

JOURNAL

OF THE

SENATE

OF THE

STATE OF DELAWARE,

AT A SESSION

COMMENCED and HELD AT DOVER,

On Tuesday the third day of January,

1832,

AND IN THE

FIFTY-SIXTH YEAR

OF THE

Independence of the United States.

WILMINGTON, DEL:

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1832.

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AT a Session of the General Assembly, convened and held at Dover, on Tuesday the third day of January, in the year of our Lord, one thousand eight hundred and thirty two; and of the Independence of the United States of America, the fifty sixth:—

On which day the following members attended, to wit—Messrs. Jacob Alrichs and John Sutton from New-Castle county; Messrs. William Johnson, James P. Lofland, and Thomas Wainwright, from Kent county: and Messrs. John Carey, Joshua Burton, and Kendal M. Lewis from Sussex county.

A quorum of the members being present, the returns of the elections of Senators for the respective counties of this State,

were read.

By the returns from the county of New-Castle, it appeared that John Sutton, Esqr. was duly elected a Senator to represent the said county, in the Senate of this State, for the ensuing term of three years.

By the returns from Kent County it appeared that Thomas Wainwright, Esq. was duly elected a Senator to represent the said county in the Senate of this State for the next ensuing three years.

By the returns of Sussex county it appeared that Joshua Burton, Esq. was duly elected a Senator to represent the county of Sussex in the Senate of this State, for three years next ensuing; and that Kendal M. Lewis, Esq. was duly elected a Senator to represent the said county of Sussex, in the Senate of this State during the unexpired term of George Truitt, Esq. resigned.

The Senate then proceeded to the election of a Speaker by ballot; and Doct. JAMES P. LOFLAND being duly elected, and having taken the oaths prescribed by the Constitution of the U. States and of this State, took his seat in the Speaker's Chair. He then administered the usual oaths or affirmations to Messrs. Sutton, Wainwright, Burton and Lewis.

On motion of Mr. Alrichs, seconded by Mr. Sutton,

Resolved, That the Senate now proceed, by ballot, to the election of a Clerk:

And on counting the votes, it appeared that James A. Sparks was duly elected: he appeared, was duly qualified, and took his seat at the Clerk's table.

On motion of Mr. Johnson, seconded by Mr. Sutton,

Resolved, That the Senate now proceed to the election of a Sergeant at-Arms and Door-keeper, by ballot ; and on counting the ballots, it appeared that James Schee was duly elected.

Mr. Cooper, Clerk of the House of Representatives, being admitted, informed the Senate that a quorum of the House were in attendance, and had organized by electing Thomas Davis, Esqr. Speaker, and Ignatius T. Cooper, Clerk, and he withdrew.

Ordered, That the Clerk of the Senate proceed to the House of Representatives and inform that body that the Senate was duly organized, and ready to receive any communication that they may wish to make.

On motion of Mr. Carey, seconded by Mr. Sutton,

Resolved, That a committee of two members, on the part of the Senate, be appointed to act in conjunction with a committee from the House of Representatives to wait on his Excellency, the Governor, and inform him that both Houses of the Legislature are organized and ready to receive any communication he may be pleased to make.

The Speaker appointed Messrs. Sutton and Carey on that committee.

Mr. Cooper, Clerk of the House of Representatives, being again admitted, laid the following resolution on the Clerk's table,

And he withdrew.

“ House of Representatives, Jan'y. 3, 1832.

Resolved, That a committee of three members be appointed on the part of the House of Representatives, to act jointly with such committee as may be appointed on the part of the Senate, to wait on the Governor and inform him that a quorum of both Houses of the Legislature have convened, and are ready to receive any communication he may wish to make.

Extract from the Journal,

L. T. COOPER, Clerk.”

“ For concurrence.”

On motion of Mr. Johnson, seconded by Mr. Burton.

Resolved, That the Senate concur in the above resolution ; and that the Clerk proceed to the House of Representatives, and inform them accordingly.

On motion of Mr. Johnson, seconded by Mr. Alrichs,

Resolved, That a committee of two members be appointed to draft rules for the government of the Senate during its present session.

Mr. Speaker appointed Messrs. Johnson and Alrichs that committee.

Mr. Sutton from the joint committee to wait on the Governor, reported ; that his Excellency would make a communication to both Houses of the Legislature in half an hour.

The Speaker announced a communication from Presley Spruance, jr. Esq. late Speaker of the Senate,

which was read,

And ordered to be recorded: it was as follows—

“ PRESLEY SPRUANCE, Esq.

Speaker of the Senate,

Sir, I do hereby resign my seat in the Senate of the State of Delaware,

GEORGE TRUITT.”

AUGUST 30th, 1831.

The Speaker informed the Senate that he had received nine copies of

“the AMENDED CONSTITUTION of the State of Delaware.” A copy of which was then laid on the desk of each of the Senators.

The Secretary of State being announced, was admitted, and said—

“Mr. Speaker, I have the honor to present to the Senate the annual communication of His Excellency the Governor—The communications referred to in it, will be delivered to the House of Representatives.”

And he withdrew.

On motion of Mr. Johnson, seconded by Mr. Lewis, the Message of the Governor was read as follows, to wit—

FELLOW-CITIZENS OF THE SENATE,

AND OF THE HOUSE OF REPRESENTATIVES :

IN assembling together upon an occasion like the present, we are naturally led to a recollection of the events of the past year ; and the distinguished favors dispensed by a divine Providence lead the sober, considerate mind to make sincere acknowledgments to the Supreme Being : and that through his gracious influence, your present labors may have a prosperous result, it becomes us to cherish a grateful remembrance of past favors, and in sincerity humbly to implore Divine assistance. It has long been the practice, and is considered the duty of the Executive magistrate of this State, early in each session to recommend to the consideration of the legislature, such subjects as appear to him of public utility, and which require the further aid of the legislature to promote and secure. The ultimate object which legislators ought constantly to keep in view, and to which all their proceedings should be subservient, is the happiness of the people. As our government was instituted for the common benefit, protection and security of the whole community, and not for the private interest or emolument of any one man, family, or class of men ; if the interest of the great body of the people actually requires amendments to our laws, although they may operate to the disadvantage of the few, or to a class of men, we are bound to make those amendments. The welfare of society requires that the prosperity of the many should be preferred to the conflicting interest of the few ; and we are under high obligations to our constituents, not only to take care that the laws be faithfully executed, but to improve and perfect our civil institutions, so as to render them conformable to natural justice and to the actual state of society. As we have assumed the several stations which the suffrages of our fellow citizens have destined us to sustain, for the present year, I avail myself of this customary interview to congratulate you on the return of this interesting season, and that our country is enjoying a state of peace and domestic tranquility. A calm observer cannot fail to be forcibly struck in contemplating the extraordinary spectacle now exhibited in the United States. He will every where witness the evidences of a surprising increase in numbers, wealth, and improvements. The gazettes from every quarter of the Union give animated descriptions of the flourishing condition of their own particular districts, of the growth of towns and cities, the extension of trade, and of the prosperity attending agricultural, manufacturing, and mechanical pursuits. It is abundantly manifest, that these are not the records of vain boasting, but that they are sustained by substantial and undeniable facts. History furnishes no example of such rapid advance made by any other nation, on the high road to greatness and renown. It is a luminous commentary on the advantages

of free governments where there is room for vigorous action, with an exemption from a burdensome debt, and oppressive taxes. We are moving forward with an accelerated force, and with a grandeur that seems to throw all competition into the back ground. Can any thing more clearly demonstrate the profound wisdom of those councils which laid the foundation of the American System? On turning your attention to the usual objects of legislation, you will find much encouragement from the present prosperous condition of the country, and the consequent increase of the wealth and resources of the State. We know not how soon the patriotism, and valor of our countrymen may be put to the test. The world is in a state of great perturbation. From past experience of the policy of foreign nations, we can derive no assurances that our country will long be permitted to enjoy the calm of peace. We have seen nations famed in science and in arms, succumb to a foreign force: their fates are as imposing as the holy writing on the wall, of the fall of every people who become the prey of divisions, parties and factions. Whatever difference in political sentiment may exist among Americans, the operation of our representative government, conducted by moderation and forbearance, must, I am persuaded produce harmony and conciliation; whatever jealousies may arise among the several States, the interest of each invites to a rivalry on one ground. A rivalry in placing her militia on the best possible footing; and when occasion demands, in making the greatest exertions for the protection of the whole confederacy. A well regulated militia is the only kind of military force to which free-men should resort for defence, upon any sudden emergency, either of invasion or rebellion; it is the peculiar safeguard of a republic.

It is gratifying to learn, that a military spirit, honorable to our citizens has recently been awakened in many parts of the State, and that a laudable zeal has been manifested in forming volunteer associations; they should be encouraged by every honorable incitement, tending to induce an increase of that valuable and efficient portion of our military strength; immunities should be granted, privileges conferred and every facility afforded, and provision made for the prompt organization and complete military equipment of all who are willing to enrol themselves in corps of that description.

Your attention, Gentlemen, will be called, during the present session, to many subjects growing out of the recent amendments to the Constitution of the State. A Convention, called by the authority of the people, assembled in November last, under the sanction of the act of Assembly of last session, and in the discharge of the duties devolved upon them, established several important changes in the fundamental law of our government.

A body clothed with such extensive powers; assembled for such grave purposes, and composed of the talent and weight of character which characterised that assembly, necessarily attracted the most anxious attention of all the citizens of this State; while, at the same time, the public reposed with the greatest confidence on the integrity and intelligence of the men to whom they had, for the time, committed their most sacred rights. Their confidence was not misplaced; acting under a sense of the high responsibility resting upon them, and looking only to the common interest of the State, they have presented their constituents with a revised Constitution, embracing such amendments to the old Charter, as

they considered judicious and proper. The result of their labors has met with decided approbation, so far as I have been able to ascertain the public sentiment on this subject. Still, we must look to the practical operation of the new order of things for a confirmation of this sentiment ; and await that best test of the wisdom of all measures—actual experiment.

In communicating to the new system a proper operation, your agency will be extensively required ; its success rests in no inconsiderable degree upon the wisdom of those measures which you may adopt, either to perfect the system, or to render the provisions of existing laws conformable to it.

To effect these desirable objects it will be necessary for you to fix the terms of the Courts under the revised Constitution ; to amend the several acts of Assembly requiring property qualification for office ; such as grand, petit, and special jurors ; auditors under our attachment laws ; constables ; and other officers not embraced in the existing constitutional provision, requiring property qualification ; and to amend the act concerning the general election, in regard to the time of holding that election.

The Convention having established the principle of biennial sessions of the legislature, and fixed the terms of office of members of that body, and of the Governor, Sheriffs and Coroners, so as to suit biennial elections, I would suggest the propriety of arranging the terms of Levy-Court Commissioners accordingly ; so as to extend the principle of biennial elections to all elective officers. The object of the Convention appears to have been to save the expense of annual elections, which is doubtless, considerable, and would be unnecessary for the few remaining officers whose terms require an election every year. If the General Assembly should be of this opinion, some amendments will be necessary to the act concerning the Constitution of the Levy-Court and Court of Appeals ; and also, to the “ Act directing the election of Assessors and Inspectors.” It has been suggested, that the appointment of Assessors and Inspectors might with propriety be vested in the Levy-Court or in some other body so as to save the entire expense of these elections. On this subject I give no opinion. These are officers in whom the people have a great and immediate interest ; the valuation of their property, and the conducting of their elections should be intrusted only to such persons as possess their confidence ; and it may be well to consider whether this confidence can be attained by any mode of appointment, so fully as by direct election ; and to take care that we do not sacrifice a valuable principle to the desire of economising. The whole subject is referred to your consideration.

Among the subjects that have been suggested as suitable for retrenchment, the expenses of the Court of General Quarter Sessions have been prominent ; and it is true, that, under our present system, these have constituted, perhaps necessarily, a principal source of the public burdens. The expenses of the State government have been estimated, I believe correctly, at less than one-fourth of the county expenses. The attention of the Convention has been confined chiefly to the former ; and they have applied, as far as was in their power, a corrective. I invite your serious attention to the latter. This branch of the county expenses consists principally of prison charges, fees to grand and petit jurors, to

the Attorney General, Sheriffs, Clerks, and other officers of the Court, arising from trials for misdemeanors, assaults and batteries and petit larcenies; the costs of which, in any result, usually fall upon the County. The subject is one of great importance to the community; but it is also one of great difficulty. The present mode of trial is the most favorable to the accused; it affords the greatest security to innocence, and was instituted in the purest spirit of republican liberty; but the expense of trying every petty offence in this Court is highly burdensome to the community and has become the ground of general complaint. The Convention, deeming the subject too dangerous for permanent constitutional provision, has referred it to the General Assembly by giving them power to vest in some inferior tribunal, the trial of cases of assault and battery; unlicensed public houses; retailing liquors contrary to law; disturbing Camp-meetings, or other meetings of public worship; nuisances; horse racing; cock-fighting; shooting matches; larcenies by negroes and mulattoes; and the offence of knowingly receiving, buying or concealing stolen goods by negroes or mulattoes. It remains for the General Assembly, in their wisdom to devise some plan for trying these offences with less expense than attends the present mode; giving at the same time proper security for the protection of the accused. This may be difficult. The good to be attained is, a more speedy and less expensive trial; while the danger to be guarded against is, that the facility of the trial and punishment in these cases may not be used for vengeful and oppressive purposes. Should a tribunal of this kind be erected in every neighborhood, prejudice or animosity, acting upon a fresh accusation, or recent outrage, might be very unfavourable to dispassionate examination, and often work injustice. This ought by all means, to be guarded against, in cases affecting character or reputation, as where a conviction would render the accused infamous. The best checks for this purpose would probably be found in restricting these inferior tribunals to a very small number; in constituting them of more than one justice, and several referees; in requiring their session at stated times, and at places where the accused could obtain proper advice and assistance, and in a liberal provision for appeal. Perhaps one tribunal of this kind, to sit monthly in the County town, would go far to attain the only object of a change in this jurisdiction—a saving of expence—and be less liable than a greater number to the danger of a hasty, prejudiced or unadvised administration of this part of the criminal law. These suggestions are merely thrown out for your consideration. I do not pretend to have digested, or to advise any distinct plan, but only to state such general views of the subject as have occurred to me, in the hope that they may afford you some assistance, in the discharge of this most important and difficult part of your duty.

I would call your attention to the present mode of appointing constables. It appears to me that the appointment of these officers by the Court of Quarter Sessions is wrong in principle, and inconvenient in practice. It is inconvenient to the Court to be harrassed by applicants for office at a time when their attention is occupied with the business of the term, and should be undivided by any other subject; and it no doubt frequently happens, that appointments are made without such reflection as could be given by a body less busily occupied. These inconveniences will be increased under the new judicial system, as the proper business

of the Court will be increased. The mode of appointment is also wrong in principle. A Court of Justice should have no political power. It should not be regarded as a source of patronage. However judiciously and impartially the appointing power may be exercised ; disappointed applicants will look to motives of a personal or political character, for the cause of their rejection ; and will ascribe to the tribunal of Justice, grounds of action that do not belong to it. The office of Constable is one of great importance to the public. I fear it is not properly appreciated. It operates extensively upon that class of citizens who feel most sensibly the abuses to which it is liable, and who are least able to protect themselves against them. I would suggest the propriety of vesting the appointment of these officers in the Levy-Court. In my last message I called the attention of the Legislature to the laws authorizing imprisonment for debt. It is very doubtful whether our laws on this subject are as consistent with humanity and justice as they might be rendered, without violating any important rights of creditors. A strong feeling against them, continues to be manifested by a large portion of the community, and it must be so, so long as their operations continue to exhibit instances of heartless and useless imprisonment, where no fraud exists, and no reasonable hope can be entertained of collecting the money by the exercise of this power. Still it is necessary perhaps, that the power should exist, as a means of detecting and punishing fraud ; but it should be the great object of the Legislature to restrain its operation to cases of this character, while it exempts the honest debtor from arbitrary imprisonment, without object, and without cause. Our present insolvent law authorizes the discharge of the debtor upon a Judge's order, unless the imprisoning creditor will give security to indemnify the County. The Judge's order is unnecessary ; the inquiry before him a useless form ; for in all cases the County is actually sustaining the charge of the prisoner's maintenance, at the time he calls upon the Judge to inquire whether it is likely to be put to the expense of his keeping. I suggest, therefore, whether it would not be a useful amendment, to dispense with the enquiry and Judge's order, and to require that, in all cases, the imprisoning creditor should, at the time of commitment, enter into recognizance to indemnify the County, or the prisoner should be discharged. As an additional security against imprisonment where fraud was not strongly suspected, it might be well also to require, that the creditor should at the same time file allegations of fraud, setting forth, upon oath, the grounds of the supposed fraudulent transaction. This would, in effect, be an abolishment of imprisonment for debt, except in cases where the conduct of the debtor was intended to be made the subject of judicial investigation. And is not this right ? What reason can possibly exist for imprisoning a debtor against whose honesty and fairness nothing can be alleged ; when no expectation exists of collecting the debt by means of his imprisonment ? I recommend the subject to your consideration, believing that useful amendments may be made to our present insolvent law.

I am happy to inform you that the subject of education is acquiring increased importance in the estimation of all classes of our community.—The establishment of free schools under the provisions of our law, has brought this matter into frequent discussion by the people, and has had a tendency to awaken to its importance, many of our citizens, who have heretofore treated it with indifference, or neglect. This is a great point

gained : another essential and immediate benefit is the actual increase of knowledge ; and of the means of acquiring it. I learn from the public papers and other sources that in many districts the number of children who enjoy the benefits of tuition has been doubled since the passage of the school law ; and this must continue under a system which excites parents to their duty, and furnishes the means of discharging it. It is certainly unnecessary for me to enforce upon you the great benefit that must result to the State, from a well educated population. That the community at large is interested, and deeply interested, in the intelligence, good habits, and moral worth of every individual, is a truth too apparent to need illustration. And if the fact be so, that our school system has a tendency, however small, to disseminate this intelligence, and form these habits, every consideration of duty and interest calls upon those who are vested with authority, to sustain and uphold it.

The distribution of the School Fund to each County in equal proportions without regard to the number of districts, has produced some dissatisfaction in Sussex and New-castle. The districts are laid off with reference to the number of children to be taught—and Kent with only fifty-seven districts receives the same amount of money from the fund as New-castle with seventy-two : this does not appear to be right. Permit me to call your attention to this subject, that such measures may be adopted as will do justice to all.

During the last fall, our citizens were thrown into a state of considerable agitation and alarm by apprehended insurrectionary movements on the part of our black population. A scene of bloodshed and horror, enacted in a neighboring State, by a band of revolted slaves, and the current opinion that this was only the premature development of a widely concerted plan of general insurrection, together with some particular acts of insubordination on the part of our blacks created serious apprehensions, on the minds of many, for our own security. The excitement has in a great measure subsided ; but it may be well to reflect whether it is not the part of prudence to provide against the possibility of such a terrible calamity. It is not at all probable that any such design has been formed, or participated in, by our blacks ; they have few motives, or incitements to such a course, and they know too well how certainly it would bring down speedy destruction on themselves ; but it is certain, that attempts have been made from abroad to render them dissatisfied with their condition, and to prepare them at some distant period, for a forcible change of it. Highly inflammatory and insurrectionary pamphlets have been introduced, and circulated among them, chiefly, it is believed, through the medium of black preachers, who have ready access to them, and the means of inculcating, in the most dangerous form, their principles and objects. Nightly assemblies of the blacks, under the pretence of divine worship, are addressed by these emissaries, who thus obtain a hearing and an influence that might otherwise be withheld from them. In other respects these nightly collections at meetings, not under the supervision of any white society are extremely objectionable. They lead to habits of irregularity and idleness ; disqualify servants from active employment during the day ; and probably originate many other vices, if not crimes. I therefore submit it to you, whether some provision should not be made to exclude these negro preachers who come among us without proper authority, and ample certificates of character ; and whether some restrictions could not with pro-

priety be imposed on these nightly assemblies? It has also been suggested, as a further precaution, that the free blacks should be prohibited by law from keeping fire arms; and that some additional provision ought to be made for enforcing the "Act to prohibit the emigration of free negroes or mulattoes into this State, and for other purposes." The provisions of that law are extremely salutary, yet they are seldom enforced. Many free negroes belonging to this State, spend a great portion of the year in Philadelphia and other places, where they can obtain more lucrative employment; and they return here in the fall, to winter on their friends; or, perhaps, more frequently on the public. Thus, while we are deprived of all the benefit of their labor, we are subjected to the evil influence of their habits and example, and not unfrequently to the charges of their maintenance during the winter season. Would not a liberal fee to the officers, charged with the execution of this law, and a penalty for the neglect of their duty, ensure a better enforcement of its useful provisions? It too often happens that our laws remain inoperative for want of such sanctions.

The restraining of vice, and inculcation of virtue, are among the highest, and most solemn duties that appertain to a republican government; to effect which, as well as to sustain our political institutions, it is indispensable, that every good citizen, and especially every officer in the government, should feel a deep interest, that the dominion of the laws be maintained. The repeated violation of the laws for the "Suppression of vice and immorality," evinces the necessity of some efficient measures being adopted for their faithful execution. Although we have cause to rejoice in the decrease of crimes of every description, and especially of the number of victims to that degrading vice, intemperance (to which most vices owe their origin) yet we have to lament, that the subjects of this crime are numerous. I would call the particular attention of the Legislature to officers of government indulging this habit.

The Constitution imperiously requires, that "the journals of the proceedings, and all public acts of both houses of the Legislature, shall be printed and published immediately after every adjournment." Instances have too often occurred in which, not only the journals, but laws, which the people are bound to obey, have not been printed or published till after the lapse of several months from the adjournment. I presume you will take the necessary measures to prevent a recurrence of this evil.

I herewith submit for your consideration, Resolutions of the General Assembly of the State of Maryland, inviting a co-operation of this State and of the State of Virginia, in the construction of a canal, or inland navigation from Cape Charles, on the waters of the Chesapeake Bay, to the waters of the Delaware, near Lewestown. The respect due to a sister State, as well as the interest of your own State, will no doubt, cause you to treat the subject with respectful attention. I am not sufficiently acquainted with the proposed location for a canal, to give much information on the subject; but would recommend to the Legislature the appointment of Commissioners to meet Commissioners of the States of Maryland and Virginia, for the purpose of making a survey of the route, and collecting such information as may be necessary. Upon their report, the Legislature will be put in possession of such information, as will enable them to determine the practicability of the work. It has frequently been suggested, that a canal could be cut from the head waters

of the Nanticoke river, into those of the Broadkiln creek, so as to connect the Delaware and Chesapeake Bays, at a very inconsiderable expense, when compared with the importance of the work. The whole district of country lying between the said river and creek, is nearly a level; and those streams by their branches, approach each other, within a half mile. A canal twelve or fifteen miles in length would open an inland navigation between the two Bays, and I am inclined to think, present innumerable advantages to the States of Maryland and Virginia, by giving them a more safe and direct route, to the markets of the cities of New-York and Philadelphia for their agricultural productions. It would also enhance the value of the lands of a number of our citizens, by its affording them a drain for their low lands, and passing through a country abounding with timber and iron ore. A number of the furnaces in the State of New-Jersey, now receive a large supply of ore from those beds, at the expense of a land carriage of ten or twelve miles. It has also been suggested that this location of a canal, would form one of the most direct and best links of connection between the eastern and western sections of the Union, that is practicable. The mouth of the Nanticoke river being nearly opposite the mouth of the Potomac, and the distance across the bay at this place not being very considerable, interspersed with numerous islands affording good harbors for bay crafts, thus connecting with the Potomac and Ohio canal, it is considered, would be a work of immense interest. I respectfully submit this subject to your consideration and recommend to the Legislature, in their proceedings, on the resolutions of the Legislature of Maryland, to call the attention of that State, and of the State of Virginia, to this subject.

I lay before you, Resolutions of the Legislature of the State of Maine, in relation to the tariff, and also upon the subject of the North Eastern boundary of that State. The tariff, and internal improvements have engaged an unusual share of the public attention within the last twelve months; and it is gratifying to observe, that in proportion, as these interesting topics are discussed, and their policy examined, the more clearly has it been made to appear, that they are essential to the prosperity of the Union. The objection, as to the non-constitutionality of the laws of Congress upon these subjects, has been met, and most ably refuted.

From the first Congress, after the adoption of the present Constitution, down to the present period, the majorities in both houses of the National Legislature, have uniformly assumed the right of laying duties upon foreign merchandize, for the protection of the manufactures of our own country, as a Constitutional exercise of power; and it will be remembered that the exercise of this power, has frequently been recognized by those very persons who assisted, in Convention, to frame the present Constitution. But, it has been very correctly observed, that this is no longer a mere abstract question of constitutional power—it has resolved itself into the question, whether, at this time, the people of the United States will abandon a system which has been in existence for more than forty years; under the influence of which we have become rich, powerful and happy; and under whose fostering care, it is estimated that upwards of two hundred and fifty millions of dollars have been brought into active exercise, and vested in manufacturing establishments; whether they will abandon the tariff, and by this means, destroy this

capital. The people have already answered the question in the negative. There is no portion of the people of the Union, more deeply interested in the success of manufacturing establishments, than the people of this State, who have an immense capital thus invested.

I have received, during the recess of the Legislature, from the Governors of the States of N. Hampshire, Ohio and Maryland, communications enclosing resolutions of their respective State Legislatures, which are herewith laid before you.

Your business as Legislators, is to redress the grievances and make laws to secure the rights of the people. If to this work, we bring a right temper and disposition of mind, we shall find the path of duty clear and plain. We are the representatives of a member of a great republic. The principles of our policy should, therefore, be just and liberal, and our views extended beyond the interests and feelings of the present moment. As we are legislating for future times, we cannot too often reflect what judgment posterity will pass on our public character, when the spirit of party shall have subsided, and the passions and petty interests of the present time are forgotten. And let us never forget, that office, however exalted, titles however splendid, and emoluments however great, can confer no honor on the officer, unless he faithfully discharges the duty of his trust; and that a faithless man raised to office, is but the herald of his own disgrace, and the scourge of those who clothed him with power.

DAVID HAZZARD.

January 3d. 1832.

On motion of Mr. Johnson, seconded by Mr. Carey,

Resolved, That the Clerk be directed to cause one hundred copies of the above message to be printed for the use of the Senate.

On motion, the Senate adjourned until 10 o'clock to-morrow morning;



WEDNESDAY, 10 o'clock, *A. M.* Jan. 4, 1832.

The Senate assembled pursuant to adjournment.

On motion of Mr. Carey, seconded by Mr. Sutton,

Resolved, That a Committee of two members be appointed on the unfinished business of the Senate.

Mr. Speaker appointed Messrs. Carey and Wainwright that Committee.

Mr. Johnson from the Committee to draft rules for the Senate during its session, reported the following, which were adopted by the Senate; to wit:

Rule 1. The members shall appear and answer at the calling over of their respective names, at every time to which the Senate stands adjourned.

2. Every day before the Senate proceeds to other business, the journal of the preceding day shall be read over, and may be corrected by a majority of the Senate.

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

4. No member shall be allowed to interrupt another while speaking, unless on points of order, and then only by a application through the Speaker.

5. No member shall absent himself from the Senate during the session, without first obtaining leave.

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

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

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

9. Every Committee shall report within four days (Sundays excepted) from the time of their appointment, or furnish sufficient reasons why report has not been made.

10. All motions and resolutions—(except for the reading of bills, the daily adjournments of the Senate, or any motion to refer any subject, or to postpone the same)—shall, if required by the Speaker or any member, be reduced to writing by the mover ; and, if seconded, shall be reported by the Speaker to the Senate, before any debate or decision thereon ; and a motion or resolution may be withdrawn by the mover, with the consent of the seconder, before a decision thereon.

11. Every motion on which a vote is taken, shall be entered on the Journal ; and—except in the case of motions of adjournment—the names of the persons moving and seconding the same.

12. The unfinished business in which the Senate was engaged at the time of their last adjournment, shall have preference in the order of the day.

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

14. When a question has been decided in the negative or affirmative, any member who voted in the majority may move for a re-consideration thereof.

15. Every bill shall be introduced by motion for leave, by order of the Senate, or by a report of a Committee.

16. Every bill shall receive three several readings in the Senate previously to its passing ; and no bill shall be read twice in the same day, without special order of the Senate.

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

18. The Speaker of the Senate shall appoint all Committees, unless the Senate shall otherwise direct.

19. All messages from the Senate, to the House of Representatives, shall be conveyed by the Clerk, or in such manner as the Speaker may direct.

20. All bills and resolutions, which the standing rules of the Senate require to be three several times read, may be amended at the second reading ; after which every bill or resolution, with its amendments—(if there be any such made)—shall be fairly transcribed by the Clerk, in a legible hand, before the final vote or question is required on any such bill or resolution ; and no such bill or resolution shall be so altered or amended, upon its last reading, as to change materially its object or nature.

On motion of Mr. Alrichs, seconded by Mr. Carey,
Resolved, That a committee of arrangement be appointed to consist of two members.

Mr. Speaker appointed Messrs. Alrichs and Burton, on that committee.

Mr. Alrichs laid on the table "The Petition of the Wilmington Savings Fund Society;" which,

On his motion, seconded by Mr. Burton,

was read.

And on motion of Mr. Alrichs, seconded by Mr. Burton, the said petition was referred to a committee of two members, with leave to report by bill or otherwise.

Whereupon,

The Speaker appointed Messrs. Alrichs and Johnson that committee.

On motion of Mr. Sutton, seconded by Mr. Carey, it was

Resolved, That a Committee of Elections, to consist of two members be appointed,

Messrs. Sutton and Lewis were appointed.

On motion, the Senate adjourned until 3 o'clock this afternoon.



Eodem die, 3 o'clock P. M.

The Senate met pursuant to adjournment.

