr. Churchman,

The report of the Committee on Accounts,

Was

*Adopted.*

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the adoption of the Joint Resolution appointing James Cowgill & Son, to furnish stationery, &c., for the next session of the General Assembly; had amended the same and requested the concurrence of the House in the amendment.

Also, that the Senate had concurred in the Joint Resolution of the House appointing James W. Wise to take charge of the Senate Chamber, Hall of the House of Representatives and Library Room.

And he withdrew.

On motion Mr. Churchman,

The amendment of the Senate to the Joint Resolution appointing James Cowgill & Son to furnish stationery, &c.,

Was read, and

*Concurred in.*

*Ordered*, that the Senate be informed thereof.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had indefinitely postponed the following House bills, viz :

"An Act to amend chapter 55 of the Revised Statutes of the State of Delaware, entitled 'Of fish, oysters and game.'"

"An Act authorizing the Mayor and Council of Wilmington to borrow a sum of fifteen thousand dollars for the purposes therein mentioned."

"An Act to encourage the destruction of crows."

"An Act to repeal an Act entitled 'An Act for the relief of certain free negroes and free mulattoes.'"

"An Act authorizing the appointment of an additional Justice of the Peace in New Castle County, to reside at Summit Bridge."

"An Act to amend section 6, of chapter 36, of the Revised Statutes of the State of Delaware, entitled 'Of Notaries Public and Commissioners of Deeds.'"

Also, to amend chapter 28 of said Revised Statutes, entitled 'Of the Secretary of State.'

"An Act for the protection of game in Sussex County."

"An Act to amend section 20, of chapter 99, of the Revised Statutes of the State of Delaware."

"An Act authorizing the Commissary of Sussex County, to sell certain arms now in the armory at Georgetown, in said County."

And that the Senate had non concurred in the passage of the following bills, viz :

"An Act to divide Broad Creek Hundred into two Election Districts."

"An Act to prohibit the granting of licenses to negroes and mulattoes to retail goods, wares and merchandise."

"An Act incorporating the Bright's and Haynes' Glades Ditch Company."

"An Act concerning the city of Wilmington."

And presented for the signature of the Speaker of the House sundry enrolled bills, which had received the signature of the Speaker of the Senate.

And he withdrew.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of the bill entitled "An Act for the payment of claims against the State;" had amended the same and requested the concurrence of the House in said amendment.

And he withdrew.

On motion of Mr J. A. Moore,

The amendment of the Senate to the bill entitled "An Act for the payment of claims against the State,"

Was read, and,

On motion of Mr. Higgins,

*Concurred in.*

Mr. Betts moved,

That the House adjourn until half-past seven o'clock to-morrow morning.

Mr. Churchman moved,

To amend the motion by adjourning to seven o'clock to-morrow morning.

Mr. Appleton moved,

To amend the motion to amend by making the hour of adjournment half-past eight o'clock to-morrow morning.

Which motion was

*Lost.*

And the motion to amend was

*Lost.*

And the House adjourned until half-past seven o'clock to-morrow morning.

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FRIDAY, *March 8, 1861, 7½ o'clock, A. M.*

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Robinson from the Committee on Enrollment, reported the following resolution and bills as correctly enrolled, and presented the same to the Speaker for his signature, viz:

Joint Resolution appointing James W. Wise to take charge of the Hall of the House of Representatives, &c.

“Joint Resolution appointing James Cowgill & Son to furnish stationery, &c., for the next session of the General Assembly.”

“An Act securing to mechanics and others, payment for their labor and materials furnished in erecting or repairing any building or structure within the State of Delaware.”

Mr. Phillips, from the Committee on Enrollment, presented the following bills and Resolution as correctly enrolled:

"An Act to enable Joseph S. Jones to locate certain vacant lands in Broad Creek Hundred, Sussex County, and complete his title to the same."

"A further supplement to the Act entitled 'An Act for the encouragement of Internal Improvements in the State of Delaware.'"

"An Act for the payment of Claims against the State."

"An Act to amend chapter 109, of the Revised Statutes, entitled 'Of Juries.'"

"An Act to amend the Act entitled 'An Act to amend chapter 68 of the Revised Code, passed at Dover, February 24th, 1859.'"