Mr. Wainwright presented a joint resolution appointing Directors of the Farmers' Bank of the State of Delaware, on the part of the State:

Which on his motion, seconded by Mr. Lewis, was read and adopted, and sent to the House of Representatives for concurrence;

as follows:

Resolved, by the Senate and House of Representatives of the State of Delaware in General Assembly met—that the following persons be, and they are hereby appointed Directors of the 'Farmers Bank of the State of Delaware' on the part of the State, agreeably to an act of the General Assembly in such case made and provided.

For the Principal Bank,

Hunn Jenkins, William K. Lockwood and Joseph Smithers.

For the Branch at Wilmington,

John J. Milligan, Harry Connelly and Charles I. du Pont.

For the Branch at New Castle,

Thomas Stockton, John Janvier and George Platt.

For the Branch at Georgetown,

William D. Waples, James Barrett and William N. Polk.

Mr. Cooper, Clerk of the House of Representatives, being admitted, returned the above resolution, and informed the Senate, that the House of Representatives had

concurred therein.

Mr. Alrichs, from the Committee appointed on the petition of the 'Wilmington Savings Fund Society' reported a bill entitled 'An act to incorporate the Wilmington Savings Fund Society.'

Which,

On motion of Mr. Burton, seconded by Mr. Sutton,

was read.

Mr. Carey presented two petitions: one from William N. Polk and John Sordon, praying the Legislature to vest in them the title to certain vacant land in Sussex county: the other from Francis Ludenum, F. N. praying to be divorced from his wife; both of which petitions,

On motion of Mr. Carey, seconded by Mr. Lewis,

were read.

On motion of Mr. Carey, seconded by Mr. Sutton,

They were severally referred to a Committee of three members, with leave to report by Bill or otherwise:

The Speaker appointed Messrs. Carey, Lewis and Alrichs on the petition of W. N. Polk and J. Sordon, and

Messrs. Carey, Sutton and Wainwright, on the petition of F. Ludenum.

Mr. Carey from the Committee on unfinished business, reported as follows:

‘The Committee appointed on the unfinished business of last session,

Report, That they have carefully examined, but are unable to find any unfinished business on file---they find from the Journal of the Senate of last session, the following Bills postponed to the present session, to wit:

1. ‘An Act to incorporate the Board of Stewards of Smyrna Circuit.’

2. ‘An Act concerning Awards,’ and a ‘bill providing for unnecessary imprisonment.’

Caleb S. Layton, Esq. Secretary of State, being admitted, informed the Senate, that he held in his hand a communication from his Excellency the Governor, which he laid on the Clerks table---

It was as follows, to wit;

Gentlemen of the Senate,

and of the House of Representatives,

Since the adjournment of the last General Assembly, the following books, papers, &c. &c. have been received at the Office of the Secretary of State, and distributed pursuant to former usage, among the several branches of the Government, viz :

Four copies, 1 vol. each, of the Journal of the House of Representatives of the United States, of the first session of the twenty-first Congress.

Four copies, 1 vol. each, of the Journal of the Senate of the United States, for the same period.

Four copies, 4 vols. each, of State Papers, of the first session of the twenty-first Congress.

Four copies, 2 vols. each, of Senate Documents, for the same period.

Four copies, 3 vols. each, of Reports of Committees in the House of Representatives of the United States, during the first session of the twenty-first Congress.

One copy, 9 vols. of the Journal of the House of Representatives of the United States, from 1789 to 1815, both years inclusive.

9th, 10th, 11th, and 12th vols. of Diplomatic Correspondence of the American Revolution—edited by Jared Sparks, Boston.

Forty copies one vol. each of the Laws of the United States, passed during the 2d session of the 21st Congress.

One copy, 3 vols. of the Public and Private Acts, and Resolutions of the State of Maine, passed at the January session 1831.

Four copies, one vol. each of the Acts of New-Hampshire, for the year 1831.

Three copies, one vol. each of the Laws of Massachusetts, passed at the January session 1831.

Three copies, each one vol. of the Laws of the same State, passed at the June session 1831.

One copy, one vol. of the Digest of the Laws of New Hampshire.

Two copies, one vol. each of the Acts of Connecticut, passed in the year 1829.

Two copies, one vol. each of the Acts of Connecticut, passed in the year 1830.

Three copies, one vol. each of the Acts of Connecticut passed in the year 1831.

Three copies, one vol. each of the Laws of New York, passed at the fifty-fourth session of the Legislature of that State.

Three copies, one vol. each of the Laws of the State of New Jersey, passed in the year 1831.

Three copies, one vol. each of the Laws of Pennsylvania passed in the year 1831.

One copy, one vol. of the Laws of Maryland, passed in the year 1831.

One copy, one vol. of the Laws of Virginia, passed in the year 1831.

One copy, one vol. of the Laws of N. Carolina, passed in the year 1831.

One copy, one vol. of the Laws of Georgia, passed during the year 1831.

One copy, one vol. of the Laws of Mississippi, passed at the 13th session of the Legislature of that State.

Two copies, one vol. each of the Laws passed at the 14th session of the Mississippi Legislature.

Three copies, one vol. each of the Laws of Missouri, passed in the year 1831.

One copy, one vol. of the Laws of Louisiana, passed during the year 1831.

Three copies, one vol. each of the Laws of Illinois, passed in the year 1831.

Two copies, one vol. each of the Acts of the Legislature of Kentucky, passed at the December term thereof 1830—31.

One copy, 2 vols of the Revised Laws of the State of Tennessee.

Three copies, one vol. each of the Revised Laws of the State of Indiana.

Three copies, one vol. each of the Laws of Ohio, passed in the year 1831.

Six copies, one vol. each of the 1st and second annual reports of the Inspectors of the Eastern Penitentiary of Pennsylvania.

And several Lists of Lands returned as Delinquent in various Counties of the State of Virginia.

I herewith lay before the Senate a communication which I have received from William T. Read, Esq. by which he resigns his seat in the Senate of this State.

DAVID HAZZARD.

Dover, January 4, 1832.

On motion of Mr. Johnson, seconded by Mr. Alrichs,
The communication from William T. Read, Esqr. late a Senator from New-Castle County, was read, and ordered to be recorded
It is as follows—

“WASHINGTON, December 27th, 1831.

Sir,

In conformity with a provision of the revised Constitution, I transmit to you the within resignation of my seat in the Senate of Delaware,

I am with great respect,

Your Obe't. Serv't.

WILLIAM T. READ.

To his Excellency,

DAVID HAZZARD,

Governor of Delaware.”

On motion, the Senate adjourned until 10 o'clock to morrow morning.



THURSDAY, 10 o'clock, A. M. Jan. 5, 1832.

The Senate met pursuant to adjournment.

Mr. Cooper, Clerk of the House of Representatives, being admitted, presented a joint resolution appointing a committee to settle with the State Treasurer, and requested the concurrence of the Senate,

and withdrew.

Which, on motion of Mr. Johnson, seconded by Mr. Carey,

was read.

And was as follows, to wit :

“*House of Representatives, January 4th, 1832.*

Resolved, By the Senate and House of Representatives of the State of Delaware in General Assembly met, That a Committee to consist of two members on the part of the Senate, and three members on the part of the House of Representatives, be appointed to examine the accounts of the State Treasurer, count the cash on hand, and make report to the General Assembly.

Extract from the Journal,

I. T. COOPER, Clk.”

“*Sent for concurrence.*”

On motion of Mr. Alrichs, seconded by Mr. Lewis, the above resolution was

concurred in.

Mr. Speaker appointed Messrs. Alrichs and Burton on the part of the Senate.

On motion of Mr. Alrichs, seconded by Mr. Lewis, it was

Resolved, That another member be added to the Committee of elections.

The Speaker appointed Mr. Alrichs,

Mr. Burton, laid the following resolution on the table, which on his motion, seconded by Mr. Johnson,

was read.

It was as follows, to wit :

“Resolved, That the Speaker of the Senate be, and he is hereby requested to issue a writ to the Sheriff of New-Castle County, commanding him to cause an election to be held in the several districts of the said County, according to the Constitution and laws of the State ; for the electing of a person to supply the place of William T. Read, Esqr. whose seat has become vacant in the Senate by his resignation.”

On motion of Mr. Alrichs, seconded by Mr. Lewis, the above resolution

was adopted.

On motion, the Senate adjourned until three o'clock this afternoon.



Eodem die, 3 o'clock, P. M.

The Senate met pursuant to adjournment.

Ordered, That the Clerk of the Senate return the resolution appointing a Committee to settle with the State Treasurer, and inform the House of Representatives that the Senate had

concurred therein.

On motion of Mr. Alrichs, seconded by Mr. Lewis, the bill entitled “An act to incorporate the Wilmington Savings Funds Society,”

was read a second time.

Mr. Carey, from the committee on the petition of Francis Ludenum, praying to be divorced from his wife,

reported

As follows :

“The Committee to whom was referred the petition of Francis Ludenum, of Sussex county, beg leave to report,

That the petitioner have leave to withdraw his petition.”

On motion of Mr. Burton, seconded by Mr. Alrichs, the foregoing report

was adopted.

Mr. Johnson presented a petition from sundry citizens of Kent County praying that “Martin’s Bridge” may be made a Draw Bridge, which on his motion, seconded by Mr. Lewis,

was read.

On motion of Mr. Johnson, seconded by Mr. Lewis, the above named petition was referred to a Committee of three members, with leave to report by bill or otherwise.

Mr. Speaker, appointed on that Committee, Messrs. Johnson, Lewis and Alrichs.

Mr. Lewis presented the petition of James Windser, praying the Legislature to grant a special act, enabling him to make a deed for a certain piece of land in Sussex County—which

On motion of Mr. Lewis, seconded by Mr. Wainwright,

was read.

And on motion of Mr. Lewis, seconded by Mr. Burton, the said petition was referred to a committee of three members, with leave to report by bill or otherwise.

The Speaker appointed Messrs. Lewis, Wainwright and Burton on that Committee.

On motion, the Senate adjourned until to-morrow morning at 10 of the clock.



[FRIDAY, 10 o'clock, A. M. January 6, 1832.]

Senate met pursuant to adjournment.

Mr. Lewis, laid on the table the petition of sundry citizens of Sussex county, praying the Legislature to pass a law relative to the free blacks of this State,

Which on his motion, seconded by Mr. Carey,

was read.

On motion of Mr. Lewis, seconded by Mr. Carey,

The above mentioned petition was referred to a committee of three members, with leave to report by Bill or otherwise.

Mr. Speaker appointed Messrs. Lewis, Johnson and Burton on that Committee.

On motion, the Senate adjourned until 3 o'clock this afternoon.



Eodem die, 3 o'clock P. M.

The Senate met at the time to which it stood adjourned.

On motion of Mr. Alrichs, seconded by Mr. Burton,

The Bill entitled "An Act to incorporate the 'Wilmington Savings Fund Society'" was taken up and read a third time by paragraphs,
and passed the Senate.

On motion, the Senate adjourned until 10 o'clock to morrow morning.



SATURDAY, 10 o'clock, A. M. January 7, 1832.

Senate met pursuant to adjournment.

Ordered, That the Clerk of the Senate proceed to the House of Representatives, and present the bill entitled "An act to incorporate the Wilmington Savings Fund Society," and inform the House that it had passed the Senate, and ask the concurrence of the House therein.

The Clerk of the House of Representatives being admitted, presented, for the concurrence of Senate, a bill entitled "An Act concerning the Seals of the Courts;"

and he withdrew.

Which bill on motion of Mr. Wainwright, seconded by Mr. Carey,
was read.

On motion of Mr. Johnson, seconded by Mr. Alrichs,

The above Bill was read a second time by special order of the Senate.

On motion of Mr. Johnson, seconded by Mr. Alrichs,

The Bill entitled an "An Act concerning the Seals of the Courts, was committed to a committee of three members.

Mr. Speaker appointed Messrs. Johnson, Carey and Wainwright.

Mr. Alrichs, from the joint Committee to wait on the State Treasurer, to effect a settlement with that officer and count the cash on hand, made the following Report:

Which,

On motion of Mr. Carey, seconded by Mr. Lewis,

was read, to wit:

"The Committee appointed by the Senate, on the part of the Senate to act jointly with the Committee from the House of Representatives; to wait on the State Treasurer, Trustee of the School Fund, and Trustee of the Delaware College; count the cash on hand, and effect a settlement with that officer, have performed the service required, and ask leave to make the following Report:

"That on the 16th of December last the Treasurer and Trustee as aforesaid, settled with the Auditor of Accounts at which time there was due from him to the State of Delaware the sum of \$5,750 33 $\frac{1}{4}$

Since then the Treasurer has received the following, to wit:

From C. S. Layton, Esq. Secretary of State, \$179 89

" Theodore B. Hearn for 140 acres vacant
land in S. county 70 00

249 89

" which ded't. Treas'rs Coms. at 1 $\frac{1}{2}$ per cent. 3 75 246 14

Balance due the State of Delaware, \$5,996 47 $\frac{3}{4}$

That on the 16th of December as aforesaid, the Trustee settled with the Auditor of Accounts, at which time there was due from the Trustee to the School Fund and School Districts, \$15,309 62 $\frac{1}{2}$

Since then the Trustee has rec'd. the following, to wit:

From C. S. Layton, Esq. Secretary of State, \$150 00

" J. H. Eccleston, Esq. Prothonotary, for a
license to bring from Maryland a negro
slave into this State, 10 00

160 00

From which deduct the Trustees com's at 1 $\frac{1}{2}$ per cent, 2 40 157 60

Balance due the Fund and School Disiricts, \$15,467 22 $\frac{1}{2}$

That on the aforesaid 16th of December the Trustee of the Delaware College settled with the Auditor of Accounts at which time there was due from him to the Delaware College, the sum of \$104 14 $\frac{3}{4}$

Since then nothing has come into his hands in relation to said College.

RECAPITULATION.

| | |
|--|--------------------------|
| Due from the Treasurer to the State of Delaware, | \$5,996 47 $\frac{1}{2}$ |
| “ Trustee to the Fund & School Districts, | 15,467 22 $\frac{1}{2}$ |
| “ Trustee to the Delaware College, | 104 14 $\frac{3}{4}$ |
| | <hr/> |
| | \$21,567 85 |
| | <hr/> |

Which amount of \$21,567 85 the said Treasurer and Trustee as aforesaid, has in Deposit to his credit in the Farmers' Bank of the State of Delaware, at Dover.”

On motion of Mr. Burton, seconded by Mr. Wainwright,
The foregoing report,

was adopted.

Mr. Carey presented a petition of sundry citizens of Sussex county, praying for a law to be passed relative to the organization of the Militia,

Which, on his motion, seconded by Mr. Lewis,

was read.

The Clerk of the House of Representatives being admitted, presented for concurrence a bill entitled,

“An Act for the relief of Joseph Stradley and David Hammond.”

On motion of Mr. Wainwright, seconded by Mr. Carey,

The above mentioned bill,

was read.

Mr. Johnson, from the Committee to whom was committed the bill entitled,

“An Act concerning the Seals of the Courts;” reported back the same, with the following amendments, viz:

“Amend the bill,

In sec. 3d, line 7th after the word ‘Legislature’ add ‘during the present session, if practicable, or if not then at the next session thereof.’”

“Continue, or add to the 3d section as follows ‘which said account, when adjusted and allowed by the Legislature, shall be deducted from the said sum of two hundred and fifty dollars, and the balance, if any, remaining shall be refunded by the said John H. Eccleston to the State Treasurer.’”

On motion of Mr. Alrichs, seconded by Mr. Carey,

The above amendments, were

adopted.

On motion of Mr. Alrichs, seconded by Mr. Lewis,

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

And returned to the House of Representatives for concurrence.

Mr. Cooper, Clerk of the House of Representatives, being admitted, informed the Senate, that the House had agreed to the amendment proposed by the Senate, to the bill, entitled,

“An Act concerning the Seals of the Courts,” and withdrew.

On motion, the Senate adjourned until 10 o'clock on Monday next.

MONDAY, 10 o'clock, A. M. January 9, 1832.

The Senate met pursuant to adjournment.

The Speaker being absent;

On motion of Mr. Wainwright, seconded by Mr. Alrichs,

The Senate ballotted for a Speaker *pro tempore*, and Joshua Burton, Esq. was duly elected; was then qualified, and conducted to the Speakers' Chair by Mr. Johnson.

On motion, the Senate adjourned until 3 o'clock this afternoon.



Eodem die, 3 o'clock, P. M.

The Senate met at the time to which it stood adjourned.

On motion of Mr. Wainwright, seconded by Mr. Alrichs, the bill entitled "An act for the relief of William Stradley and David Hammond" was read

a second time.

On motion of Mr. Johnson, seconded by Mr. Carey, the above mentioned bill was

ordered to lie on the table.

Mr. Cooper, Clerk of the House of Representatives, being admitted, presented the petitions of Lemuel Tam and Hetty Tam, each praying to be divorced from the other; and also a bill entitled "An Act to divorce Lemuel Tam and Hetty Tam" and informed the Senate that the said bill had passed the House, and asked the concurrence of the Senate,

and withdrew.

On motion of Mr. Carey, seconded by Mr. Lewis,

The bill divorcing Lemuel Tam and Hetty Tam, with the accompanying petitions,

were read.

Mr. Cooper, Clerk of the House of Representatives, being again admitted, presented the petition of Sarah Morris, praying to be divorced from her husband Endless Morris, and at the same time a bill entitled.

"An Act to divorce Sarah Morris and Endless Morris." and informed the Senate that the same had passed the House, and asked the concurrence of the Senate,

and he withdrew.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The above named bill and petition,

were read.

Mr. Carey, from the Committee on the petition of William N. Polk and John Sorden reported a bill, entitled,

"An Act granting to William N. Polk and John Sorden of the county of Sussex, a certain piece of land therein named."

On motion of Mr. Carey, seconded by Mr. Lewis, the bill above mentioned

was read.

On motion the Senate adjourned until 10 o'clock to-morrow morning:

TUESDAY, 10 o'clock, *A. M.* January 10th, 1832.

The Senate met at the time to which it stood adjourned.

The Speaker appeared, and took his seat in the Speaker's chair.

Mr. Alrichs presented a petition signed by about seven hundred citizens of the State of Delaware praying the Legislature to grant an act to incorporate the "Wilmington and Susquehannah Rail Road Company."

Which on his motion, seconded by Mr. Wainwright,

was read.

On motion of Mr. Alrichs, seconded by Mr. Lewis, the above mentioned petition was referred to a Committee of three members, with leave to report by bill or otherwise.

Mr. Speaker appointed Messrs. Alrichs, Johnson and Carey on that committee.

Mr. Alrichs, from the committee of elections asked longer time to make report,

Which,

On motion of Mr. Burton, seconded by Mr. Wainwright,

was granted.

On motion of Mr. Carey, seconded by Mr. Burton, it was

Resolved, That a Committee of Claims, to consist of three members be appointed.

The Speaker appointed Messrs. Carey, Wainwright and Burton.

Mr. Carey laid on the table the following communication from C. P. Comegys, Esqr. State Treasurer, which on his motion seconded by Mr. Lewis

was read,

As follows, to wit :

"A list of Collectors in Sussex County, who, in the payment of the State tax for the year 1830, overpaid. The 16 per cent allowed by law to cover commissions and delinquents was insufficient for that purpose, to wit:

| | |
|---|---------|
| Isaac Knowles, late Collector of Broad Creek Hundred, | \$29 73 |
| James Pettyjohn of E. late " Broadkilm, " | 4 76 |
| Zachariah Hatfield, " " North West Fork, " | 39 74 |
| Eli Layton, " " Dagsborough, " | 4 40 |
| John Day, " " Nanticoke. " | 3 44 |
| James H. Hudson, " " Cedar Creek, " | 17 65 |

99 72

I certify the foregoing list, amounting to the above sum of ninety-nine dollars and seventy-two cents is correct, and justly due to the collectors above named.

C. P. COMEGYS, State Treas'r."

January 9th, 1832.

On motion of Mr. Burton, seconded by Mr. Wainwright, the above communication and account were referred to the committee of claims.

On motion of Mr. Wainwright, seconded by Mr. Lewis, it was

Resolved, That a Committee of Enrolment to consist of two members be appointed.

Mr. Speaker appointed Messrs. Wainwright and Carey.

On motion of Mr. Carey, seconded by Mr. Lewis, the bill entitled

“An Act, granting to William N. Polk and John Sorden a certain piece of land therein mentioned” was read

a second time.

Mr. Cooper, Clerk of the House of Representatives, being admitted, returned the bill entitled “An Act to incorporate the Wilmington Savings Fund Society,” and informed the Senate that the same had passed the House of Representatives with an amendment, to which the House asked the concurrence of the Senate : the amendment was as follows ;

“Amend the bill by inserting immediately after the enacting clause, the following words, ‘two thirds of both houses concurring therein.’”

On motion of Mr. Alrichs, seconded by Mr. Burton,

The amendment was

agreed to.

Ordered, That the Clerk of the Senate inform the House accordingly.

Mr. Wainwright laid on the table a statement from William Burton, Esq. Sheriff of Kent county, showing the number of persons who have been imprisoned in the jail of Kent county, during the year 1831.

Similar statements were also received from the Sheriff's of New-Castle and Sussex counties, which

On motion of Mr. Alrichs, seconded by Mr. Burton, were

Ordered, To lie on the table for the inspection of the members.

Mr. Cooper, Clerk of the House being admitted, presented a bill entitled :

“An Act dissolving the bonds of matrimony between Thomas B. Emory and Mary N. Emory, his wife, late Mary N. Barber,” with a petition therefor; and also a bill entitled:

“An act to divorce Eleanor Pennell and her husband Jackson Pennell, from the bonds of matrimony,” with an accompanying petition, and informed the Senate, that the two above mentioned bills had passed the House of Representatives, and asked the concurrence of the Senate.

He at the same time presented a joint resolution, for the concurrence of the Senate, appointing an Auditor of Accounts, and informed the Senate that the blank had been filled with the name of George S. Adkins, and also a resolution appointing a State Treasurer,

and he withdrew.

On motion of Mr. Burton, seconded by Mr. Lewis,

The petitions and bills above alluded to

were read.

The Clerk of the House of Representatives being again admitted, presented a bill entitled :

“An Act dissolving the marriage between Silas Fisher, and Maria his wife, late Maria Dawson,” with the accompanying petition, and the deposition of John Killen, to which bill he asked the concurrence of the Senate,

and withdrew.

On motion of Mr. Johnson, seconded by Mr. Carey,

The resolution appointing a State Treasurer,

was read.

It was as follows, to wit:

“Resolved by the House of Representatives of the State of Delaware,

by, and with the consent of the Senate, That CORNELIUS P. COMEGYS be and he is hereby appointed State Treasurer."

In the House of Rep. Jan. 10, 1832.

Extract from the Journal,

I. T. Cooper, Clerk."

"for concurrence."

On motion of Mr. Johnson, seconded by Mr. Carey,

The above Resolution

was concurred in.

Mr. Alrichs, from the committee on the petition of sundry citizens, praying "An act to incorporate the Wilmington and Susquehanna Rail Road Company," reported a bill, with the above title,

Which on his motion, seconded by Mr. Carey,

was read.

On motion of Mr. Johnson, seconded by Mr. Carey,

The resolution appointing an Auditor of Accounts,

was read.

And,

On motion of Mr. Johnson, seconded by Mr. Alrichs, was

Ordered to lie on the table.

On motion, the Senate adjourned until 10 o'clock to morrow morning.



WEDNESDAY, 10 o'clock, A. M. January 11, 1832.

The Senate met pursuant to adjournment.

On motion of Mr. Johnson, seconded by Mr. Carey,

The bill entitled "An act for the relief of William Stradly and David Hammond," was taken up for consideration in order to pass the Senate.

And, on motion of Mr. Johnson, seconded by Mr. Lewis,

The above named bill was read a third time by paragraphs and passed the Senate.

Ordered, That the Clerk return the same to the House of Representatives.

Mr. Johnson, from the Committee on the petition of sundry citizens of Kent county, relative to making Martin's Bridge, a Draw Bridge, reported a bill entitled,

"An act for the erecting and keeping in good repair, a Draw Bridge over the South West branch of Duck Creek.

which was read.

On motion of Mr. Alrichs, seconded by Mr. Wainwright,

The bill entitled: "An act dissolving the marriage between Silas Fisher and Maria his wife, late Maria Dawson,"

was read.

On motion of Mr. Carey, seconded by Mr. Lewis,

The bill entitled "An Act granting to William N. Polk and John Sorden of the county of Sussex, a certain piece of land therein named," was read a third time by paragraphs, and

passed the Senate.

Ordered, That it be sent to the House of Representatives for concurrence.

On motion of Mr. Alrichs, seconded by Mr. Carey,

The bill entitled "An act to incorporate the Wilmington and Susquehanna Rail Road Company," was read a second time, and

On motion of Mr. Alrichs, seconded by Mr. Johnson,

The following amendment was inserted immediately after the enacting clause, to wit, "two thirds of each branch thereof concurring," which amendment,

was adopted.

On motion of Mr. Johnson, seconded by Mr. Wainwright,

Ordered, That the above mentioned bill lie on the table.

On motion, the Senate adjourned until three o'clock this afternoon.

Eodem die, 3 o'clock, P. M.

The Senate met at the time to which it stood adjourned.

On motion of Mr. Johnson, seconded by Mr. Alrichs,

The bill entitled:

"An act to incorporate the Wilmington Savings Fund Society," was committed to a committee of three members.

The Speaker appointed Messrs. Johnson, Alrichs and Carey that committee.

On motion of Mr. Johnson, seconded by Mr. Carey,

The resolution appointing an Auditor of Accounts was taken up for consideration, and after some debate, and it being observed that from indisposition, Mr. Burton, a member from Sussex, was not in his seat, was,

On motion of Mr. Johnson, seconded by Mr. Lewis,

Ordered, again to lie on the table.

Mr. Booth, a member of the House of Representatives, being admitted, presented a bill entitled "An act to divorce Sarah Williams, and Samuel Williams," with a petition therefor, and informed the Senate that the same had passed the House, and asked the concurrence of the Senate,

and withdrew.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The above named bill and petition,

were read.

On motion, the Senate adjourned until to-morrow morning at 10 of the clock.

THURSDAY, 10 o'clock, A. M. Jan. 12, 1832.

The Senate met pursuant to adjournment.

On motion Mr. Wainwright, seconded by Mr. Lewis,

The following bills were read a second time, to wit:

1. "An Act dissolving the marriage between Silas Fisher and Maria his wife, late Maria Dawson."

2. "An Act to divorce Eleanor Pennell and her husband Jackson Pennell from the bonds of matrimony."

3. "An Act to divorce Lemuel Tam and Hetty Tam."

On motion of Mr. Carey, seconded by Mr. Wainwright,
The bills entitled as follows were severally read a second time and committed to a committee of three, to wit:

"An act to divorce Sarah Williams and Samuel Williams."

"An act to divorce Sarah Morris, and Endless Morris," and

"An act dissolving the bonds of matrimony between Thomas B. Emory and Mary N. Emory his wife, late Mary N. Barber"

Mr. Speaker appointed Messrs. Carey, Wainwright, and Alrichs on that committee.

On motion of Mr. Lewis, seconded by Mr. Alrichs,

The second section of the bill entitled:

An act to divorce Lemuel Tam and Hetty Tam, was stricken out, it was as follows to wit—

"SEC. 2d. Be it further enacted, that the two children born of the body of said Hetty, during her separation from said Lemuel, shall not be heirs at law of said Lemuel Tam."

On motion of Mr. Lewis, seconded by Mr. Carey,

The bill entitled "An act for the relief of Jacob Trader, (negro)" was read a second time.

On motion of Mr. Johnson, seconded by Mr. Lewis,

The above bill was amended as follows to wit:

"Amend the bill as follows, after the words "verbal contract," in Line 12 of section 2 add "made by and between the said John G. Anderson, and the said Jacob Trader," which amendment

was adopted.

Mr. Wainwright from the Committee of enrolment reported a bill entitled:

"An act to incorporate the Wilmington Savings Fund Society," as duly and correctly enrolled.

On motion, the Senate adjourned until 3 o'clock this afternoon.



Eodem die, 3 o'clock P. M.

Senate met pursuant to adjournment,

Mr. Johnson, from the Committee to whom was committed the bill entitled:

"An act to incorporate the Wilmington and Susquehanna Rail Road Company" reported back the same with the following amendments:

"Amend the bill 1st. by adding to sec. 10 as follows: 'nor shall any dividend exceed twelve per cent. per annum, nor shall the contingent fund of said company at any time exceed one fourth of the capital stock.'"

2. "SEC. 16. First line, after the word 'That' by inserting the following 'if in the location of the said Rail Road, it shall be found necessary

to pass over any navigable river by a Bridge, or other edifice it shall be the duty of said company to construct and keep in repair, a sufficient pass or draw in said bridge or edifice, over the channel, or deepest part of said river, for the purpose of letting vessels pass and repass through the same; which draw shall at all times on the approach of any masted vessel or vessels, be drawn, at the cost of said Rail Road Company, so as to admit the free passage of said vessel or vessels." "Same section, second line, amend by inserting at the commencement thereof, the word 'and.'" "Same section second line, amend by striking out after the word 'shall,' 'also.'"

3. "Same section, seventh line, amend, by striking out at the end thereof, the word 'also,' and inserting the word 'likewise.'"

4. "Amend said bill by adding the following ;"

"SEC. 23. And be it further enacted, That after the Rail Road shall be completed and in full operation, the President, Secretary or Treasurer, shall annually, on the first Monday in December, transmit to the Auditor of Accounts of this State, a full statement of the affairs under oath or affirmation of said Company ; and pay annually to the Treasurer of this State, a tax of eight per centum on all dividends which may exceed six per centum on the capital stock actually paid in."

On motion of Mr. Alrichs, seconded by Mr. Carey,

The foregoing amendments were read, and

adepted.

On motion of Mr. Alrichs, seconded by Mr. Wainwright,

The above bill, as amended, was read a third time by paragraphs, and *passed the Senate.*

Mr. Dilworth, a member of the House of Representatives, being admitted, presented a bill, entitled, "A supplement to the act, entitled, 'An act to alter and re-establish the Charter of the Borough of Wilmington,'" with the memorial of the Burgesses and Borough Council of the Borough of Wilmington, and the proceedings of several meetings of the citizens of said Borough, duly certified, relating thereunto,

and he withdrew.

On motion of Mr. Johnson, seconded by Mr. Alrichs,

The bill bearing the above title,

was read.

On motion, the Senate adjourned until 10 o'clock, to-morrow morning.



FRIDAY, 10 o'clock, A. M. January 13, 1832.

The Senate met pursuant to adjournment.

The memorial of the Burgesses and Borough Council of the Borough of Wilmington, with the proceedings of the citizens of said Borough, assembled in Town-meeting,

were read.

On motion of Mr. Alrichs, seconded by Mr. Johnson,

The bill, entitled, "A supplement to the act, entitled, 'an act to alter and re-establish the charter of the Borough of Wilmington,'" *was read a second time.*

And on motion of Mr. Alrichs, seconded by Mr. Johnson,
The above mentioned bill was ordered to lie on the table.

Mr. Reese, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, a duly engrossed bill, entitled, "An Act for the relief of William Stradley and David Hammond,"

and withdrew.

Mr. Houston, a member of the House of Representatives, being admitted, presented a duly engrossed bill for the signature of the Speaker of the Senate, entitled, "An Act concerning the Seals of the Courts,"

and he withdrew.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An Act for the relief of Jacob Trader, (negro)," was read a third time by paragraphs,

and passed the Senate.

Ordered, That the above named bill be returned to the House of Representatives, and that the House be requested to concur in the amendments.

On motion of Mr. Johnson, seconded by Mr. Wainwright,

The bill, entitled, "An Act dissolving the marriage between Silas Fisher and Maria his wife, late Maria Dawson," was amended, by inserting at the commencement as follows, to wit: 'Section 1.'

On motion of Mr. Carey, seconded by Mr. Lewis,

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

and passed the Senate.

Ordered, That the same be returned to the House, and concurrence in the amendment be requested.

On motion, the Senate adjourned until 3 o'clock this afternoon.



Eodem die, 3 o'clock P. M.

On motion of Mr. Alrichs, seconded by Mr. Carey,

The bill, entitled, "A supplement to the act, entitled, 'an act to alter and re-establish the Charter of the Borough of Wilmington,'" was committed to a committee of three members.

The Speaker appointed Messrs. Alrichs, Johnson and Burton, on that committee.

Mr. Cooper, Clerk of the House of Representatives, being admitted, presented for concurrence of the Senate, a bill, entitled, "An Act to carry into effect the *Amended Constitution*, and for other purposes;"

and he withdrew.

Which bill, on motion of Mr. Carey, seconded by Mr. Alrichs,

was read.

On motion, the Senate adjourned until 10 o'clock, on Monday next.

MONDAY, 10 o'clock, A. M. January 16, 1832.

The Senate met pursuant to adjournment.

The Speaker being absent, Joshua Burton, Esq. of Sussex county was again elected Speaker *pro tempore*, and took his seat in the Speaker's chair.

Mr. Alrichs, laid on the Clerks table, "The petition of the owners and possessors of Middleburg March; which

On his motion, seconded by Mr. Lewis,

was read.

And on motion of Mr. Alrichs, seconded by Mr. Lewis,

The above petition was referred to a committee of three members, with leave to report by bill or otherwise.

The Speaker *pro tem.* appointed Messrs. Alrichs, Wainwright and Lewis.

On motion, the Senate adjourned until 3 o'clock this afternoon.



Eodem die, 3 o'clock, P. M.

The Senate met pursuant to adjournment.

Mr. Speaker Lofland, appeared, and took his seat in the speaker's chair :

He laid on the table the returns of a special election held in New-Castle County on the 11th day of January instant, in order to supply a vacancy in the Senate of the State of Delaware, occasioned by the resignation of William T. Read, Esquire ; by which returns it appeared that James Booth, Esquire, was duly elected to supply said vacancy : also a communication from the Hon: Willard Hall, superintendant of the free schools of New-Castle County.

On motion of Mr. Wainwright, seconded by Mr. Lewis, the above mentioned communication.

was read, to wit;

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

According to the "Act for the establishment of Free Schools," it is the duty of the Superintendent of free schools in each county "to report to the General Assembly the state of the districts, and such matters as he shall deem proper to be communicated for their consideration."

(Digest . 494)

It is not in my power, at this time, to report the state of the districts in New Castle county. As yet, the system of free schools has been, only partially, carried into effect in this county ; although there are several schools in successful operation under the system. I have conversed with intelligent men from the different districts in which schools are in operation, and they have spoken of the system in terms of high commendation. They say, that it answers well the purpose intended; and that

without such a measure, the people generally cannot have suitable means of educating their children. I am confident, that when the system shall be fully tried, this will be the voice of all the people of this State. The strongest opposition is in those districts where they have not carried the system into effect; and where, consequently, they have not knowledge of it from experience.

It was to be expected, that there would be opposition to the system of free schools. The measure was new; and every new measure, whatever it may be, must encounter decided hostility. This seems to be a law of human conduct. Probably no improvement was ever introduced without opposition; and some of the most beneficial have come into use, slowly, and against the most obstinate resistance. Besides, the system of free schools, embraces the principle of taxation, always regarded with aversion. It is true, that in no other case of taxation do the people so directly partake of the benefit of the taxes. In other cases taxes are paid into the public treasury; and they who pay do not inquire, where or wherefore their money is to be expended. But under the system of free schools, the taxes are laid out, immediately in the district, for the purpose of all others the most valuable to the district,—THE PURPOSE OF PROVIDING A SCHOOL FOR ALL THE WHITE CHILDREN. The money is laid out on the spot, *for a purpose essential to the prosperity of the district in which it is raised.* To this it is proper to add, that the State contributes, from the school fund, substantial aid to this purpose; so that the district obtains for the taxes raised a much larger value than it pays. Nor in any other case of taxation have the people such power; power placing the matter entirely within their own control. In other cases, a few persons determine, for the State or County, what taxes shall be raised. In many districts there is not a person who directly expresses an opinion in respect to any public tax he pays. But in the system of free schools, every voter in the district has a right to give his vote, equal to the vote of any other person, upon every question of taxation. The principle of taxation in this system, is therefore purely republican:—in consequence of the contribution from the school fund, it is attended with peculiar advantage, that they who pay the taxes, have the benefit of a larger sum than they pay:—and the money is expended in the district, according to his own regulations, and for its exclusive benefit in the most important of all concerns, providing the means of elementary education for the children of the district, many of whom, without such provision, must be destitute of these means.

Nevertheless there are some who will not listen to these reasons; and among them, have been seen, with surprise and regret, men whose wealth and standing give them much weight. But it is not to be believed, except in some peculiar instances, that they will persist in their opposition. They must feel, that their wealth and standing not only give them power, but lay them under responsibility, to do good; and that they ought to be blessings to the communities among whom they live, so that the communities should rejoice in it as a privilege, to have such members. At the same time, they must perceive, that in the course they are pursuing in relation to free schools, they are using all their power to prevent not only the poor children, but the largest class of the children of their district, from having the benefit of a suitable school; thus to place these

children in circumstances, in which the season of their lives most propitious, and with most of them their only opportunity, for developing, directing and forming their minds by education, must be wasted ; and they will be exposed to the imminent danger of becoming victims of ignorance and vice. It is believed, that there are few who can contentedly stand in such relation to their district, that they must be regarded as exerting a baleful influence upon the character and prospects of every child in it.

The principle of taxation incorporated in the system of free schools established by our laws, is essential to the efficacy of this system, and it is not liable to any reasonable objection. The State contributes, from the school fund, all the aid this fund can afford. But this is not sufficient : a balance must be raised, or the system be abandoned. Taxation is the only just and equal way of raising this balance. A school open to the community should be supported by the community. The common good of a community requires a school : a school can not be supported without money : if money must be raised for the school, an assessment upon the community is the only just and equal way of raising it. Upon this point, there is another very important consideration. For unless there is this assessment, the community will never take an interest in this system ; and if they do not take an interest in it, they will not improve its advantages. Generally people manage their own concerns well. The surest mode to insure the good management of any matter, is to make this matter the personal concern of those who have the management. To make the system of free schools useful to the people, it is necessary to secure to it the care of the people, by so connecting it with their interests, that they shall feel it a part of their personal concerns.— In this way the system will be supported *economically* ; every one will consider he has a share in it, and will be careful to obtain his share. We have on this subject the light of experience. In Scotland, a very poor country, the parish schools are supported by the people ; every one pays. They have no funds to aid them. The Scotch are every where remarkable for their education and intelligence. In England, immense sums have been invested upon trust for the support of schools. What has become of the property thus invested ? Until lately, nobody appeared to know or care. Within a few years past the subject has been investigated ; the only result has been the general astonishment which the enormity of the abuse excited. The funds, so far as the purpose for which they were intended is concerned are wasted.

I am confident, that the system of free schools will eventually, not only increase the number of schools, and improve the character of our schools, and greatly multiply the number of scholars, for they will ultimately gather in all the children in the districts ; but that it will diminish the expenses of schooling, so that with no greater expense than has heretofore been incurred for the teaching of a small part of our population, we shall have much better means of education for the whole.

I have said, “ *a balance must be raised or the system must be abandoned.* ” I trust, that there can be no hesitation between these alternatives. It is too late to question, that, in our government, general provision of the means of elementary education, is of indispensable public concern. Our government is so framed, that this provision is a measure

of self-preservation. In this government the right of suffrage is almost universal ; every citizen can aspire to the highest office. A State, having for its foundation, these principles, must, for its own safety, make such provision, that the means of elementary education shall be within the reach of all its population. Several other States have lately turned their attention to this subject, and have established free schools upon the principle adopted in our law. It is believed that the opinion prevails in every State in the union, that a general provision for elementary education is essential to its well being. If such provision be not made, one half or more of the community, will be destitute in this matter of vital concern. Nothing is hazarded in saying, and whoever will observe the schools in operation under our system of free schools, will be convinced that this system will have a more direct and powerful influence on the character of our people, and on the condition of our State, than every other measure of our government.

Some men of property, having no children to be educated, have made the objection, that the system imposes upon them a burden without a benefit. If this were true, it could not be admitted as a sufficient reason for rejecting a measure of vital interest : I say of *vital* interest. For, is there any man caring for the welfare of this State, who, upon deliberation, would be willing to risk the consequences of the Legislature entirely neglecting to make any provision for education, or (what would come to the same point) of their relinquishing the present system : for after this, we should seek in vain for another measure : because one more lenient and liberal, to have any efficiency, cannot be found. But do the gentlemen who make the objection, I have just noticed, in coming to their conclusion properly investigate the subject ? Is it true that they have no benefit ? Upon what depends the value of their property—either the gross value or the clear income ? Do not these much depend upon the character of the population ? Will not the value and income of property be greater among a skilful, industrious and enterprising people, than among people of a different character ? Let it then be well considered, that the general character of the population will depend upon the means of education enjoyed by them ; for the general cultivation of the mind will be in proportion to these means. What forms the characters of men?—their education while children. There may be occasional exceptions ; but these are general, practical truths. Nothing so wastes property, as that saving, which refuses to contribute the means necessary for the general prosperity. In addition to this, the value of property is directly enhanced by the circumstance that there is a good school in the neighborhood. Further, our people with suitable means for the education of their children convenient to them, would be more contented ; and there would, in consequence, be less emigration. The system of free schools in full operation, would, in a few years, display its effects, in more persons owning the lands they live on, in a better cultivation of the soil and increased rents, in a readier sale of land at higher prices, and in the general improvement of the country. This is not mere speculation. These results *have* happened in other places ; and they *would* happen here. On deliberation, any one will see, that such is the natural course of things.

A law which is to be executed by the people, should be very plain, that they may act without doubt. This principle strongly applies to our

Acts of Assembly concerning free schools, which are to be acted on by the people in every district. Nothing would so certainly prevent the useful effect of these acts in any district, as a law suit arising from different constructions of them. To such a law suit, in its progress, probably all the district would become parties in feeling ; and a state of general animosity would be produced, that might destroy the harmony of the district and frustrate every attempt to establish a school in it, for a whole generation, till all should be dead, who took part in the controversy. The same difficulties that would lead to this result in one district, would tend toward it and might lead to it, in every district, and a spirit of litigation let loose, who could tell where it would stop ? I have therefore as Superintendent of Free Schools in this county, deemed it to be my duty, as a general direction, to suggest the most conciliatory course. In case of doubt I have thought it prudent not to act.

We have difficulty in this county under the fifth section of the supplement to the " Act for the establishment of free schools," (Laws of 1830, page 24.) In this county, the school districts have acted upon the principle, that a sum voted to be raised, could not be levied by tax, unless a MAJORITY of the school voters in the district, (including voters absent from the meeting as well as those present,) voted for the tax. It will be recollected that the second Monday of last October was an inclement day. In very few districts were a majority of school voters present at the meeting on that day. In several cases, the meetings were adjourned ; and at the adjourned meeting in some districts, a tax was voted. It is contended by some, that a vote respecting the tax can be given only in the *stated* meeting held on the second Monday of October ; and that such vote at an *adjourned* meeting is illegal. The phraseology of the section gives occasion for both these difficulties, as will be seen on a careful reading of it. I am informed, that in Kent county, it is the opinion of the Bar, that to authorize a tax, the vote of a MAJORITY of the school voters of the district is not necessary ; but that a majority of the school voters present at the meeting is sufficient. I have conversed with two gentlemen who were members of the General Assembly, when the supplement was passed ; and both of them supposed that nothing more was required to authorize the tax, than a majority of the voters voting at the meeting. One of them referred to the phrase "*such majority to be ascertained by ballot at the stated meeting*," &c.; insisting that the majority of the voters who balloted, only could be intended ; and the other was positive, that in passing the supplement, it was not the intention of the General Assembly to require any thing else, than a majority of the voters actually voting.

The law is now doubtful and embarrassing : and if it continue as it now is, I am apprehensive, that it will certainly lead to controversy. It is upon a very important subject : a subject coming home, as it does, directly to the people, the law ought to be clear and easy to be executed. It may be remarked too, that the School Committee have no compensation ; as their service is gratuitous, it is reasonable that their duty should be made plain. I therefore respectfully suggest to the General Assembly the propriety of relieving the system from this difficulty, by amending the supplement to the Act for the establishment of free schools by substituting for the 5th section a section which, shall express without

ambiguity, what there is high authority for saying, is the true construction of that section, and was certainly the intention of some of the members of the General Assembly. (if not all of them,) in passing it. The circumstance that there is embarrassment in the case (a different construction having been put upon this section by those acting under it in different counties,) is a strong, I may say, a conclusive reason for the interposition of the General Assembly to relieve the public from the difficulty : a difficulty which, if it remain, will, in all human probability, become food for litigation of the very worst kind, involving not individuals, but districts.

That my view of the amendment which I have suggested, may be fully seen, I have subjoined to this report the form of an Act, marked A, to which I respectfully ask the attention of the General Assembly. This amendment, if passed, will have this effect, that in no district can a tax be authorized inadvertently ; for in every case, to authorize a tax, there must be a distinct vote by ballot upon the tax, and a majority in favor of the tax, explicitly. This, according to the representation that has been made to me, was the intention in the fifth section of the supplement ; and if so, the only effect of the amendment proposed will be, to place the law, clearly, upon its true foundation.

To require a majority of the *School voters in the district*, (counting absent as well as present voters) to sanction a measure, occasions more difficulty, even under favorable circumstances, than any one would apprehend. If there were no question about the qualification of any school voter in the district, still there would be great difficulty in ascertaining, whether a majority of votes in a meeting, were a majority of the *voters in the district* ; for how shall the precise number of the absent be determined ! When a count is made, can any one be certain that all have been counted ? Might it not appear on the trial of a sharply contested law suit, that there were eight, ten, or even more school voters in the district, than were known or would have been found out, except in a controversy bringing into activity all the wits and efforts of the parties ?—In any case there would be much trouble, uncertainty and difficulty.—But there is still a greater difficulty. For, how can you ascertain, in respect to many persons, whether they are qualified to vote, unless they appear to give their votes ? There are several in every district, whose qualifications as school voters, can scarcely be otherwise determined, than upon their offering to vote. If a dispute should arise, whether a person absent from the meeting was a qualified voter, it could be settled only by a law-suit at great trouble and expense. Is it reasonable to involve this subject in so much difficulty ? Will the General Assembly consent to open such a source of litigation ? The maxim of the law is, that it will take care of those who watch over their interests, not of those who sleep over them. In our institutions, the majority govern ; but the votes are always considered as expressing the opinion and the majority of these votes decides. If any one do not vote, he is considered as expressing no opinion, which is the fact ; and he is not counted.—There is no difficulty or hardship in the principle, that the majority of the meeting shall determine ; because the annual meeting is a matter of public law, known to every one ; and every one may attend. If any one do not attend, it is his own negligence ; he can make no objection, with any

color of reason. The operation of the principle is perfectly fair. For any one who does not feel so much interest, and will not take so much pains, as to attend a meeting, ought not to be counted, as voting against a vital measure. On the other hand, to require a majority of all the voters in the district, (counting all who do not vote, in the negative,) is not correct in principle, and it is extremely embarrassing in practice.

In consequence of acting as Superintendent of free schools in New Castle County, I have seen much of the difficulties and embarrassments which I have mentioned, and I deem it my duty to submit the project to the consideration of the General Assembly.

WILLARD HALL,

Superintendent of Free Schools in New-Castle County.

January 12, 1832.

The above communication was ordered to lie on the table for the examination of the members.

Mr. Alrichs, from the committee to whom the bill granting a City Charter to the Borough of Wilmington, was referred, reported back the bill entitled, "A supplement to the act entitled, 'an act to alter and re-establish the Charter of the Borough of Wilmington,'"

With the following amendments, to wit :

"1. Amend the bill by inserting the word 'The,' immediately before the word, 'Mayor,' in the fourth line of the 3d. section."

"2. Amend the bill by inserting the word 'the' immediately before the word 'Mayor,' in the eighth line of the 13th section."

"3. Amend the bill by striking out the word 'ten,' in the 16th line of the 15th section, and inserting in lieu thereof the word 'twenty.'"

"4. Amend the bill by striking out the word 'ten' in the 7th line of the 16th section, and inserting in lieu thereof the word 'thirty.'"

"5. Amend the bill by striking out all after the word 'amply,' in the 10th line of the 18th section, and inserting in lieu thereof as follows : 'as the Court of General Sessions of the Peace and Gaol Delivery may do by the amended Constitution.'"

"6. Amend the bill by striking out all between the word 'Judiciary' in the 3d line of the 21st section, and the words 'the cause' in the 8th line of the same section, and inserting in lieu thereof the following : 'in all cases of *assumpsit, debt, covenant, trover, replevin* and *trespass vi et armis*;' and also by adding at the end of the same section, immediately after the word 'limits' in the 10th line, the following, 'Provided always that if in an action of *trespass quare clausum fregit* the defendant shall plead that the place wherein the trespass is alleged, is his freehold, or the freehold of a person under whom he claims and prays that the cause shall be removed to the Superior Court for New Castle county, and shall by himself, his agent, or attorney, be bound in recognizance before the Clerk of the said City Court with one or more sureties to be approved by the Court in such sum as the said City Court shall order, that the damages and costs which the plaintiff shall receive in the said Superior Court shall be satisfied, the said City Court shall thereupon without delay certify the record of the said action to the said Superior Court and the said Superior Court shall receive the same and hear and determine the cause in the same manner as if the said cause had been originally commenced

there and by the usual process. The docketing of the cause in the said Superior Court shall imply the appearance of the parties and be a sufficient entry of such appearance."

7. "Amend the bill by striking out all between the word 'which' in the 3d line of the 22d sec. and the word 'provided' in the 4th line of the same section, and inserting as follows, 'are vested by the Amended Constitution in the Superior Court.'"

8. "Amend the bill by striking out the word 'freeholders' in the 4th line of the 24th section, and inserting in lieu thereof the words 'citizens, lawful men of fair character.'"

9. "Amend the bill by striking out the words 'of practice,' in the 8th line of the 25th section, and inserting in lieu thereof the following, "in relation to the practice and pleadings in the said Court.'"

10. "Amend the bill by inserting the word 'brass' immediately after the word 'steel' in the 3d line of the 29th section."

11. "Amend the bill by adding the following section, which shall be the 30th section.

"SEC. 30. Be it further enacted by the authority aforesaid, That for asmuch as the duty prescribed to the said City Council by the 24th section of this act in relation to the selection of Jurors cannot be performed in this year in the time therein limited, Therefore be it enacted, that the said City Council, shall perform the duty prescribed by the said 24th section, for this year on the first Monday in May next."

12. "Amend the bill by adding the following section, which shall be the 31st section of the bill," to wit:

"SEC. 31. Be it enacted by the authority aforesaid, That the solicitor of the said Corporation for the time being shall be *ex officio* the prosecuting officer in the said Mayor's Court: Provided always, that the Attorney General of the State shall have the right of prosecuting in person or by his Deputy. The fee in every prosecution whether it be by indictment or information or otherwise, shall be three dollars, and no more, and no other fee or fees shall be allowed for services in relation to such prosecution.

13. "Amend the bill by changing the number of the 30th section, to number 32."

On motion of Mr. Johnson, seconded by Mr. Alrichs, the foregoing amendments were severally

read and adopted.

Mr. Marin, a member of the House of Representatives, being admitted, presented a bill entitled "An act for the preservation of a certain Record of the Orphans' Court of Kent County," with a petition therefor, which he laid on the table, and asked the concurrence of Senate, in said bill,

and withdrew.

On motion, the Senate adjourned until 10 o'clock, to-morrow morning.

TUESDAY, 10 o'clock, A. M. January 17, 1832.

The Senate met pursuant to adjournment.

James Booth, Esqr. a member from New-Castle County, elected to supply the vacancy in the Senate occasioned by the resignation of William T. Read, appeared, was duly qualified by the Speaker, and took his seat.

Mr. Booth presented two remonstrances signed by sundry citizens of the country part of Christiana Hundred against releasing the citizens of the Borough of Wilmington from any part of the road tax of said Hundred,

Which on his motion, seconded by Mr. Alrichs,

were read.

And, on motion of Mr. Alrichs, seconded by Mr. Burton, they were]
Ordered to lie on the table.

Mr. Booth, laid on the table, three memorials, signed by sundry citizens of New-Castle Hundred, praying an act to incorporate said hundred for certain purposes therein mentioned, which,

On motion of Mr. Booth, seconded by Mr. Lewis,

were read.

And, on motion of Mr. Booth, seconded by Mr. Wainwright, were referred to a committee of three members, with leave to report by bill or otherwise.

The Speaker appointed Messrs. Booth, Carey and Wainwright.

On motion of Mr. Alrichs, seconded by Mr. Wainwright, the bill entitled "An Act for the preservation of a certain Record of the Orphans Court of Kent County" with the accompanying petition,

were read.

Mr. Booth, presented the petition of the "Self Supporting School" of Brandywine Hundred, which,

On his motion, seconded by Mr. Burton,

was read.

And, on motion of Mr. Booth, seconded by Mr. Lewis, was referred to a committee of three members, with leave to report by bill or otherwise.

Mr. Speaker appointed Messrs. Booth, Lewis and Wainwright that committee.

Mr. Cooper, Clerk of the House of Representatives being admitted, presented for the concurrence of Senate, a bill entitled "An act for the relief of Barkley Townsend," with sundry documents, and papers, on which the bill was predicated ;

and he withdrew.

By leave of the Senate, Mr. Johnson introduced a bill entitled "An act for supplying (temporarily) the Courts with Seals ;" which on his motion, seconded by Mr. Carey,

was read.

And on motion of Mr. Alrichs, seconded by Mr. Johnson, was

Ordered to lie on the table.

On motion of Mr. Alrichs, seconded by Mr. Wainwright, the bill entitled "An act to carry into effect the *Amended Constitution*, and for

other purposes," was taken up for consideration, and

On motion of Mr. Alrichs, seconded by Mr. Booth,

The following amendment was offered, "amend the bill in the last line of the second section, between the words 'appeal' and 'at,' by inserting the word "alternately ;"

Which proposed amendment was

rejected.

On motion of Mr. Johnson, seconded by Mr. Booth,

The third section of the above mentioned bill was stricken out.

The bill entitled, "An act supplying (temporarily) the Courts with seals," was then, as amended,

On motion of Mr. Johnson, seconded by Mr. Alrichs,

read a second time.

On motion, the Senate adjourned until 3 o'clock this afternoon.



Eodem die, 3 o'clock P. M.

The Senate met pursuant to adjournment.

On motion of Mr. Johnson, seconded by Mr. Alrichs,

The bill entitled, "An act supplying (temporarily) the Courts with Seals," was read a third time by special order, by paragraphs,
and passed the Senate.

Ordered, That the said bill be sent to the House of Representatives, for concurrence.

Mr. Cooper, Clerk of the House of Representatives, being admitted, returned the bill entitled,

"An act supplying (temporarily) the Courts with Seals," and informed the Senate that the House of Representatives

had concurred therein.

He also presented the following bills for the concurrence of the Senate, to wit:

1. "An act to enable John Janvier, jr. trustee of Sarah Ann M'Donough lunatic, to sell and convey certain lands of said lunatic therein mentioned," with a petition therefor.

2. "An act regulating divorces."

3. "An act to enable Turpin, Charles and Jacob Wright, and John Gibbons of Sussex county, to locate certain lands in North West Fork hundred in said county, and to complete their title to the said lands."

Also the petition of Turpin, Charles and Jacob Wright and John Gibbons.

and withdrew.

On motion of Mr. Johnson, seconded by Mr. Alrichs,

The bill entitled "An act to carry into effect the Amended Constitution," was taken up for consideration.

Mr. Johnson. proposed the following amendment, which was seconded by Mr. Wainwright: to wit:

"Amend the 4th section by adding thereto as follows, "and in case the parties, both plaintiff and defendant request the said Superior Court

to reserve a point or points, question or questions of law to be reserved for the decision of the Court of Errors and Appeals, to consist of five Judges, it shall be the duty of said Superior Court to reserve the same : subject however to the same provisions for the taking of bail or recognizance with sureties as is provided where the application is from one party only."

After some debate, in which Mr. Johnson advocated the proposed amendment, and Messrs. Alrichs and Booth opposed it, the question was put and the amendment

was rejected.

On motion of Mr. Johnson, seconded by Mr. Wainwright,

The following amendments were proposed, and after due consideration were severally adopted, to wit:

1. "Amend the bill by striking out the third section, which is as follows, to wit:

"SEC. 3. And be it enacted by the authority aforesaid, That there shall be two terms in every year in each of the counties of this State of the aforesaid Superior Court and the Court of the General Sessions of the Peace, and Gaol Delivery which shall commence and be held as follows, that is to say : The Superior Court and the Court of General Sessions of the Peace and Gaol Delivery, shall commence and be held in Sussex county on the second Monday in April and second Monday in October ; in Kent county on the fourth Monday in April and fourth Monday in October ; in New-castle county on the second Monday after the commencement of the April term in Kent county, and on the third Monday in November ; The Court of Chancery, and the Orphans Court shall commence and be held in Sussex county on the second Monday in February and third Monday in June ; in Kent county on the fourth Monday in February and second Monday after the commencement of the June term in Sussex county ; in New-castle county on the second Monday after the commencement of the February term in Kent county, and on the second Monday after the commencement of the summer term in Kent county ; and the Court of Errors and Appeals, shall be held twice in every year in the town of Dover, in Kent county, commencing on the first Monday in June and second Monday in December."

2. "Change the number of sec. 4 to sec. 3.

3 change sec. 5 to sec. 4.

4 change sec. 6 to sec. 5.

5 change sec. 7 to sec. 6.

6 change sec. 8 to sec. 7.

7 change sec. 9 to sec. 8.

8 change sec. 10 to sec. 9.

9 change sec. 11 to sec. 10.

10 change sec. 12 to sec. 11.

11 change sec. 13 to sec. 12.

12 change sec. 14 to sec. 13.

13 change sec. 15 to sec. 14.

14 change sec. 16 to sec. 15.

15 change sec. 17 to sec. 16.

16 change sec. 18 to sec. 17."

3. "And in 3d line in sec. 12, strike out the word "twelve" and

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insert "eleven," and 14th sec. 26th line after the words "shall be," insert "recorded and" and further by striking out in the same line the words "of record."

Add as the 18th sec. as follows,

SEC. 18. And be it further enacted by the authority aforesaid, that in all cases where notice shall be given by the Sheriff or officer as directed in the sixteenth section of this act the said Sheriff or officer so giving or serving notice shall have the same fee for performing that duty as for serving the original process: but the fee for serving such notice as required by the said sixteenth section of this act shall in all cases be paid by the counties respectively within which such proceedings shall have been commenced."

On motion of Mr. Alrichs, seconded by Mr. Lewis,

The above mentioned bill, was read a third time, as amended, by special order by paragraphs, and

passed the Senate.

Mr. Marim, a member of the House of Representatives, being admitted, returned the bill, entitled: "An act supplying (temporarily) the Courts, with seals," and informed the Senate that the same had been concurred in by the House,

and withdrew.

Mr. Booth, a member of the House of Representatives, being admitted, presented for concurrence of the Senate, a bill, entitled, "A supplement to the act, entitled, 'an act to carry into effect certain provisions contained in the last will and testament of John Wilson, carpenter, dec. late of Sussex County,'" with the petition of C. S. Layton, adm'r. c. t. a. and other documents relating thereto;

and he withdrew.