"An Act to establish Inferior Courts in the several Counties of this State."

Joint Resolution to aid the Agricultural Societies of this State.

Mr. Gemmill, a member of the Senate, being admitted, presented sundry enrolled Senate bills, for the signature of the Speaker of the House.

And he withdrew.

Mr. Tatum, a member of the Senate, being admitted, returned the following enrolled bills, which had received the signature of the Speaker of the Senate, viz :

"An Act to amend chapter 103 of the Revised Statutes of the State of Delaware, title 'Of Bail.'"

"An Act further to amend an Act entitled 'A supplement to chapter 19, of the Revised Statutes of the State of Delaware, title 'Of Elections in Wilmington Hundred.'"

"A further supplement to the Act entitled 'An Act for the encouragement of Internal improvements in the State of Delaware.'"

"An Act enabling Constables whose terms of office have expired to proceed on writs remaining in their hands."

"An Act for the preservation of fruit and vegetables."

"An Act to authorize the laying out a public road in Kent County."

"An Act to prevent swine running at large within the town of Millsboro, Sussex County."

"An Act concerning Shows in the city of Wilmington."

"An Act to authorize Daniel C. Godwin to straighten a certain public road in Milford Hundred, Kent County, Delaware."

"An Act to revive and continue in force the Act entitled 'An Act to enable Nathaniel Conaway to locate certain vacant lands in Nanticoke Hundred, Sussex County, and complete his title to the same,' passed at Dover, February 24, 1859."

"An Act to authorize and empower the Levy Court of New Castle County to erect a Pivot Bridge or Draw Bridge over Christiana Creek in New Castle County."

"An Act appointing commissioners to lay out a public road in Sussex County."

"An Act to change the name of the place called Marshy Hope Bridge."

"An Act to create a Board of Fire Wardens in the city of Wilmington."

"An Act to amend the Act passed at the present session entitled 'An Act dividing Brandywine Hundred into two Election Districts.'"

"An Act to amend the Act entitled 'An Act regulating the sale of intoxicating liquors, &c.,' passed at Dover, March 3, 1857."

"Joint Resolution directing State Treasurer to pay certain sums of money."

"An Act regulating the sale of Lottery Tickets."

"An Act to revive the Act for the benefit of William Little and others."

"A further supplement to the Act entitled 'An Act to incorporate a Company for making an artificial road from the borough of Wilmington, on the east side of Brandywine Bridge to the Pennsylvania line, on the route leading to the city of Philadelphia.'"

"Joint Resolution tendering thanks to Commissioners to the Peace Convention."

"A supplement to an Act entitled 'An Act for the protection of manufacturers and venders of mineral waters, porter, ale and other beverages in bottles.'"

And he withdrew.

Mr. Pratt, Clerk of the Senate, being admitted, presented sundry enrolled Senate bills for the signature of the Speaker of the House.

On motion of Mr. Betts,

It was ordered, that the Clerk proceed to the Senate Chamber, and inform the members of that body, that the House would be ready to adjourn *sine die*, in fifteen minutes.

Which was done.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate having finished the business of the present session, was ready to adjourn in five minutes.

And he withdrew.

Mr. Robinson then introduced a resolution,

Which,

On his motion,

Was read, as follows :

*Resolved*, That the thanks of this House are due, and they are hereby presented to Hon. J. F. Williamson, the Speaker thereof, for the ability, impartiality and courtesy with which he has discharged the duties of his office: That the prompt and efficient manner in which he has discharged those duties, as well as his courteous and gentlemanly bearing towards the members of this House, has won for him our lasting respect and esteem.

Mr. Robinson then moved the adoption of the resolution.