Mr. Frame, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, a duly enrolled bill, entitled, "An act to divorce Lemuel Tam, from his wife Hetty Tam ;"

and he withdrew.

On motion, the Senate adjourned until 10 o'clock, to-morrow morning.



WEDNESDAY, 10 o'clock, A. M. Jan. 18, 1832.

The Senate met pursuant to adjournment.

Ordered, That the Clerk of the Senate proceed to the House of Representatives, and return the bill, entitled, "An act to carry into effect the Amended Constitution, and for other purposes," and inform the House that the said bill had passed the Senate, with amendments, and ask the concurrence of the House in said amendments.

In consequence of the continued indisposition of Mr. Carey, Mr. Wainwright, from the committee, to whom sundry divorce bills and petitions were referred, asked for, and obtained longer time to make report.

On motion of Mr. Wainwright, seconded by Mr. Burton,

Another member was added to the committee of enrolment :
 Whereupon, Mr. Speaker added Mr. Booth to that committee.
 On motion of Mr. Wainwright, seconded by Mr. Lewis,
 The bill, entitled, "An act regulating Divorces,"

was read.

Mr. Cooper, Clerk of the House of Representatives, being admitted, returned the bill, entitled, "An act to incorporate the Wilmington and Susquehanna Rail Road Company," with sundry amendments, in which he asked the concurrence of the Senate ;

and withdrew.

Mr. Barratt, a member of the House of Representatives, being admitted, returned a duly enrolled act, entitled, "An act to incorporate the Wilmington Savings Fund Society ;"

and he withdrew.

On motion of Mr. Alrichs, seconded by Mr. Wainwright,

The bill, entitled, "A supplement to the act, entitled, 'an act to alter and re-establish the Charter of the Borough of Wilmington,'" was read a third time by paragraphs, in order to pass the Senate ; and

On the question, 'shall the bill pass,' Mr. Alrichs called for the yeas and nays, and they were as follow :

Yeas.—Messrs. Alrichs, Booth, Burton, Johnson, Lewis, Wainwright, and Mr. Speaker.

Nays.—None.

Messrs. Carey and Sutton were absent.

On motion, the Senate adjourned until three o'clock this afternoon.



Eodem die, 3 o'clock, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act to enable John Janvier, Jun. trustee of Sarah Ann M'Donough, lunatic, to sell and convey certain lands of said lunatic, therein mentioned," with the accompanying petition therefor,

were read.

On motion of Mr. Wainwright, seconded by Mr. Burton,

The bill entitled, "An act to enable Turpin, Charles, and Jacob Wright, and John Gibbons, of Sussex County, to locate certain vacant lands in North-West Fork Hundred, in said County, and to complete their title to the said lands," with the petition therefor,

were read.

Mr. Cooper, Clerk of the House of Representatives, being admitted, returned the bill, entitled, "An act granting to William N. Polk and John Sorden, of the County of Sussex, a certain piece of land therein mentioned ;" and informed Senate that the same had passed the House, with amendments, in which he asked the concurrence of the Senate ; and also informed the Senate that the House had concurred in the amendments proposed by Senate, to the bill, entitled, "An act to carry into effect the Amended Constitution, and for other purposes ;" and also the amendments proposed by Senate, to the bill, entitled, "A supplement

to the act, entitled, 'an act to alter and re-establish the Charter of the Borough of Wilmington,'

and he withdrew.

The Clerk of the House of Representatives, being again admitted, presented for concurrence of Senate, a bill, entitled, "An act to change the name of Mahon's Ditch to Mahon River,"

and withdrew.

On motion of Mr. Burton, seconded by Mr. Lewis,
The above mentioned bill

was read.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "A supplement to the act, entitled, 'an act to carry into effect certain provisions contained in the last will and testament of John Wilson, carpenter, deceased, late of Sussex County,' with the petition of Caleb S. Layton, adm'r. c. t. a. and sundry other papers relating thereunto,

were read.

On motion of Mr. Alrichs, seconded by Mr. Burton,

The amendments proposed by the House of Representatives, to the Wilmington and Susquehanna Rail Road Bill, were taken up for consideration; and

On motion of Mr. Alrichs, seconded by Mr. Johnson,

Were amended as follows, to wit: amend the amendment, by inserting 'the City of' wherever the words 'Borough of' occurs—also insert 'Mayor or Alderman of the City of' in place of the 'Burgesses of.'

Ordered, That the Clerk of the Senate ask the concurrence of the House in the same.

Mr. Booth, from the committee, to whom was referred the petition of the Self-supporting school of New-Castle County, reported a bill, entitled, "An act to incorporate the Trustees of the Self Supporting School of Brandywine Hundred, New-Castle County;" which,

On his motion, seconded by Mr. Lewis,

was read.

On motion of Mr. Johnson, seconded by Mr. Lewis,

The bill, entitled, "An act to divorce Eleanor Pennell, from her husband Jackson Pennell," was taken up for consideration, and amended, by inserting at the commencement, as follows: 'Section 1.' and

On motion of Mr. Alrichs, seconded by Mr. Johnson,

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

and passed the Senate.

Mr. Barratt, a member of the House of Representatives, being admitted, presented for concurrence of the Senate, a bill, entitled, "An act for the protection of the Pivot Bridge over Broadkirk Creek, at Paynter's landing, in Sussex County;" and informed Senate that the same had passed the House,

and he withdrew.

Mr. Marim, a member of the House of Representatives, being admitted, presented a bill, entitled, "An act providing (temporarily) a Test day for the Courts," which had passed the House, and asked the concurrence of the Senate in the same,

and withdrew.

On motion of Mr. Johnson, seconded by Mr. Alrichs,

The above mentioned bill *was read*

On motion of Mr. Johnson, seconded by Mr. Wainwright,

The said bill was read a second time by special order of the Senate.

On which Mr. Johnson proposed the following amendment.

1. "Amend the bill, by striking out the word 'High,' in the fourth line, and by inserting after the word 'Appeals' in the fifth line, the words 'the Clerks of the Court of Chancery and the Clerks of the Orphans Court.'

2. "In the ninth line, strike out the word 'from.'

Which amendments

were adopted.

On motion of Mr. Johnson, seconded by Mr. Lewis,

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

passed the Senate.

Ordered, That the Clerk ask the concurrence of the House in the said amendments.

On motion, the Senate adjourned until 10 o'clock, to-morrow morning,



THURSDAY, 10 o'clock, A. M. January 19, 1832.

The Senate met pursuant to adjournment.

Mr. Wainwright, from the committee of enrolment, reported the bill, entitled, "An act supplying (temporarily) the Courts with Seals," as correctly engrossed.

Ordered, That the Clerk of the Senate return to the House of Representatives the bill entitled:

"An act to divorce Eleanor Pennell from her husband Jackson Pennell" and inform the House that the said bill had passed the Senate with an amendment, and request the concurrence of the House in said amendment.

On motion of Mr. Johnson, seconded by Mr. Lewis, the bill entitled:

"An act for the preservation of a certain Record of the Orphans Court of Kent county," was read

a second time.

Mr. Booth asked for, and obtained leave to introduce a bill, entitled, "An act to re-enact and continue in force an act, entitled, 'an act to incorporate the subscribers of the New-Castle Library Company, their heirs and assigns ;'" which,

On his motion, seconded by Mr. Alrichs,

was read.

Mr. Cooper, Clerk of the House of Representatives, being admitted, returned the bill entitled:

"An act to divorce Eleanor Pennell, from her husband Jackson Pennell," and informed the Senate, that the House did not concur in the proposed amendment, and stated that the House had appointed as a com-

mittee of conference on their part, Messrs. Huffington, Barratt and Caulk,

and withdrew.

On motion of Mr. Wainwright, seconded by Mr. Lewis,
The bill, entitled, "An act regulating divorces,"

was read a second time, and

On motion of Mr. Johnson, seconded by Mr. Booth,
The said bill was committed to a committee of three members.
Mr. Speaker appointed Messrs. Johnson, Booth and Alrichs.

On motion of Mr. Booth, seconded by Mr. Burton,
The bill, entitled, "An act to incorporate the Trustees of the Self-supporting School of Brandywine Hundred, New-Castle county ;"
was read a second time.

And,

On motion of Mr. Johnson, seconded by Mr. Alrichs,
It was ordered to lie on the table.

On motion of Mr. Wainwright, seconded by Mr. Lewis,
The bill, entitled, An act to enable John Janvier, Jun. Trustee of Sarah Ann M'Donough, lunatic, to sell and convey certain lands of said lunatic therein mentioned,"

was read a second time.

On motion of Mr. Alrichs, seconded by Mr. Burton,
The bill, entitled, "An act to incorporate the Trustees of the Self-supporting School of Brandywine Hundred, New-Castle county," was taken up for consideration, and

On motion of Mr. Alrichs, seconded by Mr. Burton,
It was committed to a committee of three members.

Mr. Speaker appointed Messrs. Alrichs, Johnson and Burton.

On motion, the Senate adjourned until 3 o'clock this afternoon,



Eodem die, 3 o'clock. P. M.

The Senate met at the time to which it stood adjourned.

On motion of Mr. Burton, seconded by Mr. Wainwright,

The bill, entitled, "An act to change the name of Mahon's Ditch, to Mahon River ;"
was read a second time.

Mr. Johnson, from the committee, to whom was referred the bill, entitled, "An act to incorporate the Trustees of the Self-supporting School of Brandywine Hundred, New-Castle county," reported back the said bill, with the following amendments ; which,

On his motion, seconded by Mr. Booth,

were read, to wit :

"Amend the bill, by striking out the 7th Section," as follows :

"Section 7. And be it further enacted, That no trustee, manager, or agent of said trustees, teacher or professor of, or in said school or schools shall have or exercise, as such, any voice or vote in the ecclesiastical government of any religious denomination within this State ; unless he shall have the pastoral charge of a regular congregation within the same."

“And by changing the 8th section to the 7th—the 9th section to the 8th.”

On motion of Mr. Johnson, seconded by Mr. Booth,

The report of the committee was accepted, and the amendments

adopted.

Mr. Marim, a member of the House of Representatives, being admitted, presented the following entitled bills for the concurrence of the Senate, which had passed the House of Representatives, to wit :

1. “An act to authorize the owners and possessors of the marsh and low grounds, commonly called, and known by the name of Cow Marsh, situate in the forest of Murderkill Hundred, in Kent county and State of Delaware, to cut a ditch or ditches, drain or drains, through the same, and to keep said ditches and drains in good order;” with a petition therefor :

2. “An act to amend the act, entitled, ‘an act directing the election of Assessors and Inspectors.’”

3. “An act for the relief of Susanna Robinson,” with the petition therefor.

4. “An act dissolving the marriage between Alexander Palmer, and his wife Mary Ann Palmer, late Mary Ann Daniel,” with the petition of the said Mary Ann Palmer, on which the said bill was predicated.

5. “An act fixing the time of holding the Courts of Law and Equity in this State.”

He also returned the bill, entitled, “An act for the relief of Jacob Trader, negro,” and informed the Senate that the same had passed the House. *and he withdrew.*

On motion of Mr. Booth, seconded by Mr. Burton,

The bill, entitled, “An act to incorporate the Trustees of the Self-supporting School of Brandywine Hundred, New-Castle county,” was read a third time by special order, by paragraphs,

and passed the Senate.

On motion of Mr. Alrichs, seconded by Mr. Booth,

The communication from the Hon. Willard Hall, superintendant of Free Schools, for New-Castle county, in relation to Free Schools, was taken up for consideration ; and

On motion of Mr. Alrichs, seconded by Mr. Wainwright,

Was referred to a committee of three members, with leave to report thereon.

Mr. Speaker appointed Messrs. Booth, Johnson and Burton, on that committee.

Owing to the continued indisposition of Mr. Carey, it was

On motion of Mr. Booth, seconded by Mr. Wainwright,

Resolved, That another member be added to the committee to whom was referred the memorial of sundry citizens of New-Castle Hundred, praying an act to incorporate said Hundred.

Mr. Speaker added Mr. Burton to that committee.

Mr. Johnson presented the petition of Clement Riggs, praying to be divorced from his wife Martha Riggs, with a document thereunto relating ; which,

On his motion, seconded by Mr. Booth,

was read.

And—On motion of Mr. Johnson, seconded by Mr. Burton, was referred to a committee of three, with leave to report by bill or otherwise.

Mr. Speaker appointed Messrs. Johnson, Wainwright and Burton on that committee.

On motion, the Senate adjourned until 10 o'clock to-morrow morning.



FRIDAY, 10 o'clock, A. M. January 20, 1832.

The Senate met pursuant to adjournment.

Ordered, That the clerk of the Senate present to the House of Representatives for concurrence the bill entitled, 'An act to incorporate the trustees of the self-supporting School of Brandywine Hundred, New-Castle County.'

Mr. Alrichs, from the committee to whom was referred the petition of the owners and possessors of Middleburg marsh, reported a bill, entitled "An additional supplement to an act entitled 'an act to enable the owners and possessors of the marsh meadow on the north side of Christiana river, called Middleburg marsh, to keep the banks, drains and sluices in repair, and raise a fund to defray the expenses thereof,' passed in the year 1796 ;"—which,

On motion of Mr. Alrichs, seconded by Mr. Burton,

was read.

On motion of Mr. Wainwright, seconded by Mr. Lewis, the bill entitled "An act to enable John Janvier, jr. trustee of Sarah Ann M'Donough, lunatic, to sell and convey certain lands of said lunatic therein mentioned," was read a third time by paragraphs, and

passed the Senate.

Ordered, That the clerk of the Senate return the same to the House of Representatives.

On motion of Mr. Booth, seconded by Mr. Lewis, the bill entitled, "An act to re-enact and continue in force an act entitled, 'an act to incorporate the subscribers to the New-Castle Library company their heirs and assigns,'" was

read a second time.

Mr. Johnson, from the committee to examine a certain record in the Orphans' Court of Kent County, reported favorably to the transcribing the same.

On motion of Mr. Johnson, seconded by Mr. Lewis,

The bill, entitled, "An act for the preservation of a certain Record, in the Orphans' Court of Kent county," was taken up for consideration.

Mr. Johnson proposed the following amendments ; which,

On his motion, seconded by Mr. Alrichs,

Were read as follows, to wit :

1. "Amend the bill, by striking out of the fifth line of section 3. the words 'Auditor of Accounts of the State,' and inserting instead thereof the words 'Levy-Court of Kent county.'

2. In line seven, section 3, strike out the words 'the County of Kent,' and inserting the words 'said County.'

3. In line eight, same section, strike out the word 'Auditor,' and insert the words 'Levy-Court.' "

4. In line 9. strike out the word 'be,' and in the same line strike out the word 'deem.' and insert the words 'be deemed'

Which amendments,

On motion of Mr. Johnson, seconded by Mr. Alrichs,
were adopted.

And,

On motion of Mr. Johnson, seconded by Mr. Wainwright,

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

and passed the Senate,

And sent to the House of Representatives for concurrence in the amendments.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act to change the name of Mahon's Ditch, to Mahon River," was read the third time by paragraphs,

and passed the Senate.

Ordered, That it be returned to the House of Representatives.

On motion, the Senate adjourned until 3 o'clock this afternoon.



Eodem die, 3 o'clock, P. M.

The Senate met pursuant to adjournment.

Mr. Wainwright from the committee of enrolment, reported the bill, entitled, "An act for the relief of Jacob Trader, (negro,)" as duly and correctly enrolled.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act for the protection of the Pivot Bridge, over Broadkilk Creek, at Paynter's landing, in Sussex County,"

was read a second time.

Mr. Cooper, Clerk of the House of Representatives, being admitted, presented the following entitled bills for concurrence of Senate,

and withdrew.

To wit :

1. "An act to enable George Hearne and Joseph Hearne, of Sussex County, to locate certain vacant lands, situate in Little-Creek Hundred, in said county, and to complete their title to said lands."

2. "An act fixing the time of holding the Courts of law and Equity in this State."

3. "An act to amend the act, entitled, 'an act directing the election of Assessors and Inspectors.'"

4. "An act to incorporate the Cat Tail Marsh Company."

And also returned the bill, entitled, "An act to incorporate the Trust of the Self-supporting School of Brandywine Hundred, New-Castle County," with an amendment, in which he asked the concurrence of the Senate.

Which amendment,

On motion of Mr. Alrichs, seconded by Mr. Booth,

Was agreed to, and the House informed thereof.

On motion of Mr. Wainwright, seconded by Mr. Burton,

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The bill, entitled, "An act fixing the time of holding Courts of Law and Equity in this State," *was read.*

On motion of Mr. Wainwright, seconded by Mr. Burton,

The bill, entitled, "An act to enable George Hearne and Joseph Hearne, of Sussex County, to locate certain vacant lands situate in said County, and to complete their title to said lands," *was read.*

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act to enable the owners and possessors of the marsh and low grounds, commonly called, and known by the name of Cow Marsh, situate in Kent County," in this State, &c. *was read.*

On motion of Mr. Wainwright, seconded by Mr. Burton,

The bill, entitled, "An act to amend the act, entitled, 'an act directing the election of Assessors and Inspectors,'" *was read.*

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act for the relief of Susanna Robinson," *was read.*

On motion of Mr. Wainwright, seconded by Mr. Burton,

The bill, entitled, "An act dissolving the marriage between Alexander Palmer, and his wife Mary Ann Palmer, late Mary Ann Daniel," *was read.*

On motion, the Senate adjourned until to-morrow morning, 10 o'clock.

SATURDAY, 10 o'clock, A. M. January 21, 1832.

The Senate met pursuant to adjournment.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act for the relief of Barkley Townsend," with sundry papers and documents in relation thereunto, *were read.*

Mr. Cooper, Clerk of the House of Representatives, being admitted, presented for concurrence of the Senate, a bill, entitled, "An act dissolving the marriage between William Trimble and Hannah Trimble," with the petition of the said Hannah Trimble;" *and withdrew*

On motion of Mr. Johnson, seconded by Mr. Burton,

The above mentioned bill and petition, *were read.*

On motion of Mr. Alrichs, seconded by Mr. Booth,

The bill, entitled, 'A supplement to an act, entitled, 'an act to enable the owners and possessors of the marsh meadows on the North side of Christiana River, called Middleborough Marsh, to keep the banks, drains, and sluices in repair, and raise a fund to defray the expenses thereof.'—"Passed in the year 1769," was taken up for consideration.

Mr. Alrichs proposed the following amendment, which,

On his motion, seconded by Mr. Burton, was read, as follows :

Amend the bill, by striking out in the fourth section, 2d line, the

words, 'Act of incorporation,' and inserting in lieu thereof, the following 'Additional supplement;' and,

On motion of Mr. Alrichs, seconded by Mr. Booth,
The amendment was

adopted.

On motion of Mr. Booth, seconded by Mr. Lewis,

The bill, entitled, "An act to re-enact and continue in force an act entitled, 'an act to incorporate the subscribers to the New-Castle Library company their heirs and assigns,'" was read a third time by paragraphs, and

passed the Senate.

Ordered, That the said bill be sent to the House of Representatives for concurrence.

Mr. Hearne, a member of the House of Representatives, being admitted, returned the duly enrolled bill, entitled, "An act supplying (temporarily) the Courts with seals," which had received the signature of the Speaker of the House,

and withdrew.

On motion of Mr. Booth, seconded by Mr. Wainwright,

The bill, entitled, "An act for the relief of Susanna Robinson,"

was read a second time.

And,

On motion of Mr. Booth, seconded by Mr. Wainwright,

The above mentioned bill was committed to a committee of three members.

Mr. Speaker appointed Messrs. Booth, Wainwright and Lewis on that committee.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "A supplement to the act, entitled, 'an act to carry into effect certain provisions contained in the last will and testament of John Wilson, carpenter, deceased, late of Sussex County,'" *was read a second time.*

On motion of Mr. Wainwright, seconded by Mr. Burton,

The bill entitled, "An act to enable Turpin, Charles, and Jacob Wright, and John Gibbons, of Sussex County, to locate certain vacant lands in North-West Fork Hundred, in said County, and to complete their title to the said lands,"

was read a second time.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act to enable George Hearne and Joseph Hearne, of Sussex County, to locate certain vacant lands, situate in Little Creek Hundred, in said County, and to complete their title to said lands,"

was read a second time.

On motion of Mr. Burton, seconded by Mr. Booth,

The bill, entitled, "An act incorporating the Cat Tail Marsh Company, and for other purposes."

was read.

Mr. Lewis, from the committee of elections, made the following report, to wit:

"The committee on elections,

"Report,

"That they are satisfied that all the newly elected members, have been duly and legally elected, and are Constitutionally qualified to hold their seats;"

which report was adopted.

Mr. Booth asked for, and obtained leave to introduce a bill, entitled, "An act to authorize process upon, and to declare the effect of certain Judgments;" which,

On his motion, seconded by Mr. Lewis,

was read.

At one o'clock, the Senate took a recess for fifteen minutes—at the expiration of which time, the Senate was again called to order by the Speaker.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act dissolving the marriage between Alexander Palmer, and his wife Mary Ann Palmer, late Mary Ann Daniel,"

was read, a second time.

On motion, the Senate adjourned until 10 o'clock on Monday morning next.

MONDAY, 10 o'clock, A. M. January 23, 1832.

The Senate met pursuant to adjournment.

Mr. Cooper, Clerk of the House of Representatives, being admitted. presented for the concurrence of Senate, a bill, entitled, "A supplement to the act, entitled, 'an act for the preservation of certain Records of the Court of Common Pleas, and of the Supreme Court of Kent county,'" with the petition on which the said bill was predicated,

and withdrew.

On motion of Mr. Johnson, seconded by Mr. Lewis,

The above mentioned bill

was read

On motion of Mr. Wainwright, seconded by Mr. Booth,

The bill, entitled, "An additional supplement to an act entitled 'an act to enable the owners and possessors of the marsh meadow on the north side of Christiana river, called Middleborough marsh. to keep the banks, drains and sluices in repair, and raise a fund to defray the expenses thereof,' passed in the year 1769;" was read a third time by paragraphs,

and passed the Senate.

Ordered, That the said bill be sent to the House of Representatives for concurrence.

On motion of Mr. Booth, seconded by Mr. Wainwright,

"The bill, entitled, "An act to authorize process upon, and declare the effect of certain Judgments,"

was read a second time.

Mr. Alrichs presented two petitions, signed by one hundred and twen-

ty-six citizens of New-Castle county, praying an act to incorporate "The Wilmington Fire Insurance Company," which

were read,

And—On motion of Mr. Alrichs, seconded by Mr. Burton,

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

Mr. Speaker appointed Messrs. Alrichs, Burton and Wainwright.

Mr. Wainwright, from the committee, to whom was referred the bill, entitled, "An act to divorce Sarah Morris and Endless Morris," reported back the same, without amendment.

Mr. Cooper, Clerk of the House of Representatives, being admitted, presented for concurrence of Senate, a bill, entitled, "A supplement to the act, entitled, 'an act to restrain persons from suffering swine to go at large within certain limits,' with a petition therefor ;—which,

On motion of Mr. Wainwright seconded by Mr. Burton,

were read.

On motion of Mr. Booth, seconded by Mr. Alrichs.

The bill, entitled, "An act fixing the time of holding the Courts of Law and Equity in this State ;" was taken up for consideration.

Mr. Booth offered the following amendments, which,

On his motion, seconded by Mr. Johnson, were read, to wit :

"Amend the bill, by inserting the word and figure 'Section 1.' before the enacting clause—and then strike out all that follows after the enacting clause, and insert the following :

"That from and after the passing of this act, there shall be two terms in every year in each of the counties of this State, of the Court of Chancery, the Orphans' Court, the Superior Court and the Court of the General Sessions of the Peace, and Gaol Delivery, which shall commence and be held as follows, that is to say : The Court of Chancery and the Orphans' Court, shall commence and be held in New-castle county on the last Monday in February, and the third Monday in September : in Kent county on the second Monday after the commencement of the February and September terms in New-castle county : in Sussex county, on the fourth Monday after the commencement of the February and September terms of said Courts, in New-castle county. And the Superior Court and Court of General Sessions of the Peace and Gaol Delivery, shall commence and be held in New-castle county on the sixth Monday after the commencement of the February term of the Court of Chancery, and the Orphans Court in New-castle county ; and on the second Monday after the commencement of the October term of the Court of Chancery and Orphans' Court in Sussex county : in Kent county, on the eighth Monday after the commencement of the February term of the Court of Chancery and Orphans Court in New-castle county, and on the third Monday in November : in Sussex county, on the tenth Monday after the commencement of the February term of the Court of Chancery and Orphans' Court in New-castle county : and on the second Monday after the third Monday in November.

"SECT. 2. And be it further enacted, That the Court of Errors and Appeals shall be held once in every year at the town of Dover, in Kent county, on the first Tuesday in June.

"SECT. 3. And be it further enacted, That no writ or process issued

from the Superior Court, after the third Tuesday of January, and before the twenty eighth day of the same month, in the year of our Lord, one thousand eight hundred and thirty two, shall be considered defective or void by reason of having no test or return day, or a wrong test or return day, mentioned therein."

On motion of Mr. Booth, seconded by Mr. Johnson, the foregoing amendments were severally

adopted :

And—On motion of Mr. Booth, seconded by Mr. Johnson, the bill, as amended, was read a third time, by special order, by paragraphs, and

passed the Senate.

Ordered, That the said bill be returned to the House of Representatives, and that the House be requested to concur in the above amendments.

Mr. Johnson presented two remonstrances, signed by sundry citizens of Kent county, against making Martin's bridge a draw-bridge ;

Which,

On his motion, seconded by Mr. Alrichs,

were read.

On motion of Mr. Wainwright, seconded by Mr. Lewis, the bill entitled " An act for the relief of Barkley Townsend," was

read a second time.

On motion of Mr. Wainwright, seconded by Mr. Burton, the bill entitled " An act for the protection of the Pivot Bridge over Broadkilm creek, at Paynter's landing, was read a third time, by paragraphs, and

passed the Senate.

Ordered, That the Clerk of the Senate return the same to the House of Representatives.

On motion of Mr. Wainwright, seconded by Lewis,

The bill, entitled, " A supplement to the act, entitled, ' an act to carry into effect certain provisions contained in the last will and testament of John Wilson, carpenter, dec. late of Sussex County,' " was read a third time by paragraphs,

and passed the Senate.

Ordered, That the Clerk of the Senate return the same to the House of Representatives.

On motion of Mr. Wainwright, seconded by Mr. Lewis, the bill entitled, " A supplement to the act entitled, ' an act to restrain persons from suffering swine to go at large within certain limits,' "

was read.

On motion of Mr. Wainwright, seconded by Mr. Lewis, the bill entitled, " An act to enable George Hearne and Joseph Hearne, of Sussex county, to locate certain vacant lands, situate in Little Creek Hundred, in said county, and to complete their title to said land," was taken up for consideration.

On motion of Mr. Booth, the bill was amended as follows:

" Amend the 4th section by striking out all that follows after the word ' that,' and insert the following ' the patent for the land contained in said survey, when the said patent shall be made out in manner aforesaid, shall convey to the said George Hearne and Joseph Hearne,

their heirs and assigns, all the estate, right and title of the State of Delaware, and no more, of, in, and to said lands."

On motion of Mr. Booth, seconded by Mr. Johnson, the above amendments were adopted, and

On motion of Mr. Booth, seconded by Mr. Alrichs, the bill as amended, was read a third time, by paragraphs, and

passed the Senate.

Ordered, That the said bill be returned to the House of Representatives, and that the concurrence of the House be requested in the amendments.

On motion, the Senate adjourned until three o'clock this afternoon.

Eodem die, 3 o'clock, P. M.

Senate met pursuant to adjournment.

On motion of Mr. Wainwright, seconded by Mr. Lewis, the bill entitled: "An act to enable Turpin, Charles and Jacob Wright, and John Gibbons, of Sussex county, to locate certain lands therein mentioned," was taken up for consideration.

Mr. Johnson offered the following amendment, to wit:

"Amend the bill by striking out all the 5th section, after the words 'section five,' and inserting in lieu thereof as follows: 'Provided, nevertheless, that the patent so made out as aforesaid, in favor of the said Turpin, Charles, and Jacob Wright, and John Gibbons shall pass to them such estate, right, title, and interest only, as is now in the State, and no other.'"

On motion of Mr. Johnson, seconded by Mr. Booth, the above amendment was read and adopted—and,

On motion of Mr. Johnson, seconded by Mr. Booth, the bill as amended, was read the third time, by paragraphs, and

passed the Senate.

Ordered, That said bill be returned to the House, and that their concurrence in the amendment be requested.

On motion of Mr. Wainwright, seconded by Mr. Lewis, the bill entitled, "An act to divorce Sarah Morris from her husband Endless Morris," was read a third time, by paragraphs, and passed the Senate, and ordered to be returned to the House of Representatives.

Mr. Cooper, Clerk of the House of Representatives, being admitted, returned the bills with the following Titles, and informed the Senate that the House had refused to concur in the amendments proposed by Senate, and asked a committee of conference, viz:

1. "An act to enable George Hearne and Joseph Hearne, of Sussex county, to locate certain lands:"—and
2. "An act fixing the time of holding the courts of Law and Equity in this State:"

and he withdrew.

The Speaker appointed as a committee of conference, on the part of the Senate, Messrs. Johnson and Booth.

Ordered, That the House be informed accordingly.

Mr. Cooper, clerk of the House of Representatives, being again admitted, informed Senate that Messrs. Huffington, Marim and Caulk, were appointed a committee of conference on the part of the House of Representatives ;

and withdrew.

Mr. Caulk, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, a duly engrossed bill,

and he withdrew.

On motion of Mr. Alrichs, seconded by Mr. Booth, the bill entitled, "An act dissolving the marriage between William Trimble and Hannah Trimble,"

was read a second time.

Mr. Wainwright, from the committee to whom was committed sundry divorce bills, reported back the following, without amendment, viz:

1. "An act to divorce Sarah Williams and Samuel Williams;"—and,
2. "An act dissolving the bonds of matrimony between Thomas B. Emory and Mary N. Emory his wife, late Mary N. Barber."

Mr. Grewell, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of Senate, a duly engrossed bill;

and he withdrew.

Mr. Booth, a member of the House of Representatives, being admitted presented for the concurrence of Senate, a bill entitled, "An act for the relief of the owners of Big Marsh of Marshyhope," and informed Senate that it had passed the House,

and he withdrew.

Mr. Williamson, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, a duly enrolled bill.

Mr. Houston, a member of the House of Representatives, being admitted, returned a duly enrolled bill, which had received the signature of the Speaker of the House.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act to incorporate the Cat Tail Marsh Company, and for other purposes ;"

was read a second time.

Mr. Booth, from the committee to whom was committed, the bill, entitled, "An act for the relief of Susanna Robinson," reported back the same with the following amendments ; which,

On his motion, seconded by Mr. Alrichs,

Were read as follows, to wit :

"Amend the bill, by inserting between the word 'therefore,' and the enacting clause, the word and figure 'Section 1.'"

"Also amend, by adding to the bill, as follows :

"Sec. 2. And be it further enacted, That the release or acquittance of the said Susanna Robinson, duly executed under her hand and seal, notwithstanding her coverture, and as if she were a *feme sole*, shall be the only effectual and sufficient discharge in law, to the person or persons who now are, or may hereafter become liable to pay any such bequest or legacy given, bequeathed or devised as aforesaid, in, and by the last Will and Testament of the said Charles Rubencame, deceased ; or which has

been, or may hereafter be given or bequeathed to the said Susanna Robinson, in, and by any other last Will and Testament : And such release and acquittance may be acknowledged by the said Susanna Robinson, before the Chancellor, any Judge of the State, or two Justices of the Peace of New-Castle county ; and recorded by the Register of Wills in said county, and the record or a copy thereof, by him duly certified, under his hand and seal of office, shall be good and competent evidence to all intents and purposes.

“ SEC. 3. And be it further enacted, That the receipt and receipts under the hand of the said Susanna Robinson, notwithstanding her coverture, to any person or persons, for any sum or sums of money, now, or hereafter to become due to her ; or for any goods, chattels or effects whatsoever, shall be as effectual in law as if she were a *feme sole*.”

On motion of Mr. Booth, seconded by Mr. Alrichs, the foregoing amendments were severally *adopted*.

And—On motion of Mr. Booth, seconded by Mr. Lewis, the aforesaid bill, as amended, was read a third time by paragraphs, and *passed the Senate*.

On motion, the Senate adjourned until 10 o'clock, to-morrow morning.



TUESDAY, 10 o'clock, *A. M.* January 24, 1832.

The Senate met pursuant to adjournment.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill entitled, “ An act for the relief of Barkley Townsend,” was taken up for a final reading.

Mr. Johnson offered the following amendment

“ Amend the bill by inserting after the title, the word and figure as follows, ‘ Section 1’ ”

Which amendment

was adopted.

And, on motion of Mr. Johnson, seconded by Mr. Wainwright, the bill as amended was read a third time by paragraphs,

and passed the Senate.

Ordered that the Clerk return the same to the House and request their concurrence in the said amendment.

Mr. Burton moved, seconded by Mr. Lewis,

That the resolution appointing an Auditor of accounts be now taken up for consideration.

After some debate Mr. Johnson called for the yeas and nays, which were as follows :

Yeas, Messrs. Burton and Wainwright—2.

Nays, Messrs. Alrichs, Booth, Johnson, Lewis and Mr. Speaker—5. *lost.*

So the Resolution was continued on the table.

Mr. Burton presented two remonstrances signed by sundry citizens of New-castle Hundred, in New-castle County, against incorporating said Hundred—which.

On his motion, seconded by Mr. Booth,

were read.

And—On motion of Mr. Alrichs, seconded by Mr. Burton, was referred to the same committee to whom was referred the petitions for the incorporation of the said Hundred of New-castle.

On motion of Mr. Wainwright, seconded by Mr. Lewis, the bill entitled, “A supplement to the act entitled ‘an act to restrain persons from suffering swine to go at large within certain limits,’”

was read a second time.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill entitled, “An act for the preservation of certain Records of the Court of Common Pleas and of the Supreme Court of Kent County,”

was read a second time.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill entitled, “An act to incorporate the Cat Tail Marsh Company,” was taken up for a third reading in order to pass the Senate,

Mr. Booth proposed the following amendment, to wit :

“Amend the bill by prefixing to it the following, as the title, ‘An act to incorporate the Cat Tail Marsh Company, and for other purposes:’ Which amendment,

On motion of Mr. Booth, seconded by Mr. Wainwright,

was adopted.

The bill was then read a third time by paragraphs, and passed the Senate, and ordered to be returned to the House, and ask their concurrence to the amendments.

On motion, the Senate adjourned until three o’clock this afternoon.



Eodem die, 3 o’clock, P. M.

The Senate met pursuant to adjournment.

Mr. Cooper, Clerk of the House of Representatives, being admitted, presented for the concurrence of Senate, a bill, entitled, “A supplement to the act, entitled, ‘an act concerning the real estate of intestates’”

Which,—On motion of Mr. Wainwright, seconded by Mr. Burton,

was read.

On motion of Mr. Alrichs, seconded by Mr. Burton,

The bill entitled “An act dissolving the marriage between William Trimble and Hannah Trimble” was taken up and read a third time by paragraphs,

and passed the Senate.

Ordered, That the said bill be returned to the House of Representatives.

Mr. Johnson, chairman of the committee appointed on the part of the Senate to confer with such committee as might be appointed on the part of the House of Representatives, on sundry bills, which were amended by the Senate, to which amendments the House refused to concur :

Reported, That the joint committee of both Houses had met and had agreed on the following amendments to the bill entitled “An act fixing the time of holding the Courts of Law and Equity in this State”

Which amendments,

On motion of Mr. Johnson, seconded by Mr. Wainwright,

Were read as follow, to wit :

“ The Superior Court and Court of General Sessions of the Peace and Gaol Delivery shall be held in Sussex County, on the second Monday in April, and second Monday in October ; in Kent County on the fourth Monday in April, and fourth Monday in October ; in New Castle County, on the second Monday after the commencement of the April term in Kent County, and on the third Monday in November.

“ The Court of Chancery and the Orphan’s Court shall commence and be held in New Castle County on the second Monday in February, and third Monday in September : in Kent County on the third Monday in March and first Monday in December : in Sussex County on the first Monday in March, and third in December.”

Which report and amendments,

On motion of Mr. Johnson, seconded by Mr. Booth,

Were severally considered and adopted.

Mr. Cooper, Clerk of the House of Representatives, being admitted, returned the bill, entitled, “ An act to re-enact, and continue in force an act, entitled, ‘ an act to incorporate the subscribers to the New-Castle Library Company, their heirs and assigns,’ and informed the Senate that the same had passed the House :

He also informed the Senate that the House had concurred in the amendments, proposed by Senate, to the bills, entitled as follow, to wit :

1. “ An act for the relief of Susanna Robinson.”

2. “ An act to enable George Hearne and Joseph Hearne, of Sussex County, to locate certain lands therein mentioned, and to complete their title to the said land.”

3. “ An act for the relief of Barkley Townsend.”

4. “ An act to incorporate the Cat Tail Marsh Company, and for other purposes;”

and he withdrew.

On motion of Mr. Johnson, seconded by Mr. Burton,

The bill, entitled, “ An act dissolving the marriage between Alexander Palmer, and his wife Mary Ann Palmer, late Mary Ann Daniel,” was read a third time by paragraphs,

and passed the Senate.

Ordered, That the same be returned to the House of Representatives.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, “ An act to amend the act, entitled, ‘ an act directing the election of Assessors and Inspectors ;’”

was read a second time.

On motion of Mr. Wainwright, seconded by Mr. Johnson,

It was ordered to lie on the table.

On motion, the Senate adjourned until 10 o’clock, to-morrow morning.

WEDNESDAY, 10 o'clock, A. M. Jan. 25, 1832.

The Senate met pursuant to adjournment.

Mr. Cooper, Clerk of the House of Representatives, being admitted, presented for concurrence, a bill, entitled, "An act granting to Levick Palmer, of Kent County, a certain tract or parcel of marsh therein described," with a petition therefor,

and withdrew.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The above mentioned bill and petition

were read.

Ordered, That the Clerk of the Senate proceed to the House of Representatives, and inform that body, that the Senate had adopted the report of the committee of conference, made yesterday, and concurred in the amendments proposed by the committee, to the bill, entitled, "An act fixing the times of holding the Courts of Law and Equity in this State."

The Clerk of the House, being admitted, delivered a similar message from the House of Representatives,

and withdrew.

Ordered, That the Clerk of the Senate return to the House of Representatives, the bill, entitled, "An act dissolving the marriage between Alexander Palmer, and Mary Ann Palmer, late Mary Ann Daniel," and inform the House, that the said bill had

passed the Senate.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act for the relief of the owners and possessors of the Big Marsh of Marshyhope, and for other purposes ;"

was read.

Mr. Alrichs offered the following joint resolution.

Which,

On motion of Mr. Alrichs, seconded by Booth,

Was read, to wit :

Whereas much inconvenience, delay and embarrassment is experienced by the members of this Assembly, from the confused and imperfect manner in which the files of papers and books, in the Library of the Senate are arranged, owing in a great measure, to the multitude of obsolete, and (at present) useless papers that have accumulated on the files, and in the library of this Senate : Therefore,

Resolved, by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That be, and
is hereby appointed a commissioner, to take in charge and trust, the books and papers in the library of the Senate, in the Senate Chamber, after the adjournment of this Session ; and he is hereby directed and required, fully and carefully to examine the same, selecting out such as may be useful and proper to be retained in the library in the said chamber ; and properly label and No. each separate book, pamphlet and paper—make out a due and regular alphabetical list or catalogue of the same, and so arrange them on the shelves, and within the archives of the said library, that they may be readily referred to as needed by the members, or others

under the especial care and custody of
who is hereby required to take charge of the same, and the said com-
missioner shall, before entering on the duties herein required of him,
take an oath or affirmation, before some Judge of this State, or the Chan-
cellor thereof, faithfully to perform the duties assigned him by this Re-
solution.

And the Auditor of Accounts of the State is hereby authorised to pay said commissioner out of any monies in his hands belonging to the State, any sum not exceeding _____ dollars, for each and every day the said commissioner shall be engaged in performing the before enumerated trusts reposed in him : Provided the whole sum so paid to said commissioner shall not exceed _____ dollars.

On motion, the Senate adjourned until 3 o'clock this afternoon.



Eodem die, 3 o'clock, P. M.

The Senate met pursuant to adjournment.

1. "An act to re-enact, and continue in force, the act entitled, 'an act to incorporate the subscribers to the New-Castle Library Company, their heirs and assigns.'"

2. "An act to incorporate the Trustees of the Self supporting School of Brandywine Hundred, New-Castle County."

On motion of Mr. Johnson, seconded by Mr. Lewis,

The bill, entitled, "An act for the erecting and keeping in good repair, a Draw-Bridge over the south-west branch of Duck Creek ;"

was read a second time.

Mr. Johnson offered the following amendments, which were read, to wit:

“Amend the bill by striking out Section ‘1’ and ‘2,’ and substituting the following:

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That those persons interested in extending the navigation of said Creek above the said bridge, are hereby authorized to erect at their own expense, provided the same be done within three months after the commencement thereof, such draw or platform to the said bridge, as will enable them by turning or rolling off the same, to pass with any vessel through the said bridge; and they are hereby obliged to roll or turn off and on the said draw or platform, so that the same receive no damage thereby, under the penalty of ten dollars for every neglect therein, to be recovered with costs in the name of the State of Delaware, before any Justice of the Peace for Kent County, one half thereof to be applied to the use of the party suing.

for the same, and the other half thereof to the purpose of maintaining said bridge in good order and repair."

Amend the bill further, by substituting the figure '2,' for the figure '3,' in the third section."

On motion of Mr. Johnson, seconded by Mr. Alrichs,

The above recited amendments were adopted.

Mr. Cooper, clerk of the House of Representatives, being admitted, presented for concurrence of Senate, the following resolution,
and withdrew.

Which, on motion of Mr. Wainwright, seconded by Mr. Lewis, was read, to wit :

"In the House of Representatives, Jan. 25, 1832."

"Resolved, by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the Bank of the United States, by establishing a sound and uniform currency throughout the Union, has greatly facilitated our commercial operations, advanced our agricultural and manufacturing interests, and, by a wise and judicious management, has been productive of the most beneficial results to the nation at large.

"Resolved, by the authority aforesaid, that the true interest of this country is closely identified with that valuable institution, and that our national prosperity in a great degree depends upon the renewal of its charter.

"Resolved, by the authority aforesaid, that a copy of the foregoing resolutions be signed by the Speaker of the Senate and the Speaker of the House of Representatives, attested by the Clerks and transmitted to our Senators and Representative in Congress; and that our Senators be instructed and our Representative be requested to use their best exertions in favour of a renewal of the Charter of the aforesaid Bank."

Extract from the Journal, I. T. Cooper, Clerk.

Sent for concurrence.

Mr. Cooper, Clerk of the House of Representatives being again admitted, returned the bill, entitled:

"An act to authorize process upon, and declare the effect of certain judgments," and informed the Senate that the same had passed the House,
and withdrew.

Mr. Johnson, laid on the table a petition signed by sundry citizens of Kent county, praying for the re-uniting of Mispillion and Milford Hundreds, which was read, and,

On motion of Mr. Wainwright, seconded by Mr. Alrichs, the above mentioned petition was ordered to lie on the table.

On motion of Mr. Wainwright, seconded by Mr. Lewis, the bill entitled:

"A supplement to the Act entitled 'an Act to restrain persons from suffering swine to go at large within certain limits,'" was read a third time by paragraphs and passed the Senate.

Ordered, that the said bill be returned to the House.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "A supplement to the act, entitled, 'an act concerning the real estate of intestates,'" *was read, a second time.*

On motion of Mr. Wainwright, seconded by Mr. Lewis,
The bill, entitled, "An act to amend the act, entitled, "an act directing the election of Assessors and Inspectors;" was taken up for a second reading.

Mr. Wainwright offered the following amendment, to wit :

"Amend the bill, by inserting after the word 'October,' thirteenth line, as follows : 'also, by striking out the words 'Court of General Quarter Sessions of the Peace and Gaol Delivery, wherever they occur in said act, and inserting in lieu thereof 'Court of General Sessions of the Peace and Gaol Delivery.'"

On motion of Mr. Wainwright, seconded by Mr. Booth,

The above amendments were read and adopted.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

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

and passed the Senate.

Ordered, That the above mentioned bill be returned to the House of Representatives, and that the concurrence of the House be requested in the amendments.

On motion of Mr. Johnson, seconded by Mr. Wainwright,

The bill, entitled, "An act to authorize the owners and possessors of the marsh & low grounds, commonly called and known by the name of Cow Marsh, in the forest of Murderkill Hundred, in Kent County, and State of Delaware, to cut a ditch or ditches, drain or drains through the same, and to keep the said ditches and drains open and in good order ;"

was read a second time.

Mr. Johnson offered the following amendments; which,

On his motion, seconded by Mr. Wainwright,

Were read, to wit :

"Amend the bill—

1. "In page 2, line 14, strike out all the remainder of the line after the word 'place,' and all of line 17, to the word 'and.'

2. "In same page, line 18, strike out the word 'white.'

3. "In same page line 20, after the word 'present,' add 'or by proxy duly attested under their hand and seal.'

4. "In page 5, after the word 'affirmed' in line 1 strike out all to the word 'exercise' inclusive in line 4, and insert in lieu the words 'in manner and form as directed in the act entitled, an act concerning the administration of certain oaths and affirmations, to perform'

5. "In same page, line 15, strike out all after the word 'any,' and insert the words 'annual meeting thereof.'

6. "In page 6 line 10, strike out the words 'of its meetings' and insert the words 'annual meeting thereof.'

7. In page 7, strike out all after the word 'affirmed,' in line 21, 22, and 23, and all in line 24, to the word 'exercise,' inclusive, and insert in lieu the words 'in manner and form as directed in the act entitled, an act concerning the administration of certain oaths and affirmations, to perform.'

8. "In page 10, strike out all from the word 'debts' in line 9, to the word 'are' in the 10th line, and insert in lieu the words 'of like amount.'"

And,

On motion of Mr. Johnson, seconded by Mr. Burton,

The foregoing amendments were severally

adopted
Mr. Brooks, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, a duly enrolled bill, entitled, "An act to enable Turpin, Charles, and Jacob Wright, and John Gibbons, of Sussex County, to locate certain vacant lands in North-West Fork Hundred, in said County, and to complete their title to the said lands,"

and withdrew
Mr. Frame, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, a duly enrolled bill, entitled, "An act for the protection of the Pivot Bridge, over Broadkiln Creek, at Paynter's landing, in Sussex County :"

and withdrew.
Mr. Gibbons, a member of the House of Representatives, being admitted, presented for the Speaker's signature, a duly engrossed bill, entitled, "A supplement to the act, entitled, 'an act to carry into effect certain provisions contained in the last will and testament of John Wilson, carpenter, dec. late of Sussex County,'"

and withdrew.
Mr. Bennett, a member of the House of Representatives, being admitted, returned the enrolled bill, entitled, "An act to re-enact and continue in force an act entitled, 'an act to incorporate the subscribers to the New-Castle Library company their heirs and assigns,'" and informed the Senate that the same had received the signature of the Speaker of the House,

and withdrew.
Mr. Hearne, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, a duly enrolled bill, entitled, "An act to divorce Sarah Morris and her husband Endless Morris, from the bonds of matrimony ;"

and withdrew.
Mr. Houston, a member of the House of Representatives, being admitted, presented for the signature of the Speaker, a duly enrolled bill, entitled, "An act for the relief of Barkley Townsend,"

and he withdrew.
On motion, the Senate adjourned until to-morrow morning, 10 o'clock.

THURSDAY, 10 o'clock, A. M. January 26, 1832.

The Senate met at the time to which it stood adjourned.

Mr. Burton presented another remonstrance, signed by sundry citizens of New-Castle Hundred, against the incorporation of said Hundred, Which,

On his motion, seconded by Mr. Lewis,

was read.

And—On motion of Mr. Burton, seconded by Mr. Lewis,

The said remonstrance was referred to the same committee, to whom the remonstrances of a like nature were referred yesterday.

Mr. Alrichs presented four remonstrances, signed by sundry citizens of New-Castle County, against incorporating the 'Wilmington Fire Insurance Company;' also the recantation of sundry citizens of the City of Wilmington, who had petitioned for the incorporation of said Company;

Which,

On motion of Mr. Alrichs, seconded by Mr. Burton,

were read.

And—On motion of Mr. Alrichs, seconded by Mr. Booth, were Ordered to lie on the table, for the examination of the Senators.

On motion of Mr. Alrichs, seconded by Mr. Burton,

The resolution relating to the Library of the Senate, was taken up for consideration; and

On motion of Mr. Alrichs, seconded by Mr. Burton,

The said resolution was committed to a committee of two members, with instructions so to amend the same, as to include the Library of the House of Representatives.

Mr. Speaker appointed Messrs. Alrichs and Burton.

Mr. Cooper, Clerk of the House of Representatives, being admitted, returned the bill, entitled, "An additional supplement to an act, entitled, 'an act to enable the owners and possessors of the marsh meadows on the North side of Christiana River, called Middleborough Marsh, to keep the banks, dams and sluices in repair, and raise a fund for defraying the expenses thereof.'—" "Passed in the year 1769," which had passed the House.

He also presented for concurrence of Senate, a bill, entitled "An act to amend the act, entitled 'an act concerning the Levy Court, Clerk of the Peace, Assessors, Collectors and County Treasurers,'" *and he withdrew.*

The Clerk of the House being again admitted, presented for concurrence of Senate, two bills which had passed the House of Representatives, entitled as follow, to wit:

1. "An act to amend the act, entitled, 'an act concerning Constables.'"

2. "A further supplement to the act, entitled, 'an act to incorporate a Company for the purpose of cutting and making a Canal between the Chesapeake bay, and the bay or river Delaware, or the waters thereof;' with a petition therefor; *and withdrew.*

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act granting to Levick Palmer, of Kent county, a certain tract or parcel of marsh therein described;"

was read a second time.

Mr. Johnson, offered the following amendment—which,

On his motion, seconded by Mr. Lewis,

was read,

And—On motion of Mr. Johnson, seconded by Mr. Lewis,

The said amendment was adopted, as follows, to wit:

"Amend the bill by adding to sec. 3, as follows, 'Provided however that nothing herein contained shall interfere with, or in anywise impair any title which may now exist in any other person or persons.'"

On motion of Mr. Wainwright, seconded by Mr. Lewis, the bill entitled, "An act to amend the act entitled, 'an act concerning the Levy Court, Clerk of the Peace, Assessors, Collectors and County Treasurers,'" *was read.*

On motion of Mr. Wainwright, seconded by Mr. Burton,

The bill entitled, "An act to amend the act entitled, 'an act concerning Constables,'" *was read.*

Mr. Johnson laid on the table an account of John H. Eccleston, Esq. late Clerk of the High Court of Errors and Appeals, against the State of Delaware, for certain articles furnished said Court,

Which,—On motion of Mr. Burton, seconded by Mr. Booth, was referred to the committee of Claims.

On motion of Mr. Wainwright, seconded by Mr. Lewis, the bill, entitled, "A further supplement to the act entitled 'an act to incorporate a company for the purpose of cutting, and making a canal between the Chesapeake bay, and the Bay or River Delaware, or the waters thereof,'" *was read.*

On motion the Senate adjourned until 3 o'clock this afternoon.

Eodem die, 3 o'clock, P. M.

The Senate met pursuant to adjournment.

Mr. Cooper, Clerk of the House, being admitted, presented to the Senate for concurrence a bill entitled:

"An act granting to Abel Harris of Kent county, a certain tract or parcel of marsh therein described:" He at the same time returned the bill entitled: "An act to amend the act entitled 'an act directing the election of Assessors and Inspectors,'" and informed the Senate that the House had refused to concur in the amendment proposed by the Senate.

On motion of Mr. Booth, seconded by Mr. Burton, it was,

Resolved, that the Senate recede from their amendment to said bill, *which was agreed to.*

Ordered, that the Clerk of the Senate inform the House accordingly.

Mr. Burton, from the committee to whom was referred sundry divorce bills, reported back the bill entitled:

"An Act divorcing Sarah Williams from her husband Samuel Williams," without amendment.

Which bill,

On motion of Mr. Burton, seconded by Mr. Lewis, was read a third time by paragraphs and passed the Senate, and

Ordered, to be returned to the House of Representatives.

On motion of Mr. Wainwright, seconded by Mr. Lewis, the bill entitled:

"A supplement to the act entitled 'an act concerning the real estate of intestates,'" was taken up for a third reading, pending which,

On motion of Mr. Booth, seconded by Mr. Lewis, the said bill was committed to a committee of three members.

The Speaker appointed Messrs. Johnson, Booth and Lewis on that Committee.

On motion of Mr. Alrichs, seconded by Mr. Burton, the bill entitled: "An Act to incorporate the Wilmington Fire Insurance Company," was taken up for consideration, and

On motion of Mr. Alrichs, seconded by Mr. Burton, the said bill was re-committed to a committee of three members.

Mr. Speaker appointed Messrs. Johnson, Alrichs and Burton, that committee.

Mr. Cooper, Clerk of the House of Representatives, being admitted, presented for the concurrence of the Senate the following Resolution, which had passed the House, to wit:

"Resolved, by the Senate and House of Representatives of the State of Delaware in General Assembly met, That the Speaker of the Senate, and the Speaker of the House of Representatives, be, and they are hereby authorized to *adjourn* their respective Houses, on Friday the third day of Feb. next, without day.

I. T. COOPER,

Clerk of the House of Rep."

"For concurrence."

Mr. Brooks, a member of the House of Representatives, being admitted, returned to the Senate a duly enrolled bill, entitled,

"An act to re-enact and continue in force the 'act entitled an act to incorporate the subscribers of the New-castle Library Company their heirs and assigns,'" and informed the Senate that the same had received the signature of the House of Representatives,

and withdrew.

The following Resolutions were received from the House of Representatives, by the Clerk, to wit:

"In the House of Representatives, Jan. 26, 1832.

"The Committee to whom was referred that part of the Governor's message relating to the opening of a Canal between the waters of the Chesapeake and Delaware Bays, have given to the subject that consideration which its importance demands; and beg leave to recommend the adoption of the following resolutions:

"Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That this Legislature fully accord with the sentiments of the General Assembly of the State of Maryland, as expressed in the following resolution:

"Resolved, by the General Assembly of Maryland, That the extension of the coasting trade of the States of Virginia, Delaware and this State, would be effectually promoted, by the opening of a safe and direct navigation through the sounds which run parallel with the sea coast and by the construction of such canals as may be requisite for the purpose, between the Chesapeake bay, at, or near Cape Charles and Lewes Town Creek, on the bay of Delaware, and that the co-operation of the States interested in the improvement be immediately invited to this object."

"Resolved, by the authority aforesaid, That James B. Macomb, Solomon Prettyman and Henry F. Rodney, be, and they are hereby appointed commissioners to act jointly with such commissioners as may be ap-

pointed by the States of Maryland and Virginia, to survey and lay out a suitable scite or scites for such canal or canals, as they may deem necessary to carry into effect the meaning and spirit of the foregoing resolution.

“Resolved, by the authority aforesaid, That a copy of the foregoing resolutions be signed by the Governor, and counter-signed by the Secretary of State, and transmitted to the Executives of the States of Maryland and Virginia.

Extract from the Journal,
“I. T. COOPER, Clerk.”

“For concurrence.”

Mr. Cooper at the same time, presented for concurrence of the Senate, a bill, entitled, “An act to incorporate a Company, to erect a Draw-Bridge over the river Nanticoke, at Seaford, and for other purposes therein mentioned ;” with a petition therefor, and a remonstrance against the same ;

and he withdrew.

On motion of Mr. Wainwright, seconded by Mr. Burton,
The above mentioned bill, with the accompanying papers

were read.

Mr. Johnson asked for, and

On motion of Mr. Burton, seconded by Mr. Lewis,

Obtained leave to introduce a bill, entitled, “An act directing the manner in which certain Records shall be kept ;” which,

On motion of Mr. Johnson, seconded by Mr. Burton,

was read.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

Another member was added to the committee of claims.

Mr. Speaker appointed Mr. Booth.

Mr. Johnson laid on the table the account of Caleb H. Sipple, administrator of John W. Ruth, deceased, late Clerk of the House of Representatives, for services rendered in transcribing and superintending the printing of the Journal of the Senate of 1831.

Which,

On motion of Mr. Burton, seconded by Mr. Lewis,

Was referred to the committee of claims.

On motion, the Senate adjourned until 10 o'clock, to-morrow morning



FRIDAY, 10 o'clock, A. M. January 27, 1832.

The Senate assembled at the time to which it stood adjourned.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, “An act granting to Abel Harris, of Kent County, a certain piece or parcel of marsh therein described,” was read, with the petition of said Harris.

Mr. Stokely, a member of the House of Representatives, being admitted, returned a duly enrolled bill, entitled, “An act to incorporate the Trustees of the Self-supporting School of Brandywine Hundred, New-

Castle County," and informed the Senate that the said bill had received the signature of the Speaker of the House,

and withdrew.

Mr. Booth presented the memorial of the "New-Castle and French-town Turnpike and Rail Road Company," praying an additional supplement to their act of incorporation ; which,

On motion of Mr. Booth, seconded by Mr. Lewis,

was read.

And on motion of Mr. Booth, seconded by Mr. Burton,

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

Mr. Speaker appointed Messrs. Booth, Johnson and Burton on that committee.

Mr. Alrichs, from the committee to whom was referred the Resolution relating to the Library of the Senate, reported back the same, amended, so as to embrace also the library of the House of Representatives; which,

On motion of Mr. Alrichs, seconded by Mr. Lewis,

Was read as follows, to wit :

Whereas much inconvenience, delay and embarrassment is experienced by the members of this Assembly, from the confused and imperfect manner in which the books and files of papers in the Libraries of this Legislature are arranged, owing in a great measure, to the multitude of obsolete, and (at present) useless papers that have accumulated therein : Therefore,

Resolved, by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That be, and
they are hereby appointed commissioners, to take in charge and trust, the books and papers in the libraries of this Legislature after the adjournment of this Session, and before the commencement of the next, and they are hereby directed and required, fully and carefully to examine the same, selecting out such as may be useful and proper to be retained in the said libraries, and they are enjoined properly to label and No. each separate book, pamphlet and paper—make out a due and regular alphabetical list or catalogue of the same, and so arrange them on the shelves, and within the archives of the said libraries, that they may be readily referred to as needed by the members, or other persons authorized to use them—and the said commissioners, are hereby also required to carefully and fitly label the remainder of said books and papers, pack the same in a box, or boxes, locking or sealing up the said box or boxes, and deposit them in the office of the Secretary of State, under the especial care and custody of said Secretary of State, who is hereby required to take charge of the same ; and the said commissioners shall, before entering on the duties herein required of them, take an oath or affirmation, before some Judge of this State, or the Chancellor thereof, faithfully to perform the duties assigned them by this Resolution.

And the said commissioners shall present their accounts for the services enjoined by this Resolution to the Legislature at their next session, who shall cause them to be paid such sum or sums as may be judged just and reasonable.

On motion of Mr. Burton, seconded by Mr. Lewis,

The bill, entitled, "An act dissolving the bonds of matrimony between Thomas B. Emory and Mary N. Emory, late Mary N. Barber," was read a third time, by paragraphs,

and passed the Senate.