When Mr. John A. Moore seconded the motion in the following remarks :

MR. SPEAKER :—

I desire to express my hearty approval of the Resolution just introduced. I am proud of the opportunity thus afforded to testify my high regard for, and due appreciation of, the distinguished ability,

as well as the fair and impartial manner in which you have discharged your duties as presiding officer of this House. I believe in this, I express the sentiments of every member on this floor. I am also happy to testify to the uniformly kind and courteous relations which have existed among the members of this House in their legislative capacity, as well as in their individual intercourse. Perhaps no General Assembly which has ever preceded us, has been more marked for the conciliatory conduct of its members, and the general harmony which has characterized all our proceedings. It is true there has never been a time within the history of our country, in which the people and their representatives have been so imperatively called upon to exercise moderation and forbearance. No General Assembly ever met or separated in this place under such dark and gloomy forebodings as now hover over our glorious and once happy Republic. But may we not yet hope that the genius of liberty which animated and directed our forefathers in the days of the Revolution, will yet brood over and inspire with patriotism the councils of our dejected and bleeding country. I am sure if the extremes of our beloved Confederacy only cherished the Union and our glorious Constitution as the people of Delaware do, we would speedily reconcile all the conflicting elements which now rage with such fearful fury as to threaten the perpetuity of the best and freest government which the sun ever shone upon. But let us still trust in Him who is the great conservator of men and nations, so to dispose the hearts of people and rulers, as that they may seek harmony and peace, instead of strife and discord.

Gentlemen, we are now about to part with each other, many of us, it may be, never to meet again. Friendly attachments have been formed here which will, I hope, never be effaced; but may we cherish the remembrance of personal kindness which has characterized our intercourse. Of our public acts it is not for us to judge, but must leave them to the approval or disapproval of a generous and noble constituency. If we have erred, we know that that is the lot of humanity. "But to forgive is divine." May we all strive in the future to remedy whatever we may have done amiss, and may He who sees the actions and motives of all of us, so dispose us to employ our remaining days, that we may be instrumental in doing some good, however small or humble, and thus leave behind us some "footprint on the sands of time," which shall serve to perpetuate a fond remembrance of us by our friends and countrymen.

Mr. Speaker, I now move the adoption of the Resolution.

The resolution was then unanimously adopted.

Whereupon,

The Speaker arose and delivered the following address :

GENTLEMEN OF THE HOUSE OF REPRESENTATIVES:—

With emotions of no ordinary character, I rise to respond briefly to the very complimentary Resolution you have just been pleased to adopt. Allow me, gentlemen, to return to you my heartfelt thanks for this last crowning act of kindness, as well as the many expressions of regard, I have received at your hands.

I am now, as I ever have been, keenly sensible of the honor conferred upon me in being selected to preside over the deliberations of this House; and in entering upon the duties of the position assigned me by your kindness, I could but feel my want of fitness for it, having no experience as a Legislator, and no knowledge of the rules of parliamentary practice, I am conscious that I have fallen into many errors in deciding difficult questions of order, which must have been embarrassing to you as well as myself, had it not been for that uniform indulgence and forbearance which you have constantly exercised toward me.

And now that we are about to bring this protracted session to a termination, we naturally revert to the scenes through which we have passed since we first met in this hall. Then we were strangers, now we are friends; and it is with unspeakable pleasure that I refer to the fact that, during this whole session not one unkind word has been spoken, and I think I am safe in saying, no unpleasant thought or feeling has existed among the members of this House. To me, this shall ever be a theme for pleasant reflection, and while we have been thus pleasantly mingling together and contracting ties of friendship and esteem for each other, which I am confident time can never efface, we have also been called upon to discharge the grave and momentous duties of Legislators, and meet the responsibilities inseparably connected with our position here as Representatives of the people.

And having closed our labors here, I trust that each of us may ever be able to refer to the fact that we have occupied seats as members of this House, with that degree of satisfaction which can only result from a consciousness of having faithfully discharged our duty.

Gentlemen, in a few brief minutes, this House will stand adjourned, and we shall exchange the exciting scenes by which we have been surrounded here, for the more endearing associations of home and the loved ones awaiting us there.

In taking leave of you then, gentlemen, allow me again to acknowledge my indebtedness for the many acts of kindness you have constantly extended toward me, and once more to thank you for the Resolution you have just adopted.

And as we part to-day, never in all human probability to meet again on earth, my earnest desire, nay more, my humble prayer is, that we may each be so guided through life by that unerring spirit of infinite wisdom and truth, that we may, when done with the ever-changing scenes of earth, meet with the redeemed amid the glories of heaven.

In compliance with the Joint Resolution of both Houses, I now declare this House to be adjourned *sine die*.

Attest :

C. RODNEY LAYTON,

*Clerk of the House of Representatives.*