Ordered, That the same be returned to the House of Representatives.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act granting to Levick Palmer, of Kent county, certain marsh therein mentioned;" was read a third time, as amended, by paragraphs,

and passed the Senate.

Ordered, That the said bill be returned to the House of Representatives, and that the concurrence of the House be requested in the amendments.

The Clerk of the House of Representatives, being admitted, presented for concurrence of Senate, a bill, entitled, "An act to enable Susan Bateman, to locate certain vacant lands, situate in Dover Hundred, in Kent County, and to complete her title to said lands;" with the petition of the said Susan Bateman therefor,

and withdrew.

The clerk of the House of Representatives being again admitted, presented for the concurrence of the Senate, a bill, entitled, "An act to prevent unnecessary imprisonment for the execution of judgments in civil cases," and a petition therefor: He also laid on the table ten printed copies of the said bill,

and withdrew.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The above mentioned bill and petition, *were read.*

On motion of Mr. Johnson, seconded by Mr. Wainwright, the bill entitled: "An act for the erecting and keeping in good repair a draw-bridge over the south west branch of Duck-Creek," was read a third time, by paragraphs, and *passed the Senate.*

Ordered, That the said bill be sent to the House of Representatives, for concurrence.

On motion of Mr. Johnson, seconded by Mr. Lewis, the bill entitled, "An act directing the manner in which certain Records shall be kept," *was read the second time.*

On motion of Mr. Johnson, seconded by Mr. Lewis, the first blank was filled with the words 'three hundred,'—the second with the words, 'one inch and one fourth of an inch,'—the third with the words 'one inch and one fourth of an inch;'—which was agreed to.

On motion, the Senate adjourned until 3 o'clock this afternoon.



Eodem die, 3 o'clock, P. M.

The Senate met pursuant to adjournment.

Mr. Wainwright from the Committee of Enrollment, reported the following bills as duly and correctly engrossed.

To wit:

1. "An additional supplement to the act entitled 'an act to enable the owners and possessors of the marsh meadows on the north side of

Christiana River called Middleborough marsh to keep the banks, dams, and sluices in repair, and raise a fund for defraying the expenses thereof. Passed in the year 1769."

2. "An act to authorize process upon, and declare the effect of certain judgments" and

3. "An act to incorporate the Wilmington and Susquehanna Rail Road Company."

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill entitled "A further supplement to the act entitled 'an act to incorporate a company for the purpose of cutting and making a canal between the Chesapeake bay and the bay or River Delaware or the waters thereof.'"

was read a second time.

Mr. Booth. offered the following amendment, which

On his motion, seconded by Mr. Lewis, was read as follows, to wit:

"Amend the bill in section 2d, line 7th, by striking out the words 'Magistrate of this State,' and insert in lieu thereof, the words 'Justice of the Peace for New-castle county,'" which amendment,

On motion of Mr. Booth, seconded by Mr. Wainwright,

was adopted.

On motion of Mr. Wainwright, seconded by Mr. Lewis, the bill entitled:

"A supplement to the Act entitled 'An Act for the preservation of certain Records of the Court of Common Pleas, and of the Supreme Court of Kent county,'" was read a third time by paragraphs, and passed the Senate,

Ordered, that the said bill be returned to the House of Representatives.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act to amend the act, entitled, 'an act concerning the Levy Court, Clerk of the Peace, Assessors, Collectors, and County Treasurers ;'"

was read a second time.

Mr. Johnson, from the committee, to whom was committed the bill, entitled, "An act to incorporate the Wilmington Fire Insurance Company ;" with petitions for, and remonstrances against the bill, reported back the said bill with an amendment.

On motion of Mr. Johnson, seconded by Mr. Alrichs, the amendment was read as follows, to wit:

"Amend the bill in section 9, by inserting in the 2d line after the word 'shall' the following 'after sixty thousand dollars of the capital shall be actually paid in.'"

On motion of Mr. Alrichs, seconded by Mr. Lewis, the amendment

was adopted

And the blank after the enacting clause filled with the names James Canby, Edward Tatnall, E. I. du Pont, Thomas Stockton, Jesse Mendenhall, Joseph C. Gilpin, Jacob Pusey, Harry Connelly, Lea Pusey, William P. Brobson, Washington Rice and Edward W. Gilpin."

On motion of Mr. Alrichs, seconded by Mr. Lewis, the above mentioned bill

was read a second time.

Mr. Booth, from the committee to whom was referred the "Memorial of the Directors of the New-castle and Frenchown Turnpike and Rail-road Company," reported a bill entitled, "A supplement to the act, entitled, 'an act concerning the New-castle and Frenchtown Turnpike and Rail-road Company,'" .

Which,

On motion of Mr. Booth, seconded by Mr. Lewis,

was read.

Mr. Cooper, Clerk of the House of Representatives, being admitted, informed the Senate that the bill entitled: "An act for the erecting, and keeping in good repair, a draw bridge over the south west branch of Duck creek" had been postponed in the House, until the next session of the Legislature.

Mr. Huffington, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, a duly enrolled bill, entitled, "An act for the relief of Susanna Robinson,"

and withdrew.

Mr. Booth, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, a duly enrolled bill, entitled, "An act to incorporate the Cat Tail Marsh Company, and for other purposes ;"

and he withdrew.

Mr. Caulk, a member of the House of Representatives, being admitted, presented for the Speaker's signature, a duly enrolled bill, entitled, "A supplement to the act, entitled, 'an act to restrain persons from suffering swine to go at large within certain limits ;'"

and withdrew.

Mr. Hearne, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, a duly enrolled bill, entitled, "An act to divorce Sarah Williams and her husband Samuel Williams, from the bonds of matrimony ;"

and withdrew.

Mr. Marim, a member of the House of Representatives, being admitted, presented for the signature of the Speaker, a duly enrolled bill, entitled, "An act to amend the act, entitled, 'an act directing the election of Assessors and Inspectors ;'"

and withdrew.

Mr. Reese, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of Senate, a duly enrolled bill, entitled, "An act dissolving the marriage between Alexander Palmer, and his wife Mary Ann Palmer, late Mary Ann Daniel."

and withdrew.

Mr. Causey, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, a duly enrolled bill, entitled, "An act fixing the time of holding the Courts of Law and Equity in this State,"

and withdrew.

Mr. Cooper, Clerk of the House of Representatives, being admitted presented for the concurrence of the Senate, five bills, which had passed the House of Representatives, entitled as follows, to wit:

1. "An act to prevent the use of fire-arms, by free negroes, and free mulattoes, and for other purposes."

pairing and supporting the roads and bridges in the several Hundreds of New-Castle County."

3. "An act to amend the act, entitled, 'an act concerning the Levy Court and Court of Appeal.'"

4. "An act to amend the act, entitled, 'an act directing the manner of suing out attachments within this Government.'"

5. "An act for the preservation of the Records of the Court of Chancery and Orphans' Court of Sussex County ;"

and withdrew.

Mr. Frame, a member of the House of Representatives, being admitted, presented for the concurrence of Senate, a bill, entitled, "A supplement to the act, entitled, 'an act to provide for the recovery of small debts.'"

and withdrew.

Mr. Marim, a member of the House of Representatives, being admitted, presented to Senate for concurrence, a bill, entitled, "An act to repeal the act, entitled, 'a further supplement to the act, entitled, 'an act to alter the times of holding the Courts of Law and Equity in this State ;'"

and withdrew.

Mr. Booth, a member of the House of Representatives, being admitted, presented for concurrence, a bill, entitled, "An act for the relief of William James, of Sussex County ;" with a petition therefor.

and withdrew.

Mr. Booth presented the petition of Mary Ann Starling, wife of Isaac Starling, of Pencader Hundred, in the County of New-Castle, (Cartwright,) which,

On his motion, seconded by Mr. Lewis,

was read,

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

Mr. Speaker appointed Messrs. Booth, Wainwright and Burton on that committee.

On motion, the Senate adjourned until 10 o'clock, to-morrow morning.



SATURDAY, 10 o'clock, A. M. January 28, 1832.

The Senate met pursuant to adjournment.

Members present, Messrs. Johnson, Burton, Lewis and Wainwright.

There not being a quorum,

The Senate adjourned until 10 o'clock, on Monday morning next.



MONDAY, 10 o'clock, A. M. January 30, 1832.

The Senate met at the time to which it stood adjourned.

Members present as on Saturday.

Whereupon, the Senate adjourned until 10 o'clock, to morrow morning.



TUESDAY, 10 o'clock, A. M. January 31, 1832.

The Senate met pursuant to adjournment.

Mr. Speaker, Lofland, being absent, Joshua Burton, Esq. was again elected Speaker *pro-tempore*, and conducted to the Speaker's chair.

Mr. Johnson announced to the Senate the death of Dr. JOHN CAREY, late a member of the Senate, from Sussex County, who died on Sunday morning last, at two o'clock.

Mr. Johnson then laid on the table the following resolutions ;
Which

were read.

“Resolved, That the members of this Senate will testify their respect for the memory of Dr. John Carey, by wearing crape on the left arm for thirty days.”

“Resolved further, That we do most sincerely sympathize with the widow and relatives of the deceased in their afflictions on that melancholy occasion.”

On motion of Mr. Johnson, seconded by Mr. Booth,

The above Resolutions were adopted *nem con.*

Ordered, That the Clerk of the Senate inform the House of Representatives of the death of Mr. Carey, and of the adoption of the above resolutions.

On motion of Mr. Booth, seconded by Mr. Lewis,

The bill, entitled, “A supplement to the act, entitled, ‘an act concerning the New-Castle and Frenchtown Turnpike and Rail Road Company ;’”

was read, a second time.

Mr. Booth. moved, seconded by Mr. Lewis,

That the blank in the said bill be filled with ‘five.’

Which was agreed to.

Mr. Booth from the committee, to whom was referred the petition for, and the remonstrance against incorporating the citizens of New-Castle Hundred, reported a bill, entitled, “An act concerning the Road Commissioners of New-Castle Hundred, New-Castle County ;” which,

On motion of Mr. Booth, seconded by Mr. Wainwright,

was read.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, “An act for the relief of William James, of the County of Sussex ;”

was read.

On motion of Mr. Wainwright, seconded by Mr. Booth,

The bill, entitled, “An act to repeal the act, entitled, ‘a further supplement to the act, entitled, ‘an act to alter the times of holding the Courts of Law and Equity in this State ;’”

was read.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "A supplement to the act, entitled, 'an act providing for the recovery of small debts ;'"

was read.

On motion of Mr. Wainwright, seconded by Mr. Booth,
The bill, entitled, "An act for the preservation of the Records of the Court of Chancery and Orphans' Court of Sussex County ;"

was read.

On motion of Mr. Wainwright, seconded by Mr. Lewis,
The bill, entitled, "An act to amend the act, entitled, 'an act directing the manner of suing out attachments within this Government ;'"

was read.

On motion of Mr. Wainwright, seconded by Mr. Sutton,
The bill, entitled, "A supplement to the act, entitled, 'an act altering the mode of repairing and supporting the roads and bridges in the several Hundreds of the County of New-Castle ;'"

was read.

On motion of Mr. Wainwright, seconded by Mr. Lewis,
The bill, entitled, "An act to amend the act, entitled 'an act concerning the constitution of the Levy Court and Court of Appeal,'"

was read.

On motion of Mr. Wainwright, seconded by Mr. Lewis,
The Resolution relating to a proposed canal between the waters of the Chesapeake and Delaware, in the lower part of this State,

was read.

On motion of Mr. Wainwright, seconded by Mr. Booth,
The bill entitled, "An act to prevent the use of fire-arms by free negroes and free mulattoes, and for other purposes,"

was read.

On motion, the Senate adjourned until 3 o'clock this afternoon.

Eodem die, 3 o'clock, P. M.

The Senate met pursuant to adjournment.

The SPEAKER appeared and took his seat in the Speaker's chair.

On motion of Mr. Johnson, seconded by Mr. Booth,

The bill entitled, "A further supplement to the act entitled 'an act to incorporate a company for the purpose of cutting and making a canal between the Chesapeake bay, and the bay or river Delaware, or the waters thereof,'" was read a third time, by paragraphs, as amended, and

passed the Senate.

Ordered, That said bill be returned to the House of Representatives, and that the concurrence of the House be requested in the amendment.

Mr. Cooper, Clerk of the House of Representatives, being admitted, presented for concurrence of Senate, two joint Resolutions, which had been adopted by the House, as follows ;

To wit :

1. "A Resolution for further enquiry upon the subject of carrying into effect the amended Constitution.
 2. "A Resolution amending the amended Constitution :"
- He also in-

formed Senate that the House of Representatives had adopted a Resolution expressing their deep regret for the death of Dr. CAREY, and that they would wear Crape on the left arm below the elbow during the remainder of the session, as a testimony of respect for his memory.

On motion of Mr. Johnson, seconded by Mr. Wainwright,

The bill entitled, "An act to amend the act entitled 'an act concerning the Levy Court, Clerk of the Peace, Assessors, Collectors and County Treasurers,' was read a third time, by paragraphs, and

passed the Senate.

Ordered, That the said bill be returned to the House of Representatives.

On motion of Mr. Johnson, seconded by Mr. Lewis,

The bill entitled, "An act directing the manner in which certain Records shall be kept," was read a third time, by paragraphs, and

passed the Senate.

Ordered, That the above mentioned bill be sent to the House of Representatives for concurrence.

Mr. Johnson, from the committee to whom was committed the bill entitled "An act regulating divorces," reported back the said bill, with amendments, which,

On motion of Mr. Johnson, seconded by Mr. Booth.

Were read as follows; to wit:

"Amend the bill in section 1, line 8, by striking out after the word 'where' in said line 'either of the parties,' and inserting in lieu thereof 'the male party.'

"Amend the same sec. by inserting after the word 'cruelty,' in the 10th line, the following:

"Or where either of the parties shall have been, after marriage, convicted of, and condemned for a felony in any Court of Record in the United States."

"Amend the bill, by striking out the word 'either' in 3d section 6th line, and inserting in lieu thereof the words 'the male.'

"Amend, by inserting after the word 'marriage,' where it occurs in the 9th line, section 3, the following:

"Or where either of the parties shall have been, after marriage, convicted of felony, and condemned therefor in any Court of Record in the United States."

"Amend the bill in 6th section. by striking out the word 'aggression' in line 3d, and inserting in lieu thereof the word 'adultery.'

"Further amend the same section, by striking out all after the word 'dower' in the 4th line, and inserting the following: 'and all demands in the husbands life time, or as his widow after his death, upon his real or personal estate, and any estate, charge or benefit, settled upon her, or upon trust for her use in lieu of dower.'"

"Also amend the bill, by adding immediately after the 7th section, the following sections, to wit:

"SEC. 8. And be it further enacted by the authority aforesaid, That in any action or suit commenced in the said Court, for a divorce for the cause of adultery, if the defendant shall allege and prove that the plaintiff has been guilty of the like crime, or has admitted the defendant into conjugal society, or embraces, after he or she knew of the criminal fact, or that

the complainant (if the husband) allowed of the wife's prostitution, or received hire therefor, or exposed his wife to lewd company, whereby she became ensnared, to the crime aforesaid, it shall be a good defence, and a perpetual bar against such action or suit.

"SEC. 9. And be it enacted by the authority aforesaid, That the husband or wife, who shall have been guilty of the crime of adultery, shall not marry the person with whom the said crime was committed.

"SEC. 10. And be it further enacted by the authority aforesaid, That before a summons shall issue upon such petition aforesaid, the complainant shall exhibit with such petition an affidavit upon oath or affirmation to be taken before the Prothonotary of the said Court in the County where such petition shall be filed, that the facts contained in said petition are true, to the best of his or her knowledge and belief; and that the said complaint is not made out of levity or collusion between the said husband and wife, and for the mere purpose of being freed and separated from each other, but in sincerity and truth for the causes mentioned in the said petition."

"Also amend the last section of the bill, by striking out the figure '8' immediately after the word 'section,' and insert in lieu thereof the figures '11.'"

On motion of Mr. Johnson, seconded by Mr. Alrichs,

The foregoing amendments were severally read and

adopted.

On motion of Mr. Alrichs, seconded by Mr. Burton,

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

and passed the Senate.

Ordered, That it be returned to the House of Representatives, and that the concurrence of the House be requested in the amendments.

Mr. Alrichs asked for, and

On his motion, seconded by Mr. Lewis,

Obtained leave to introduce a bill, entitled, "A supplement to the act, entitled, 'a supplement to the act, entitled, 'an act to alter and re-establish the Charter of the Borough of Wilmington.'"

Which,

On motion of Mr. Alrichs, seconded by Mr. Sutton,

was read.

And,

On motion of Mr. Booth, seconded by Mr. Sutton,

It was committed to a committee of three members.

Mr. Speaker appointed Messrs. Sutton, Johnson and Burton, on that committee.

Mr. Cooper, Clerk of the House of Representatives, being admitted, presented for concurrence, a bill, entitled, "A supplement to the act, entitled, 'an act for establishing the boundaries of the town of Dover, and for other purposes therein mentioned;'" with the petition on which the said bill was founded,

and withdrew.

Mr. Speaker laid on the table a communication from the Secretary of State,

Which,

On motion of Mr. Johnson, seconded by Mr. Wainwright,

Was read as follows, to wit :

TO THE HONORABLE

JAMES P. LOFLAND.

Speaker of the Senate of the State of Delaware.

DEAR SIR,—

Herewith I have the honor to forward to you my Accounts with the State, the School Fund and the Contingent Expenses of the Secretary's Office; with the request that you will be pleased to lay the same before Senate.

I have the honor to be, Dear Sir,

Your obedient servant,

CALEB S. LAYTON,*Secretary of State.*

Geo: Town, Del.

Jan: 27, 1832.

....

*The State of Delaware, in account with CALEB S. LAYTON,
Secretary of State.*

DEBTOR.

| | | <i>Dolls. Cts.</i> |
|----------|--|------------------------|
| 1831. | | |
| Feb. 17. | To my check on the Farmers' Bank at George Town, in favor of C. P. Comegys, Esq. State Treasurer, - - - | 823 56 |
| | Feb. 22d, I rec'd. from C. P. Comegys, Esq. State Treasurer, his receipt under date of the 19th inst: for the above sum. } | |
| Oct. 20. | To my check on the Farmers' Bank at George Town, in favor of C. P. Comegys, Esq. State Treasurer, in full - - - | 312 73 |
| | Check rec'd. thro' the Bank: also a rec't. from C.P.C. | |
| Dec. 12. | To my check on the Farmers' Bank at this place, G. Town, for this sum (check of this date,) - - - | 179 89 |
| | Dec. 20th, this day I rec'd. from C. P. Comegys, Esq. S. Treas'r. his rec't. under date of 19th Dec. 1831, for the said sum of \$179 89. } | |
| | | <hr/> \$1,316 18 <hr/> |

Examined, allowed and settled, this 7th Jan. 1832.

J. H. HARRIS.*Auditor.*

SENATE.

76

1831.

CREDIT.

Dolls. Cts.

| | | | | | | | |
|-----------|--|---|---|---|---|-----|----|
| Jan. 26. | By cash rec'd. on a check from Tho's. Stockton, Esq. Clk. Peace N. C. county, on acc't. retailer's licenses dispensed previous to the 4th inst: | - | - | - | - | 791 | 06 |
| Feb. 4. | Cash rec'd. of George R. Fisher, Esq. Proth'y. Sussex, for sales of 7 copies of the Digest at 2 dolls. 14 dolls. his com's. 70 cents, and a balance of 80 cents due him on a former settlement deducted, leaving paid | - | - | - | - | 12 | 50 |
| 9. | Cash rec'd of Jos: L. Harper, the State's fee on his reappointment as Register in Chancery in Kent county | - | - | - | - | 10 | 00 |
| | Cash rec'd State's fee on commission to Jos: Craner, Justice of the Peace in Kent county, | - | - | - | - | 10 | 00 |
| Mar. 8. | Cash of John Adams, Esq. State's fee on commission to him as clerk of the Supreme court in Kent county | - | - | - | - | 10 | 00 |
| 24. | Do. of John H. Eccleston, State's fee on commission as clerk of the High court of Errors and Appeals | - | - | - | - | 10 | 00 |
| | Do. rec'd. for impression of the great seal, per T. Robinson, jr. | - | - | - | - | 1 | 00 |
| Do. | do. do. do. per A. Marshall, | - | - | - | - | 1 | 00 |
| Do. | do. do. do. per do. | - | - | - | - | 1 | 00 |
| Do. | do. do. do. per W. Arnell, jr. | - | - | - | - | 1 | 00 |
| Do. | do. do. do. per Jno. Cade, | - | - | - | - | 1 | 00 |
| Do. | do. do. do. per Thomas Dazey, | - | - | - | - | 1 | 00 |
| Do. | do. do. do. per A. T. Green, | - | - | - | - | 1 | 00 |
| April 10. | Do. of Matthew Rench, Esq. on commission as Justice of Peace in Sussex | - | - | - | - | 10 | 00 |
| May 4. | Do. of George R. Fisher, for sale of 8 copies of the Digest, at 2 dollars, 16 dollars, deduct commissions, 80 cents. | - | - | - | - | 15 | 20 |
| 23. | Do. rec'd. of Dr. John Adams, clerk of the Peace, for Kent county, in his check for dolls. 215 83, per advice of the 20th inst: as follows, to wit: on account of retailers' licenses by him dispensed from 26th Oct: 1830 to 28th April 1831, dolls 81 83, and for two constable's commissions, Hugg & Smith, at 5 dollars each, making 10 dollars, | - | - | - | - | 91 | 83 |
| | The balance \$124 00 credited to the School fund. | - | - | - | - | | |
| | Amount carried forward, | - | - | - | - | 966 | 59 |

| | | | | <i>Dolls. cis.</i> |
|----------|---|-----|---|--------------------|
| | <i>Amount brought forward,</i> | | | 966 59 |
| June 20. | By cash received this day of Joshua S. Layton, clerk of the Peace in Sussex, for 20 constables' commissions at 5 dollars each, 100 dollars, and one pedlar's license, 35 dollars, | | | 135 00 |
| | " cash rec'd. for impression of the great seal, for Robert Barr | - | - | 1 00 |
| Do. | do. | do. | | |
| | for Edward Richards | - | | 1 00 |
| Do. | do. | do. | | |
| | for Jannan Truitt, | - | - | 1 00 |
| Do. | do. | do. | | |
| | for William Arnell | - | - | 1 00 |
| July, | Do. of G. A. Ewing, Esq. for do. to a patent | | | 1 00 |
| August 4 | By cash rec'd of George R. Fisher, Esq. Prothonotary of Sussex county, for sales of 3 copies of the Digest, at 2 dollars each, 6 dollars, deduct commissions 5 per ct. 30 cts. | | | 5 70 |
| 30, | By cash rec'd. of G. A. Ewing, esq. for impression of great seal to a patent | - | - | 1 00 |
| | " Do. do. do. do. | | | 1 00 |
| Sept. 6, | " Do. Turpin Wright, do. do. | | | 1 00 |
| Oct. 10. | By cash received of Daniel Godwin, on commission as Justice of the Peace, in Kent, | | | 10 00 |
| | " Do. Jacob S. Burton, on commission as Coroner of Sussex, | - | - | 10 00 |
| 14, | " Do. of Robert Anderson for impression of great seal | - | - | 1 00 |
| Dec. 5. | " Do. of Willard Hall for do. do. | | | 1 00 |
| | " Do. of G. W. Maull for impression of do. | | | 1 00 |
| 7. | " Do. of Joshua S. Layton, Esq. clerk of the Peace Sussex, for 108 retailers' licenses, dispensed by him on an aggregate capital of \$72,611; amount of tax by him received \$181 52½; deduct commissions thereon at 2 per cent, making \$3 63½ | - | | 177 89 |
| | | | | <hr/> |
| | | | | \$1,316 18 |

Examined, allowed and settled, this 7th Jan. 1832.

J. H. HARRIS,

Auditor.

DEBTOR.

1831.

| | <i>Dolls. cts.</i> |
|---|--------------------|
| Jan. 7. To cash paid C. P. Comegys, Esq. State Tr'r. this day, per receipt by the hands of J. H. Harris, Esq. - - - | 106 85 |

1831.

CREDITOR.

Dolls. cts.

| | |
|--|---------|
| Dec. 12. By cash received of George R. Fisher, Esq. Prothonotary of Sussex county, on account of sales of 10 copies of the Digest, at 2 dolls. each, making 20 dolls. deduct his commissi- ons at 5 per cent, 1 dollar, leaving the bal- ance paid over and here credited - - | 19 00 |
| 20. By cash of G. A. Ewing, Esq. Recorder of Sus- sex county, for three impressions of the great seal to patents in favor of Ingraam & Polk | 3 00 |
| 21. By cash of William A. Budd, Esq. fee on com- mission as Justice of the Peace in Kent County, - - - | 10 00 |
| By cash of J. Cade for impression of great seal | 1 00 |
| By cash of T. Dazey ditto ditto | 1 00 |
| 31. By cash of G. A. Ewing, Esq. Recorder, for impression of the great seal to a patent | 1 00 |
| By cash of George R. Fisher, Esq. Prothono- tary of Sussex, for sale of two copies of Ses- sion Acts of 1830, at 25 cents, 50 cents, and for sale of 36 copies of Session Acts of 1831, at 25 cents, 9 dollars, paid over - | 9 50 |
| 1832. Jan. 3. By cash received of John H. Eccleston, Esq. Prothonotary of Kent county, for sale of 29 copies of the Digest at 2 dollars, 58 dollars, 11 copies of Acts of 1830, at 25 cents, 2 dol- lars 75 cents, and 18 copies of Acts of 1831, at 25 cents, 4 dollars 50 cents, making six- ty five dollars 25 cents, deduct commissions on 58 dollars at 5 per cent, 2 dollars 90 cts. leaves this amount to credit - | 62 35 |
| | 8106 85 |

*Examined, allowed and settled this 7th Jan. 1832.**J. H. HARRIS, Auditor.*

1832, January 10th, E. E. C. S. LAYTON, Sec. of State,

K

The foregoing account of money received for the use of the State, from the 26th Jan. 1831, to the 3rd day of January 1832, both inclusive, is respectfully submitted to the Senate of the State of Delaware, pursuant to the provisions of an Act of the General Assembly, entitled, "An Act establishing certain fees for the use of the State:" Passed at Dover, Jan. 26, 1826.

CALEB S. LAYTON,

Secretary of State.

Dover, Jan. 10, 1832.

—•••••

RECAPITULATION.

Of the foregoing Receipts there have been paid—

| | | |
|---|----------------|-----------|
| On account of Retailers' Licenses, the sum of | \$1050 | 78 |
| Pedlars' Licenses | - | 35 00 |
| Commissions to sundry persons | 80 | 00 |
| Ditto to Constables | - | 110 00 |
| Impressions of the great seal | 23 | 00 |
| Sales of the Digest & Session Acts | 124 | 25 |
| | <u>\$1,423</u> | <u>03</u> |

Since the foregoing account was settled with the Auditor, and made out as above, I have received for the use of the State, sundry sums of money, a statement of which I am unable to lay before the General Assembly in a regular manner, in consequence of the office of Auditor of Accounts being now vacant.

CALEB S. LAYTON,

Secretary of State.

Jan. 27, 1832.

DR. *The Fund for establishing Schools in the State of Delaware, in acc't. with* **CALEB S. LAYTON, Secretary of State. CR.**

DEBTOR.

| | | <i>Dolls.</i> | <i>Cts.</i> |
|----------|--|-------------------|-------------|
| 1831. | | | |
| Jan. 17, | To my check on the Farmers' Bank at George Town, in favor of C. P. Comegys, Esquire, Trustee of said fund - - - | 178 | 94 |
| Feb. 22, | C. P. Comegys's Trustee's rec't. of 19th inst. rec'd and filed. | | |
| June 25, | To my check on the Farmers' Bank at George Town, in favor of C. P. Comegys, Esquire, Trustee, &c. for - - - | 452 | 00 |
| July 2, | To my check on the Farmers' Bank at George Town, in favor of C. P. Comegys, Esquire, Trustee, &c. for - - - | 800 | 00 |
| | The receipts of C. P. Comegys for the last two payments received and filed. | | |
| Dec. 12, | To my check on the Farmers' Bank of Delaware, at this place, (G. Town) in favor of C. P. Comegys, Esq. Trustee, &c. for - - - | 150 | 00 |
| | Dec. 20, rec'd. C. P. Comegys's Esq. rec't. for the above, under date of the 19th Dec. 1831. | | |
| 1832. | | | |
| Jan. 7. | To the check of Thomas Stockton, Esq. of the 4th inst: given in favor of the Secretary of State, and endorsed to the order of C. P. Comegys, Esq. Trustee, &c. for - - - | 300 | 00 |
| | | <hr/> | |
| | | \$1,880 94 | |

Examined, allowed and settled, this 7th Jan. 1832.

J. H. HARRIS, Auditor.

| | CREDITOR. | <i>Dolls.</i> | <i>Cts.</i> |
|----------|---|---------------------------------------|-------------|
| 1831. | | | |
| Jan. 26, | By this sum rec'd. from Tho's. Stockton, Esq. Clerk of the Peace in New-castle county, in a check of the 18th inst: for \$860, the balance \$791 06, being credited to the State on account of marriage licenses dispensed previous to the 4th instant, - - - | 68 | 94 |
| | By cash received of Joshua S. Layton, Esq. Clerk of the Peace, in Sussex county, for 55 marriage licenses by him dispensed - - - | 110 | 00 |
| May 23, | By cash received of Doct. John Adams, Clerk of the Peace in Kent county, in his check for \$215 83, per advice of the 20th instant, as follows, to wit : - - - | | |
| | | <hr/> | |
| | | <i>Amount carried forward,</i> 178 94 | |

| | | <i>Dolls. cts.</i> |
|----------|--|--------------------|
| 1831. | <i>Amount brought forward,</i> | 178 94 |
| | for 2 tavern licenses sold Dec. last | \$24 00 |
| | marriage licenses, on acct. | 100 00 |
| | | <hr/> 124 00 |
| | The balance \$91 83, credited to the funds of the State. | |
| June 20, | By cash received of Joshua S. Layton, Esq. Clerk of the Peace in Sussex, for 19 tavern licenses granted at the last April term, at \$12 each, \$228, and \$100 for marriage licenses dispensed, making | 328 00 |
| July 2 | By cash received of Thomas Stockton, Esq. Clerk of the Peace in N. castle county, on account of marriage licenses by him dispensed, | \$200 00 |
| | on acct. of tavern licenses dispensed. | 600 00 |
| | | <hr/> 800 00 |
| Dec. 6, | By cash received of Joshua S. Layton, Esq. Clerk of the Peace in Sussex county, on acct. of marriage licenses by him dispensed | 150 00 |
| 1832. | Jan. 4. By check from Thomas Stockton, Esq. Clerk of the Peace in New-castle county, on acct. of tavern licenses dispensed | 300 00 |
| | | <hr/> \$1,880 94 |

E. E.

C. S. LAYTON,

Secretary of State.

The foregoing account of money received for the use of the fund for establishing Schools in the State of Delaware, is respectfully submitted to the Senate, pursuant to the provisions of the Act of the General Assembly of the State of Delaware, entitled, An Act establishing certain fees for the use of the State :” Passed at Dover, January 26, 1826.

CALEB S. LAYTON, *Secretary of State.*

Dover, January 10, 1832.

Since the above account was settled with the Auditor, and made out, I have received sundry sums of money for the use of the School fund, which I am unable to lay regularly before the General Assembly, in consequence of a vacancy in the office of Auditor of Accounts.

CALEB S. LAYTON, *Sec. of State.*

Jan. 27, 1832.

DR. The contingent expenses of the Secretary's Office, in account with CALEB S. LAYTON, Secretary of State, CR.

DEBTOR.

| | | Dolls. | cts. |
|----------|---|--------|-------|
| 1831. | | | |
| Feb. 2, | To cash paid H. W. Peterson, for printing, pr. bill and receipt, | - | 3 00 |
| 8, | Do. Jos. S. Layton, for paper, do. | 1 | 00 |
| 22, | Do. Stage driver, on two bundles of blanks, | 37 | ½ |
| March 3, | Do. W. A. Mendenhall, for printing per bill and receipt, | - | 12 00 |
| 9, | Do. J. S. Layton, per paper, do. | 50 | |
| 23, | Do. Tunnell & Short, for 2 piecestape, do. | 12 | ½ |
| 31, | Do. do. do. 2 qrs. fools cap paper do. | 50 | |
| May 12, | Do. E. Grundy & Co. for sealing wax, do. | 24 | |
| 13, | Do. Tunnell & Short, 2 qrs. paper, do. | 50 | |
| June 15, | Do. J. S. M'Calla, for printing, do. | 3 | 00 |
| July 4, | Do. Tunnell and Short, for tape, do. | 10 | |
| Oct. 13, | Do. J. S. M'Calla, for printing, do. | 6 | 00 |
| 1832. | | | |
| Jan. 2, | Do. Sipple and Pennewell, for candles, do. | 15 | |
| " | Do. for cutting wood for Secretary's Office, in Dover, | - | 25 |
| 3, | Do. repaid the Governor for postage by him paid on Public Documents, received by him at Milton, which were directed to the Executive Department of this State—being for the last two years, per bill and receipt, | 22 | 08 |
| 4, | Do. paid John Catts, Post Master, at Dover bill and receipt, | 4 | 22½ |
| 9, | Do. Philip Short, Post Master, at Geo. Town, for postage, do. | 20 | 19½ |
| " | Do. Jos. S. Layton, for 1 qr. paper do. | 30 | |
| " | Copying sundry acts and resolutions for publication and for interchange with the other states—673 lines of 12 words in a line, | 6 | 73 |
| | Copying the Laws of 1831, for the press, per bill filed, | 20 | 25 |
| 10, | Cash paid Tunnell & Short for 1 qr. paper per bill and receipt, | - | 25 |
| 16, | Do. Jos. S. Layton, do. do. | 25 | |
| 27, | Copying the record of the sessions of the Judges for the General Assembly for 1830, 1831, and certificate of bond of S. Treasurer, &c. | | |

Amount carried forward, \$102 01½

| 1831. | | Dolls. Cts. |
|--------------|---|------------------|
| Jan. 27, | <i>Amount brought forward,</i> | 102 01½ |
| | to the Auditor and to the General Assembly, &c. per bill filed, | 12 52 |
| " | Cash paid Edm'd. Grundy, & Co. for sealing wax, per bill and receipt, | 48 |
| " | Balance due from C. Layton, Sec'y. of State, | 90 97½ |
| E. E. | | <u>\$205 99½</u> |

CALEB S. LAYTON, Secretary of State.

January 27, 1832.

CREDITOR.

| 1831. | | Dolls. cts. |
|----------|---|------------------|
| Jan. 22, | By balance in the hands of C. S. Layton, S. State, per last report, | 5 99½ |
| Feb. 22, | By cash received of C. P. Comegys, Esq. State Treasurer, under the Act for the payment of claims, passed Jan. 28, 1831, | 200 00 |
| | | <u>\$205 99½</u> |
| 1832. | | |
| Jan. 27, | By balance due from C. S. Layton, Sec'y. of State, | <u>\$90 97½</u> |

The foregoing account of the contingent expenses of the Secretary's Office for the year 1831, is respectfully submitted to the General Assembly, pursuant to the provisions of the Act entitled "An Act for the payment of claims against the State"—passed at Dover, January 28, 1831. The expenditures on account of the Secretary's Office, have not been so great as I anticipated: with the balance now remaining in my hands, I suppose one hundred dollars will be sufficient to defray the contingent expenses of the Office for the present year. I respectfully ask the appropriation of that sum. The vouchers for the above account are on file, subject to inspection.

CALEB S. LAYTON, Sec'y. of State.

Dover, Jan'y. 27, 1832.

Mr. Johnson presented a remonstrance, signed by sundry citizens of Milford and Mispillion Hundreds, remonstrating against re-uniting the said Hundreds ;

Which,

On motion of Mr. Johnson, seconded by Mr. Lewis,

Was, together with a petition heretofore presented for uniting said Hundreds, referred to a committee of three members.

Mr. Speaker appointed Messrs. Johnson, Booth and Lewis, on that committee.

Mr. Johnson presented the petition of sundry citizens of Kent County, praying a law to be passed relating to the real estate of intestates,

Which,

On his motion, seconded by Mr. Booth,

Was referred to the committee, to whom was referred the bill, entitled, "An act concerning the real estate of intestates."

On motion, the Senate adjourned until 10 o'clock, to-morrow morning



WEDNESDAY, 10 o'clock, A. M. Feb. 1, 1832.

The Senate assembled pursuant to adjournment.

Mr. Cooper, Clerk of the House of Representatives, being admitted, returned the bill, entitled, "An act to authorize the owners and possessors of the marsh and low ground, commonly called, and known by the name of Cow marsh, situate in the forest of Murderkill Hundred, in Kent County, State of Delaware, to cut a ditch or ditches, drain or drains through the same, and to keep the said ditches and drains open and in good order ;" and informed the Senate that the House had agreed to all the amendments proposed by Senate, except the second, to which the House did not agree ;

and withdrew.

On motion of Mr. Johnson, seconded by Mr. Burton,

It was Resolved, that Senate recede from the said amendment.

Which was agreed to,

And the bill ordered to be returned to the House, and that the House be informed accordingly.

On motion of Mr. Johnson, seconded by Mr. Sutton,

The bill entitled, "A supplement to the act, entitled, 'an act concerning the New-Castle and Frenchtown Turnpike and Rail Road Company'" was committed to a committee of three members.

Mr. Speaker appointed Messrs. Johnson, Sutton and Lewis, on that committee.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act for the relief of the owners and possessors of Big Marsh of Marshyhope ;"

was read the second time.

And on motion of Mr. Booth, seconded by Mr. Sutton,

The "Resolutions in favor of the Bank of the United States," was taken up for consideration ;"

And,

On motion of Mr. Booth, seconded by Mr. Sutton,
The said Resolutions were read, and

adopted ; and

Ordered, to be returned to the House of Representatives.

On motion of Mr. Burton, seconded by Mr. Lewis,

The joint Resolution, appointing an Auditor of Accounts, was taken up for consideration.

Mr. Wainwright moved, seconded by Mr. Lewis,

That the said Resolution be concurred in by the Senate ; on which motion some debate took place,

Pending which.

On motion the Senate adjourned until 3 o'clock this afternoon.

Eodem die, 3 o'clock, P. M.

The Senate met pursuant to adjournment.

And—On motion of Mr. Burton, seconded by Mr. Lewis,

Resumed the consideration of the Resolution appointing an Auditor of Accounts.

On the question, will the Senate concur in the Resolution, it was decided in the negative:

And the Resolution ordered to be returned to the House.

Mr. Johnson presented another remonstrance, signed by sundry citizens of Kent County, against re-uniting the Hundreds of Milford and Mispillion ;

Which,

On motion of Mr. Johnson, seconded by Mr. Alrichs,

was read,

And referred to the committee, to whom a similar remonstrance was referred yesterday.

On motion of Mr. Johnson, seconded by Mr. Burton,

The bill, entitled, " An act to incorporate a Company, to erect a Draw-Bridge over the river Nanticoke, at Seaford, and for other purposes therein mentioned ;"

was read a second time.

And—On motion of Mr. Johnson, seconded by Mr. Booth,

The above recited bill was ordered to lie on the table.

On motion of Mr. Alrichs, seconded by Mr. Burton,

The bill, entitled, " An act to incorporate the Wilmington Fire Insurance Company," was read a third time by paragraphs, in order to

pass the Senate.

And on the question being put, shall the bill pass ?

Mr. Alrichs called for the yeas and nays, which were as follow :

Yeas.—Messrs. Alrichs, Burton, Johnson, Lewis, Sutton, and Mr. Speaker.—6.

Nays.—Messrs. Booth and Wainwright.—2.

So the bill

passed the Senate.

Ordered, That it be sent to the House for concurrence.

The Clerk of the House of Representatives, being admitted, returned the bill, entitled, "An act regulating divorces," and informed the Senate that the House had concurred in all the amendments proposed by Senate, except so much thereof as makes felony a cause of divorce ;
and withdrew.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act to enable Susan Bateman to locate certain vacant lands, situate in Dover Hundred, in Kent County, and to complete her title to the said lands ;"

was read a second time.

On motion of Mr. Johnson, seconded by Mr. Burton,

The bill, entitled, "An act granting to Abel Harris, of Kent County, a certain tract or parcel of marsh therein described ;"

was read a second time.

Mr. Johnson proposed the following amendments, to wit :

"Amend the bill, by striking out all of sec. 1, after the word 'upon,' and inserting in lieu, the following, 'provided however that no part of the said ten acres shall be located between the Northernmost line of the Light House tract, and the high-water mark on the South side of Indian Gut, within eighty yards of the West side of Mahon River.'"

"Add to section 3, 'provided however, that nothing in this act shall in any wise interfere with, or impair any title of any other person or persons.'"

On motion of Mr. Johnson, seconded by Mr. Alrichs,

The foregoing amendments were severally read, and

adopted

On motion of Mr. Johnson, seconded by Mr. Booth,

The above mentioned bill, with the amendments, and a map of the said ten acres,

Were ordered to lie on the table.

On motion of Mr. Booth, seconded by Mr. Johnson,

The bill, entitled, "An act respecting the Road Commissioners of New-Castle Hundred, in New-Castle County ;"

was read a second time.

On motion of Mr. Booth, seconded by Mr. Sutton,

The bill, entitled, "An act for the relief of William James, of the County of Sussex ;"

was read a second time.

And—On motion of Mr. Alrichs, seconded by Mr. Booth,

The said bill was ordered to lie on the table.

On motion, the Senate adjourned until to-morrow morning, 10 o'clock.



THURSDAY, 10 o'clock, A. M. February 2, 1832.

The Senate met pursuant to adjournment,

Mr. Booth asked for, and

I.

On his motion, seconded by Mr. Sutton,

Obtained leave to introduce a bill, entitled, "A supplement to an act, entitled, 'an act respecting the Partition of Lands and Tenements among Joint Tenants and Tenants in Common ;'" which,

On motion of Mr. Booth, seconded by Mr. Sutton,

was read.

And—On motion of Mr. Alrichs, seconded by Mr. Burton,

The above mentioned bill was ordered to lie on the table.

Mr. Booth gave notice, that to-morrow he should ask leave to introduce a bill for the benefit of Delaware College, at, or near New-Ark, in New-Castle County.

On motion of Mr. Wainwright, seconded by Mr. Burton,

The bill, entitled, "An act for the relief of the owners and possessors of Big Marsh of Marshyhope ;" was read a third time by paragraphs, *and passed the Senate.*

Ordered, to be returned to the House of Representatives.

Mr. Alrichs asked for, and

On his motion, seconded by Mr. Burton,

Obtained leave to introduce a bill, entitled, "A supplement to the act, entitled, "an act to incorporate the Wilmington and Downingtowa Rail Road Company ;"

Which,

On motion of Mr. Alrichs, seconded by Mr. Burton,

was read.

On motion of Mr. Booth, seconded by Mr. Wainwright,

The bill, entitled, "An act respecting the Road Commissioners of New-Castle Hundred, in New-Castle County ;" was read a third time by paragraphs,

and passed the Senate.

Ordered, that the above mentioned bill be sent to the House for concurrence.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act to amend the act, entitled, 'an act concerning Constables ;'"

was read a second time.

On motion of Mr. Wainwright, seconded by Mr. Burton,

The bill, entitled, "An act for the preservation of the Records of the Court of Chancery and Orphans' Court of Sussex County ;"

was read a second time.

Mr. Johnson offered the following amendment, to wit :

"Amend the bill, by striking out all of the third section, after the words 'Levy Court ;'"

Which amendment,

On motion of Mr. Johnson, seconded by Mr. Burton,

was adopted.

On motion of Mr. Wainwright, seconded by Mr. Sutton,

The bill, entitled, "A supplement to the act, entitled, 'an act altering the mode of repairing and supporting the roads and bridges in the several Hundreds of the County of New-Castle ;'"

was read a second time.

And,

On motion of Mr. Booth, seconded by Mr. Sutton,
Was ordered to lie on the table.

On motion of Mr. Johnson, seconded by Mr. Wainwright,

The "Resolution for further enquiry upon the subject of carrying into effect the Amended Constitution," was taken up for consideration; read, and *adopted.*

Mr. Speaker appointed on the part of the Senatè, Messrs. Booth and Johnson.

Ordered, that the House be informed thereof.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act to amend the act, entitled, 'an act concerning the Constitution of the Levy Court and Court of Appeal;'" *was read, a second time.*

And—On motion of Mr. Booth, seconded by Mr. Johnson,
Was ordered to lie on the table.

On motion of Mr. Alrichs, seconded by Mr. Booth,

The "Resolution appointing Commissioners to arrange the books, pamphlets and papers in the Senate Chamber, and House of Representatives, was taken up for consideration, and the blank filled with the names of William Johnson and Ignatius T. Cooper, Esqrs."

On motion of Mr. Alrichs, seconded by Mr. Wainwright,

The said Resolution was then read, and *adopted.*

Ordered, that it be sent to the House for concurrence.

On motion of Mr. Wainwright, seconded by Mr. Burton,

The bill, entitled, "An act to repeal the act, entitled, 'a further supplement to the act, entitled, 'an act to alter the times of holding the Courts of Law and Equity in this State;'"

was read a second time.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act to amend the act, entitled, 'an act directing the manner of suing out attachments within this Government;'"

was read a second time.

On motion, the Senatè adjourned until 3 o'clock this afternoon.



Eodem die, 3 o'clock, P. M.

The Senate met pursuant to adjournment.

Mr. Cooper, Clerk of the House of Representatives, being admitted, presented for concurrence of Senatè, a bill, entitled, "An additional supplement to the act, entitled, 'an act to enable the President, Directors and Company of the Commercial Bank of Delaware, to close the concerns of that Bank;'" with a petition, on which the bill was predicated. *and withdrew.*

On motion of Mr. Alrichs, seconded by Mr. Wainwright,

The above mentioned bill and petition *were read.*

On motion of Mr. Johnson, seconded by Mr. Lewis,

The bill, entitled, "An act to incorporate a Company to erect a

Draw Bridge over the River Nanticoke at Seaford, and for other purposes therein mentioned," was taken up for consideration.

Mr. Johnson offered the following amendments,

Which,

On his motion, seconded by Mr. Alrichs,

were read.

As follows, to wit :

Amend the bill,

1. " In sec. 8, line 9, strike out the words 'thirty-five,' and insert the word 'forty.'

2. " In section 10, line 14, by striking out the figures '10,' and inserting in lieu thereof the figure '6.'

" Line 17 strike out 18 and insert 12½

" 19 " 50 " 31

" 22 " 8 " 6

" 23 " 25 " 18½

" 24 " 12 " 10

" 25 " 50 " 37½

" 26 " 25 " 18½

" 27 & 8 " 25 " 12½

" 29 " 15 " 6

" 30 " 12 " 10

" 31 " 8 " 6

3. " In same sec. line 32, strike out the word 'every,' and add the letter 's' to the word 'horse,' and to the word 'mule,' and after the word 'or' in said line, add the words 'other cattle each,' and

4. " Strike out the figure '4' in said line, and insert the figure '3.'

5. " In line 33, strike out the word 'and,' and insert in its stead the word 'or.'

5. " Amend the bill further, by adding to section 19, the following, 'and after the completion of the said bridge, it shall be the duty of the President, Secretary or Treasurer of said Company, biennially, on the first Monday in December, to transmit, under oath or affirmation, to the Auditor of Accounts of this State, a full statement of the affairs of the said Company, stating fully and clearly the amount of money received for tolls or pontage, as well as the amount expended in keeping the said bridge and draw in good order, and in lighting the same, and paying the keeper thereof.'

On motion of Mr. Johnson, seconded by Mr. Alrichs,

The foregoing amendments were severally considered and

adopted.

And—On motion of Mr. Johnson, seconded by Mr. Burton,

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

On the question being put, shall the bill pass ?

Mr. Alrichs called for the yeas and nays, which were as follows :

Yeas.—Messrs. Alrichs, Booth, Burton, Johnson, Sutton, Wainwright and Mr. Speaker.—7.

Nay.—Mr. Lewis :

So the bill passed the Senate.

Ordered, that the said bill be returned to the House of Representatives, and that the concurrence of the House be requested in the amendments.

Mr. Booth, from the committee to whom was referred the petition of Mary Ann Starling, reported a bill, entitled, "An act for the relief of Mary Ann Starling, of Pencader Hundred, New-Castle County ;"

Which,

On his motion, seconded by Mr. Sutton,

was read.

On motion, the Senate adjourned until 10 o'clock, to-morrow morning.

FRIDAY, 10 o'clock, A. M. February 3, 1832.

The Senate met at the time to which it stood adjourned.

According to notice given yesterday, Mr. Booth asked for, and,

On his motion, seconded by Mr. Burton,

Obtained leave to introduce a bill, entitled, "An act for the benefit of Delaware College, at, or near New-Ark, in New-Castle County ;"

Which,

On motion of Mr. Booth, seconded by Mr. Burton,

was read.

Mr. Marim, a member of the House of Representatives, being admitted, presented for concurrence of Senate, a bill, entitled, "An additional supplement to the act, entitled, 'an act for the establishment of Free Schools ;'"

and he withdrew.

Which bill,

On motion of Mr. Wainwright, seconded by Mr. Lewis,

was read.

And—On motion of Mr. Booth, seconded by Mr. Burton,

Was committed to a committee of three members.

Mr. Speaker appointed Messrs. Booth, Johnson and Burton.

On motion of Mr. Alrichs, seconded by Mr. Lewis,

The Senate receded from so much of their amendment to the bill, entitled, "An act regulating divorces," as made felony a cause of divorce.

Ordered, that the said bill be returned to the House of Representatives, and the House informed accordingly.

On motion of Mr. Wainwright, seconded by Mr. Lewis.

The bill, entitled, "An act for the relief of William James, of Sussex County ;" was read a third time by paragraphs,

and passed the Senate, and

Ordered, to be returned to the House of Representatives.

On motion of Mr. Johnson, seconded by Mr. Wainwright,

The bill, entitled, "An act granting to Abel Harris, of Kent County, a certain tract or parcel of marsh therein described :—" was read a third time, as amended, by paragraphs.

and passed the Senate.

And ordered to be returned to the House of Representatives, and that the House be requested to concur in the amendments.

Mr. Cooper, Clerk of the House of Representatives, being admitted, returned the bill entitled, "An act directing the manner in which certain records shall be kept," and informed the Senate that the said bill had passed the House with an amendment; to which he asked the concurrence of Senate: He also presented for concurrence, the following bills, which had passed the House of Representatives;

To wit:

1. "An act defining the duty of the Clerks of the Peace in dispensing marriage licenses."

2. "An act allowing for a limited time an additional Justice of the Peace to New-castle county."

3. "A Resolution appointing Jacob Biddle, Esquire, Auditor of Accounts of this State."

And at the same time informed Senate that the House had concurred in the amendments proposed by the Senate to the bill, entitled, "An act to incorporate a company to erect a draw-bridge over the river Nanticoke, at Seaford, and for other purposes therein mentioned;"

and he withdrew.

On motion of Mr. Wainwright, seconded by Mr. Sutton,

The bill, entitled, "An act allowing for a limited time, an additional Justice of the Peace to New-castle county,

was read.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act defining the duty of the Clerks of the Peace in dispensing marriage licenses,"

was read.

On motion of Mr. Wainwright, seconded by Mr. Booth,

The bill, entitled, "An act to enable Susan Bateman, to locate certain lands, situate in Dover Hundred, Kent county, and to complete her title to said lands," was read a third time, by paragraphs, and

passed the Senate.

Ordered, That the said bill be returned to the House of Representatives.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled. "An additional supplement to the act entitled, "an act to enable the President, Directors and Company of the Commercial Bank of Delaware, to close the concerns of that Bank,"

was read the second time.

On motion, the Senate adjourned until 3 o'clock, this afternoon.

Eodem die, 3 o'clock, P. M.

The Senate met pursuant to adjournment.

Mr. Cooper, Clerk of the House, being admitted, returned the bill, entitled, "An act granting Abel Harris, of Kent county, a certain tract or parcel of marsh therein described," and informed Senate that the

House of Representatives had concurred in the amendments proposed by the Senate, with an amendment;

and withdrew.

On motion of Mr. Johnson, seconded by Mr. Lewis,

The proposed amendment to the amendment was concurred in; and the bill ordered to be returned to the House of Representatives.

On motion of Mr. Alrichs, seconded by Mr. Burton,

The bill entitled, "a further supplement to the act entitled, 'An act to incorporate the Wilmington and Downingtown Rail Road Company,'" *was read a second time.*

On motion of Mr. Wainwright, seconded by Mr. Burton,

The resolution relative to the adjournment of both Houses, was taken up and read.

Mr. Wainwright offered the following amendment, to wit:

"Amend the resolution by striking out the word 'third' in the fifth line and insert the word 'tenth';—which was agreed to, and the resolution as amended was adopted, and sent to the House of Representatives for concurrence in the amendment.

On motion of Mr. Booth, seconded by Mr. Lewis,

The bill entitled "A further supplement to an act entitled, 'an act respecting the partition of lands and tenements among joint tenants and tenants in common,'" *was read a second time.*

On motion of Mr. Johnson, seconded by Mr. Booth,

The bill entitled, "An act regulating the General election," was taken up for consideration.

Mr. Johnson offered the following amendments:

Amend the bill;

1. In sec. 1, line 7, strike out all after the word 'November,' and all of line 8 and line 9, to the word 'also.'

2. In same sec. line 10, strike out the word 'said.'

On motion of Mr. Johnson, seconded by Mr. Lewis,

The above amendments were severally read and adopted.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill entitled, "An act to amend the act entitled, 'An act concerning Constables,'" was read a third time by paragraphs and

passed the Senate.

Ordered, That the said bill be returned to the House of Representatives.

On motion of Mr. Johnson, seconded by Mr. Lewis,

The bill entitled "An act directing the manner in which certain Records shall be kept," was taken up for consideration.

On motion of Mr. Johnson, seconded by Mr. Lewis, it was

Resolved, That the Senate does not concur in the amendment proposed by the House of Representatives.

Ordered, That the said bill be returned to the House, and that the House be informed accordingly.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act to amend the act, entitled, 'an act directing the manner of suing out attachments within this Government,'" was read a third time by paragraphs, and

passed the Senate.

Ordered, That the above mentioned bill be returned to the House of Representatives.

Mr. Cooper, Clerk of the House, being admitted, presented for the concurrence of the Senate, the following bills, which had passed the House of Representatives, to wit:

1. "An act to exempt vessel property from taxation," with a petition.

2. "An act granting to William Russell a certain tract or parcel of marsh therein described," with a petition therefor,

and withdrew.

Both of which bills and petitions,

On motion of Mr. Wainwright, seconded by Mr. Lewis,

were read.

Mr. Brooks, a member of the House of Representatives, being admitted, returned a duly enrolled bill and informed Senate that it had received the signature of the Speaker of the House,

and withdrew.

Mr. Frame, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate a duly enrolled bill entitled, "A further supplement to the act entitled 'an act to incorporate a company for the purpose of cutting and making a canal between the Chesapeake bay, and the bay or river Delaware,'"

and withdrew.

On motion of Mr. Wainwright, seconded by Mr. Booth,

The bill entitled "An act for the preservation of the Records of the Court of Chancery and Orphans' Court of Sussex County," was read a third time, as amended, by paragraphs, and

passed the Senate.

Ordered, That the said bill be returned to the House of Representatives, and that the concurrence of the House be requested to the amendment.

Mr. Causey, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, a duly enrolled bill,

and withdrew.

Mr. Stockley, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, a duly enrolled bill, entitled, "An act to amend the act entitled 'an act concerning the Levy Court, Clerk of the Peace, Assessors, Collectors and County Treasurers,'"

and withdrew.

Mr. Hearn, a member of the House of Representatives, being admitted, returned a duly enrolled bill, and informed the Senate that the same had received the signature of the Speaker of the House of Representatives,

and withdrew.

Mr. Grewell, a member of the House of Representatives, being admitted, presented a duly enrolled bill, for the signature of the Speaker of the Senate,

and withdrew.

Mr. Houston, a member of the House of Representatives, being admitted, returned a duly enrolled bill, and informed Senate that the said bill had received the signature of the Speaker of the House,

and withdrew.

Mr. Caulk, a member of the House of Representatives, being admitted, returned a duly enrolled bill and informed Senate that the said bill had received the signature of the Speaker of the House,
and he withdrew.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill entitled, "A further supplement to the act entitled, 'an act for establishing the boundaries of the town of Dover, and for other purposes therein mentioned,'" *was read.*

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act to repeal the act, entitled, 'a further supplement to the act, entitled, 'an act to alter the times of holding the Courts of Law and Equity in this State ;' was read a third time by paragraphs,

and passed the Senate.

Ordered, that the said bill be returned to the House of Representatives.

On motion, the Senate adjourned until 10 o'clock, to-morrow morning



SATURDAY, 10 o'clock, A. M. Feb. 4, 1832.

The Senate assembled pursuant to adjournment.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act to amend the act, entitled, 'an act regulating General Elections, and other acts therein mentioned;'" was read a third time by paragraphs,

As amended.

and passed the Senate,

Ordered, that the said bill be returned to the House of Representatives, and that the concurrence of the House be requested in the amendment.

Mr. Cooper, Clerk of the House of Representatives, being admitted, informed the Senate that the House had concurred in the amendments proposed by Senate, to the bill, entitled, "An act for the preservation of the Records of the Court of Chancery and Orphans' Court, of Sussex County :"

He also returned the Resolution, appointing Commissioners to arrange the books, papers and pamphlets in the Libraries of the Senate and House of Representatives, and informed Senate that the same had been concurred in by the House,

and withdrew.

On motion of Mr. Booth, seconded by Mr. Wainwright,

The bill, entitled, "An act for the relief of Mary Ann Starling, of Pencader Hundred, in New-Castle County ;" was read a third time by paragraphs,

and passed the Senate.

Ordered, that the said bill be sent to the House of Representatives for concurrence.

On motion of Mr. Alrichs, seconded by Mr. Burton,

The bill, entitled, "A supplement to the act, entitled, 'an act to incorporate the Wilmington and Downingtown Rail Road Company ;'" was read a third time by paragraphs,

and passed the Senate.

Ordered, that it be sent to the House of Representatives for concurrence.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act to exempt vessel property from taxation ;"

was read the second time.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act defining the duty of the Clerks of the Peace, in dispensing Marriage Licenses ;"

was read a second time.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An additional supplement to the act, entitled, 'an act to enable the President, Directors and Company of the Commercial Bank of Delaware, to close the concerns of that Bank ;'" was read a third time by paragraphs,

and passed the Senate.

Ordered, that the said bill be returned to the House of Representatives.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "A supplement to the act, entitled, 'an act providing for the recovery of small debts ;'" was read a third time by paragraphs,

and passed the Senate.

Ordered, to be returned to the House of Representatives.

Mr. Cooper, Clerk of the House of Representatives, being admitted, presented for concurrence of Senate, a bill, entitled, "An act allowing an additional Justice of the Peace, and Constable to the County of Sussex, for a limited time ;" which had passed the House of Representatives, with the petition on which said bill was predicated ;

and withdrew.

And—On motion of Mr. Wainwright, seconded by Mr. Lewis,

The above mentioned bill, and petition

were read.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act granting to William Russell, a certain tract or parcel of marsh therein described ;"

was read a second time.

On motion of Mr. Wainwright, seconded by Mr. Sutton,

The bill, entitled, "An act allowing for a limited time an additional Justice of the Peace to New-Castle County ;"

was read a second time.

On motion of Mr. Booth, seconded by Mr. Sutton,

The bill, entitled, "An act for the benefit of Delaware College, at or near New-Ark, in New-Castle County ;"

was read a second time.

On motion of Mr. Johnson, seconded by Mr. Burton,

The bill, entitled, "A supplement to the act, entitled, 'an act for establishing the boundaries of the Town of Dover, and for other purposes therein mentioned ;'"

was read a second time.

Whereupon, Mr. Johnson offered the following amendments,

To wit :

"Amend the bill, by striking out all the interlineations, except the words 'of each,' between the 24th and 25th lines of the first section, and the words 'for every such offence,' between the 10th and 11th lines of the fourth section ;"

Which amendments,

On motion of Mr. Johnson, seconded by Mr. Burton,

were adopted.

Mr. Cooper, Clerk of the House of Representatives, being admitted, returned the bill, entitled, "An act to incorporate the Wilmington Fire Insurance Company;" and informed the Senate that the same had passed the House, with an amendment, to which the House asked the concurrence of the Senate ;

and he withdrew.

On motion of Mr. Alrichs, seconded by Mr. Burton,

The amendment above alluded to

was read.

And—On motion of Mr. Alrichs, seconded by Mr. Burton,

The Senate concurred in the amendment.

Ordered, that the House of Representatives be informed thereof.

On motion of Mr. Alrichs, seconded by Mr. Lewis,

The amendments proposed by the House of Representatives, to the bill, entitled, "An act to enable William N. Polk and John Sorden, to locate certain vacant lands therein mentioned, were taken up for consideration and concurred in.

Mr. Alrichs offered the following amendment, to wit :

"Add to the 4th section, 'Provided however, that nothing herein contained, shall impair the title or titles of any person or persons to the said land, or any part thereof.'"

Which amendment was read, and

adopted ; and

Ordered, that it be sent to the House for concurrence.

Mr. Cooper, Clerk of the House, being admitted, returned the said bill, and informed Senate that the House had concurred in the amendment proposed by the Senate, to the amendment of the House.

On motion, the Senate adjourned until 10 o'clock, on Monday morning next.

MONDAY, 10 o'clock, A. M. February 6, 1852.

The Senate met pursuant to adjournment.

On motion of Mr. Wainwright, seconded by Mr. Sutton,

The bill, entitled, "An act to exempt vessel property from taxation,"
was read a third time.

After some debate, the question was put, "Shall the bill pass?"

Mr. Johnson called for the yeas and nays; which were as follow:

Yeas.—Messrs. Alrichs, Booth, Lewis, Sutton, Wainwright, and Mr.

Speaker.—6.

Nay.—Mr. Johnson.

So the bill passed the Senate; and

Ordered, to be returned to the House of Representatives.

Mr. Cooper, Clerk of the House of Representatives, being admitted, presented for concurrence of Senate, a bill, entitled, "An act altering the act providing for the recovery of small debts, and extending the jurisdiction of Justices of the Peace to any sum not exceeding one hundred dollars," which had passed the House, with a petition therefor;

and withdrew.

And—On motion of Mr. Wainwright, seconded by Mr. Lewis,

The said bill and petition,

were read.

Mr. Cooper, Clerk of the House, being again admitted, presented for concurrence of Senate, two bills which had passed the House of Representatives, entitled as follow; to wit:

1. "An act making provision for the support of government for the year eighteen hundred and thirty two.

2. "An act prohibiting the planting of hedges and threshing of Mississippi creek;"

and he withdrew.

The Clerk of the House of Representatives, being again admitted, presented for concurrence of the Senate, a bill, entitled, "A further supplement to the act, entitled 'an act to extend the time for recording of deeds;'"

and withdrew.

Mr. Marim, a member of the House of Representatives, being admitted, returned the bill, entitled, "An act respecting the Road Commissioners of New-castle Hundred, in New-castle county," and informed Senate that the said bill had passed the House, with an amendment, to which the House asked the concurrence of Senate,

and withdrew.

On motion of Mr. Booth, seconded by Mr. Alrichs,

The amendment was read, and concurred in.

Mr. Dilworth, a member of the House of Representatives, being admitted, returned a duly enrolled bill, entitled, "An act to authorize process upon, and to declare the effect of certain judgments, and informed the Senate that the same had received the signature of the Speaker of the House;

and withdrew.

Mr. Booth asked for, and, on his motion, seconded by Mr. Wain-

wright, obtained leave to introduce a bill, entitled, "An act for the relief of Calvin Edson, an insolvent prisoner;"

Which,

On motion of Mr. Booth, seconded by Mr. Sutton, *was read.*

Mr. Booth moved, seconded by Mr. Sutton,

That the bill, entitled, "An act for the benefit of Delaware College, at or near New-ark, in New-castle county," which provides for raising money for said College by lottery, be read a third time, by paragraphs, in order to pass the Senate. On the question being put, Mr. Alrichs called for the yeas and nays, which were as follow :

Yeas.—Messrs. Booth, Burton, Johnson, Sutton, and Mr. Speaker.—5.

Nays.—Messrs. Alrichs, Lewis and Wainwright.—3.

So the bill was read a third time, by paragraphs.

And on the question being put—"Shall the bill pass?" Mr. Alrichs again called for the yeas and nays; which were as follow :

Yeas.—Messrs. Booth, Burton, Johnson, Sutton, and Mr. Speaker Loffland.—5.

Nays.—Messrs. Alrichs, Lewis and Wainwright.—3.

So the bill passed the Senate, and was

Ordered to the House of Representatives for concurrence.

On motion, the Senate adjourned until 3 o'clock this afternoon



Eodem die, 3 o'clock, P. M.

The Senate met pursuant to adjournment.

Mr. Wainwright, from the committee of enrollment, reported as duly and correctly enrolled, the following :

1. "A Resolution appointing Directors for the Farmers' Bank of the State of the Delaware, on the part of the State.

2. "A Resolution appointing Commissioners to arrange the books, papers and pamphlets in the Libraries of the Senate and House of Representatives.

3. A bill entitled "An act to enable William N. Polk and John Sorden to locate certain vacant lands in Northwestfork Hundred, in Sussex County and to complete their title to said lands."

On motion of Mr. Booth, seconded by Mr. Burton,

The bill, entitled, "A further supplement to the act entitled, 'an act respecting the partition of lands and tenements among joint tenants and tenants in common'" was read a third time by paragraphs, and *passed the Senate.*

Ordered, That the said bill be sent to the House of Representatives for concurrence.

Mr. Booth asked for, and

On his motion, seconded by Mr. Wainwright,

Obtained leave to introduce a bill entitled "An act to establish a rule of evidence touching the proof of the incorporation of Banks in criminal prosecutions," which

On motion of Mr. Booth, seconded by Mr. Sutton,

was read.

On motion of Mr. Sutton seconded by Mr. Lewis,

The bill entitled "An act allowing for a limited time an additional Justice of the Peace to New Castle County;" was read a third time, by paragraphs, and

passed the Senate.

Ordered, That the said bill be returned to the House of Representatives.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill entitled "An act prohibiting the planting of hedges and thrashing Mispillion Creek,"

was read.

Mr. Marim, a member of the House of Representatives, being admitted, informed the Senate that the bill entitled "An act for the benefit of Delaware College at or near New Ark in New Castle County," had been indefinitely postponed in the House,

and withdrew.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill entitled "An act making provision for the support of Government for the year one thousand eight hundred and thirty-two,"

was read.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill entitled "An act defining the duty of the clerks of the Peace in dispensing marriage licenses," was read a third time by paragraphs, and

passed the Senate.

Ordered, To be returned to the House of Representatives.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill entitled "An act granting to William Russell a certain tract or parcel of Marsh therein described," was read a third time by paragraphs and

passed the Senate.

Ordered, That the said bill be returned to the House of Representatives.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill entitled "An act allowing an additional Justice of the Peace and Constable to the County of Sussex for a limited time,"

was read a second time.

Mr. Speaker informed Senate that he had received a communication from James Barratt, Esquire, resigning his appointment as a Director of the Farmers Bank of the State of Delaware, on the part of the State, for the Branch at Georgetown in Sussex County.

The Clerk of the House of Representatives, being admitted, presented for concurrence of Senate a Resolution for the sale of the Laws,

and withdrew.

On motion of Mr. Johnson, seconded by Mr. Lewis,

The bill entitled "A supplement to the act entitled an act for establishing the boundaries of the Town of Dover, and for other purposes," was read a third time by paragraphs,

and passed the Senate.

Ordered, that the said bill be returned to the House of Representatives.

Mr. Johnson asked for, and

On his motion, seconded by Mr. Sutton,

Obtained leave to introduce a bill entitled "An additional supplement to the act entitled 'an act to enable the persons therein mentioned to raise a sum not exceeding two thousand dollars by lottery, for the purpose of improving the navigation of Little Creek,'" which

On motion of Mr. Johnson, seconded by Mr. Booth,

was read.

Mr. Cooper, Clerk of the House, being admitted informed the Senate that the House of Representatives did not concur in the amendment proposed by the Senate to the bill entitled "A supplement to the act entitled an act establishing the boundaries of the Town of Dover, and for other purposes therein mentioned,"

and withdrew.

Mr. Alrichs laid on the table a resolution appointing a Director of the Farmers' Bank of Delaware, on the part of the State, for the Branch at Georgetown in lieu of James Barratt, Esquire, resigned, which

was read.

Mr. Johnson from the Committee of Conference, reported, that the committee on the part of the Senate had agreed to recede from the amendment proposed by the Senate to the bill entitled "An act to divorce Eleanor Pennell and her husband Jackson Pennell from the bonds of matrimony,"—also the committee had on the part of the Senate refused to recede from the amendment proposed by Senate to the bill entitled "An act to enable George Hearne and Joseph Hearne of Sussex County to locate certain vacant lands therein described, and to complete their title to said lands."

On motion of Mr. Alrichs, seconded by Mr. Burton,

The report of the committee was

adopted.

Mr. Johnson, from the committee to whom was referred the petition of Clement Riggs, praying to be divorced from his wife Martha Riggs,

Reported,

That the petitioner have leave to withdraw his petition and other papers ;

Which Report,

On motion of Mr. Booth, seconded by Mr. Sutton,

Was concurred in by the Senate.

Mr. Booth, from the committee, to whom was referred, the bill, entitled, "An additional supplement to the act, entitled, 'an act for the establishment of Free-Schools ;'" reported back the said bill with the following amendments, to wit :

"Amend the 2d section of the bill, by striking out the word 'the,' between the words 'of' and 'votes' in the 8th line, and by inserting after the word 'tax' in the 8th line of said section, the following :

"But no such resolution shall be passed, and no vote respecting a tax shall be taken on any other day or time, than at the stated annual meeting of the school voters in such district, to wit : on the second Monday of October, between the hours of one o'clock and five o'clock, in the at-

ternoon of that day ; and every school voter in such district may vote on such resolution, respecting such tax, and for Clerk and Commissioners, either by person or by proxy ; such proxy shall be executed under hand and seal, in the presence of one or more subscribing witnesses, and may be after the following form :

BE it known, that I _____ a school voter
in District, No. _____ in _____ County, do hereby
make and constitute _____ my substitute and
proxy, for me, and in my name, to vote for Clerk and Commissioners,
and upon any resolution to raise money in said district, and also to vote
by ballot respecting the levying or assessing a tax therein.

Witness my hand and seal, the

day of

A. D. 18



Signed, Sealed and delivered }
in the presence of }

Also, “ amend the bill by adding the following as the 4th section, immediately after the 3d section.

“ SEC. 4. And be it enacted, That the school committees of the several school districts, in New-Castle County, for the year regularly ending on the second Monday of October, in the year of our Lord one thousand eight hundred and thirty-one, who have drawn money from the Trustee of the Fund for establishing Schools in the State of Delaware, and have not appeared before the Auditor of Accounts, and exhibited their accounts and vouchers for settlement, shall have further time for this purpose, and when the Auditor shall attend in New-Castle County, the present year, to settle the accounts of the County Treasurer and others, every such school committee or a majority of them, may appear before him with their accounts and vouchers, and he shall settle the same ; and every such settlement shall be as available, as if settled in due time ; and no school district in New-Castle County, shall forfeit its right to any portion of the income of the fund aforesaid, in consequence of the school committee of such district, for the year ending on the second Monday of October last, having failed to appear before the Auditor, and exhibited their accounts and vouchers for settlement ; and the certificate of the Auditor to that effect shall be void, and no school committee, whose account shall be settled pursuant to this act, shall incur any penalty or forfeiture in consequence of such account not being sooner settled.— The Auditor shall give notice in at least two newspapers published in New Castle County, of the time of his next attendance in that County to settle the accounts of the County Treasurer, and others, at least twenty days before the day of such attendance.

“ Also, amend the bill, by striking out the word and figure in ‘ section 4,’ in the bill as passed by the House of Representatives, and in lieu thereof, insert the word and figure ‘ Section 5.’

On motion of Mr. Booth, seconded by Mr. Alrichs,

The foregoing amendments were severally read and considered ; and
On motion of Mr. Alrichs, seconded by Mr. Burton,
The said amendments were

adopted.

On motion of Mr. Johnson, seconded by Mr. Alrichs,

The Resolution for the sale of Laws, was taken up, read and considered.

Mr. Johnson offered the following amendments, to wit :

“ Amend,

1. “ In 2d Resolution, line 6, strike out the word ‘ laws,’ and insert the word ‘ volumes.’”

2. “ In the same Resolution, line 8, strike out the word ‘ laws,’ and insert the word ‘ volumes.’”

3. “ Add as follows to the 2d Resolution : Provided however, that the said Prothonotaries respectively, shall not set up for sale to be struck off at any one bid, more than one set of said volumes, such set to consist of single volumes 1, 2, 3, 4, 5 and 6.”

adopted.

On motion, the Senate adjourned until 10 o’clock, to-morrow morning.

TUESDAY, 10 o’clock, A. M. February 7, 1832.

The Senate met pursuant to adjournment.

Mr. Alrichs laid on the table the petition of sundry citizens of the city of Wilmington, praying an act to alter the existing law relative to Flour Inspectors,—which,

On his motion, seconded by Mr. Burton,

was read, and

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

Mr. Speaker appointed Messrs. Alrichs, Wainwright, and Burton on that committee.

Mr. Booth presented five petitions in favor of Calvin Edson, an insolvent prisoner, in New-castle county gaol,—which,

On his motion, seconded by Mr. Sutton, *were read, and*

On motion of Mr. Alrichs, seconded by Mr. Burton,

Ordered, to lie on the table.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill entitled “ A supplement to the act entitled an act to extend the time for recording of deeds,” *was read.*

On motion of Mr. Booth, seconded by Mr. Sutton,

The bill entitled “ An act for the relief of Calvin Edson, an insolvent prisoner,”

was read a second time.

On motion of Mr. Johnson, seconded by Mr. Alrichs,

A committee of accounts was appointed.

Mr. Speaker appointed Messrs. Johnson, Booth and Burton on that committee.

Mr. Johnson presented an account of C. P. Comegys, Esqr. State Treasurer, for advertising, &c. which,

On motion of Mr. Alrichs, seconded by Mr. Burton,

Was referred to the committee of accounts.

On motion of Mr. Booth, seconded by Mr. Lewis,

The bill entitled "An act to establish a rule of evidence touching the proof of the incorporation of Banks, in criminal prosecutions,"
was read a second time.

On motion of Mr. Booth, seconded by Mr. Sutton,

The bill entitled "An act for the relief of Calvin Edson, an insolvent prisoner," was read a third time by special order, by paragraphs,
and passed the Senate,

And—*Ordered*, to the House of Representatives for concurrence.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill entitled "An act allowing an additional Justice of the Peace and constable to the County of Sussex for a limited time," was read a third time by paragraphs,

and passed the Senate.

Ordered, That the said bill be returned to the House of Representatives.

On motion of Mr. Booth, seconded by Mr. Sutton,

The bill entitled "An act making provision for the support of Government for the year eighteen hundred and thirty two,"
was read a second time.

Mr. Johnson from the committee to whom was referred the bill entitled "A supplement to the act entitled 'A supplement to the act entitled 'An act to alter and re-establish the Charter of the Borough of Wilmington,'" reported back the said bill with amendments,

Which,

On motion of Mr. Booth, seconded by Mr. Sutton,

Were read ; as follow, to wit :

1. "Amend the bill as follows, after the words "shall be" in the 7th line of the 2d section, insert as follows—"filed by the Prothonotary of the said Superior Court who shall first endorse thereon the day and time of receiving the same, and there enter the said appeal upon the appearance docket of said Superior Court; and shall immediately issue a summons directed to the Sheriff of the County, or if he be a party interested, to the Coroner, for summoning the appellate to appear and answer to the appeal : which summons shall be returnable on the first day of the then next ensuing term of the said Superior Court. And the Prothonotary of the said Superior Court shall have the same fees as are allowed by law for issuing original or mesne process, and for all other services, as are allowed by law for similar services in actions originally commenced in said Superior Court.

2. "Strike out in line 14th of same section, after the word "Court"—these words : "But the trial shall be had at the first term, unless the Court shall for good cause continue the case.

3. "Strike out the 4th section, and add the following :

Section 5. *And be it further enacted*, That no warrant, writ, or process of any nature or description whatsoever, from the said Mayor's Court or City Court, or from any Magistrate or officer of said city, shall be served or executed by any officer, person or persons whatever, out of the said City.

Section 6. *And be it further enacted*, That nothing contained in this act or the act to which this is a supplement, or in any other act of As-

sembly of this State, shall be construed or taken in any wise to charge the county of New-castle with all or any of the costs, charges or expenses of the said Mayor's Court or City Court, either in respect to the fees or costs of summoning witnesses, or the fees or costs of jurors or witnesses, or the fees or costs of the Solicitor of the Corporation, as such, or as prosecuting Attorney in the Mayor's Court aforesaid, or the fees or costs of the Clerk of said Mayor's Court, or of the said City Court, or the costs, charges or expenses of prosecution, trial, conviction or acquittal either in civil or criminal cases in said Courts or either of them; or the costs, charges or expenses of the commitment or keeping in prison, of any person or persons whatsoever, by virtue of any warrant, commitment, writ or process of any nature whatsoever, or any other fees, costs, charges or expenses in respect to any other matter or thing arising under this, or the act to which this is a supplement; but all such fees, costs, charges and expenses shall be sustained and defrayed by the said City of Wilmington."

On motion of Mr. Alrichs, seconded by Mr. Booth,

The foregoing recited bill, and amendments, were

Ordered to lie on the table.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act prohibiting the planting of Hedges and Threshing of Mispillion Creek;"

was read,

Mr. Cooper, Clerk of the House of Representatives, being admitted, returned the bill, entitled, "An act for the relief of Calvin Edson, an insolvent prisoner;" and informed the Senate that the said bill had been read—read a second and a third time, by special order, by paragraphs, and passed the House;"

and withdrew.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The "Resolution relating to a Canal in the lower part of this State;"

was read a second time.

On motion of Mr. Burton, seconded by Mr. Sutton,

The bill, entitled, "An act to prevent the use of fire-arms by free negroes and free mulattoes, and for other purposes;"

was read a second time.

On motion of Mr. Johnson, seconded by Mr. Furton,

The bill, entitled, "An act to amend the act, entitled, 'an act concerning the Constitution of the Levy Court and Court of Appeal;" was taken up for consideration.

Mr. Johnson proposed the following amendments,

Which,

On his motion, seconded by Mr. Lewis,

were read.

To wit :

"Amend the bill,

1. "Section 4, in line 9, strike out the word 'strike,' and insert in lieu the words 'by striking.'"

2. "In same line, add 'ing' to the word 'insert.'"

3. In section 4, line 14, between the words 'said' and 'paragraph,' insert the word 'ninth'

On motion of Mr. Johnson, seconded by Mr. Burton,
The above recited amendments were

adopted.

On motion of Mr. Johnson, seconded by Mr. Lewis,
The bill, entitled, "A supplement to the act, entitled, 'an act altering the mode of repairing and supporting the Roads and Bridges in the several Hundreds, in the County of New-Castle ;'" was taken up for consideration.

Mr. Johnson offered the following amendments, to wit :

"Amend the bill,

1. "In section 2, line 7, strike out the word 'citizen,' and insert 'freeholder.'"

2. "The same section, line 11, strike out the word 'citizen,' and insert the word 'freeholder.'"

3. "In section 3, first line, add the letters 'nd' to the letter 'A' in the commencement of that line."

4. "In same section, line 3, strike out the words, 'amended and,' and insert the word 'or.'"

Which amendments,

On motion of Mr. Johnson, seconded by Mr. Booth,
Were severally read, and

adopted.

On motion, the Senate adjourned until 3 o'clock this afternoon.



Eodem die, 3 o'clock, P. M.

The Senate met pursuant to adjournment.

Mr. Wainwright, from the committee of enrolment, reported three duly engrossed bills, as follow,

To wit :

"An act to enable William N. Polk and John Sorden, to locate certain vacant lands, situate in Northwest-Fork Hundred, in Sussex County, and to complete their title to said lands."

2. "An act incorporating the Wilmington Fire Insurance Company."

3. "An act respecting the Road Commissioners of New Castle Hundred, in New Castle County."

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act making provision for the support of Government, for the year eighteen hundred and thirty-two ;" was read a third time by special order, by paragraphs,

and passed the Senate.

Ordered, That the said bill be returned to the House of Representatives.

On motion of Mr. Booth, seconded by Mr. Sutton,

The bill, entitled, "An additional supplement to the act, entitled, 'an act for the establishing of Free Schools ;'" was taken up for a second reading ;

Pending which,

On motion of Mr. Alrichs, seconded by Mr. Booth,

The second reading of said bill was postponed until to-morrow morning.

On motion of Mr. Alrichs, seconded by Mr. Burton,

The Resolution appointing a Director in the "Farmers' Bank of the State of Delaware, on the part of the State, for the Branch of said Bank, at Georgetown, in lieu of James Barratt, Esq. resigned;" was taken up, read a second time, and *adopted.*

And,

Ordered, to be sent to the House of Representatives for concurrence.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The "Resolution amending the 'Amended Constitution';" was taken up for consideration, and read as follows, to wit:

"House of Representatives, Jan. 31, 1831.

"Resolved, by the Senate and House of Representatives, of the State of Delaware, in General Assembly met, two thirds of each House deeming it necessary, and concurring, and the Governor of this State approving thereof, That the following be, and the same is hereby proposed as an amendment to the Constitution of this State, which, when the same shall have been at least three, and not more than six months before the next General Election of Representatives, duly published in print for the consideration of the people, and ratified by three fourths of each branch of the Legislature to be elected at the next General Election of Representatives, and before another, shall be valid to all intents and purposes, as part of the said Constitution of this State, that is to say:

The seventeenth section of the second article of the amended Constitution of this State, is hereby abrogated, made null and void, and in lieu and place thereof, the following is ordained, established and inserted as, and for the seventeenth section of the said second article.

"Section 17. No act of incorporation, (except for works of internal improvement) which shall hereafter be enacted, shall continue in force for a longer period than twenty years, without the re-enactment of the Legislature.

"Extract from the Journal,

"I. T. COOPER, Clerk.

"For Concurrence."

On motion of Mr. Booth, seconded by Mr. Johnson,

The foregoing Resolution was indefinitely

postponed.

Ordered, that the House of Representatives be informed thereof.

Mr. Johnson, from the committee to whom was committed, the bill, entitled, "A supplement to the act, entitled, 'an act concerning the New-Castle and French Town Turnpike and Rail Road Company';" reported back the said bill with amendments;

Which,

On motion of Mr. Johnson, seconded by Mr. Sutton,

was read,

As follows, to wit:

"Amend the bill, by

1. "Adding as the 10th section, as follows:

"SEC. 10. And whereas, it is manifest to this General Assembly, that the extensive powers vested in the said "New-Castle and French Town Turnpike and Rail Road Company," by this act, and the act to which this is a supplement, must in all probability, materially effect the interest and prosperity of the Chesapeake and Delaware Canal Company, in which this State is deeply interested.

THEREFORE, Be it further enacted by the authority aforesaid, That the State of Delaware hereby reserves the right to subscribe for so many shares of the stock of the said New-castle and French-town Turnpike and Rail-road Company as shall amount to the sum of twenty five thousand dollars, for the use of the School Fund of the said State, and the Trustee of the said School Fund is hereby authorized, directed, and required to subscribe for so many shares of the said stock, as shall amount to the said sum of twenty-five thousand dollars; and the said Trustee of the said School Fund, is hereby authorized, directed and required, at the same time of making such subscription, to transfer to the use of said New-Castle and French Town Turnpike and Rail Road Company, all the shares of stock heretofore subscribed for by the said State, in the stock of the aforesaid Chesapeake and Delaware Canal Company, for the use of the aforesaid School Fund, which said shares of the Chesapeake and Delaware Canal Company, when so transferred by the said Trustee as aforesaid, shall be deemed, taken and accepted by the said New-Castle and French Town Turnpike and Rail Road Company, as, and for payment for the aforesaid amount of twenty-five thousand dollars worth of stock, so to be subscribed for as aforesaid by the said Trustee, for the use of the aforesaid School Fund; and the said Directors, or a majority of them, and the said Trustee of the School Fund, are hereby directed and required to make out under their hands and seals, three papers stating the fact of such subscription and transfer, one of which said papers shall be kept by the said New-Castle and French Town Turnpike and Rail Road Company, one other shall be kept by the said Trustee of the School Fund, and the other of said papers shall be delivered by the said Trustee, to the Recorder of Deeds, in, and for Kent County, by him to be recorded.

On motion of Mr. Alrichs, seconded by Mr. Booth,

The said bill and amendments, were

Ordered to lie on the table.

On motion, the Senate adjourned until 10 o'clock, to-morrow morning



WEDNESDAY, 10 o'clock, *A. M.* Feb. 8, 1832.

The Senate assembled pursuant to adjournment.

Mr. Wainwright, from the committee of enrolment, reported as duly and correctly enrolled, the bill, entitled, "An act for the relief of Calvin Edson, an insolvent prisoner."

Mr. Cooper, Clerk of the House of Representatives, being admitted, returned the Resolution appointing a Bank Director for the Branch of

the Farmers' Bank at Georgetown, and informed Senate that the same had been concurred in by the House, with an amendment, to which the House asked the concurrence of the Senate ;

and withdrew.

Mr. Grewell, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, two duly enrolled bills, which had received the signature of the Speaker of the House, to wit ;

1. "An act dissolving the marriage between Eleanor Pennell and her husband Jackson Pennell."

2. "An act to enable William Russell, of Kent county, to vacate certain lands therein described,"

and withdrew.

Mr. Marim, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate a duly enrolled bill, entitled, "An act to enable George Hearne and Joseph Hearne, to locate certain vacant lands, in Sussex county, therein described, and to complete their title to said lands;"

and he withdrew.

Mr. Booth, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate a duly enrolled bill, entitled, "An act allowing for a limited time an additional Justice of the Peace to New-castle county,"

and withdrew.

Mr. Stockley, a member of the House, being admitted, presented for the signature of the Speaker, a duly enrolled bill, entitled, "An act defining the duty of the Clerks of the Peace in dispensing marriage licenses;"

and withdrew.

Mr. Frame, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, two duly enrolled bills ;

and withdrew.

On motion of Mr. Booth, seconded by Mr. Lewis,

The bill entitled "An act to establish a rule of evidence touching the proof of the incorporation of Banks in criminal prosecutions," was read a third time by paragraphs, and

passed the Senate.

Ordered, That the said bill be sent to the House of Representatives for concurrence.

Mr. Johnson from the committee to whom was committed the bill entitled "An additional supplement to the act entitled 'an act to enable the persons therein named to raise a sum not exceeding two thousand dollars by a lottery, for the purpose of improving the navigation of Little Creek,'" reported back the said bill with the following amendments, which

On his motion, seconded by Mr. Burton,

Were read, to wit :

"Strike out all of the said bill after the title, and substitute the following :

"Whereas the General Government has lately made considerable ap-

appropriations for the erection of a light house in the neighborhood of the Metropolis of this State, a part of which appropriation amounting to about eight or nine thousand dollars remains unexpended after the completion of said light house, which said part remaining unexpended, will probably be appropriated to the purposes of internal improvement near said light house and in the neighborhood of the said Metropolis: and whereas a petition to which the names of a large number of respectable citizens of this State are subscribed, has been presented to this General Assembly, praying an act for the improvement of the navigation of Little Creek;

Therefore, That it may not appear that this General Assembly is less mindful of the improvement and prosperity of its own Metropolis and its vicinity than the General Government,

Section 1. *Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met,* That the act to which this is an additional supplement, be and the same is hereby declared to be revived and in full force and effect—with the amendments, additions and alterations hereinafter contained.

Section. 2. *And be it further enacted,* That instead of the sum of two thousand dollars mentioned in the said act, hereby revived and to which this is an additional supplement, that it shall and may be lawful for the persons hereinafter appointed managers to institute, carry on and draw a lottery for raising a sum not exceeding eight thousand dollars, clear of all expenses: and that instead of the managers of the lottery mentioned in the second section of the said act, the following persons shall be the managers of the said lottery, and the commissioners to perform the duties mentioned in said act, to wit: William W. Morris, Cornelius P. Comegys, James P. Lofland, Joseph M. Patton, and Henry M. Ridgely, or the survivors of them, who shall return such sum or sums of money as may be by them received for tickets sold, if said lottery be not drawn within two years from the sale of the tickets aforesaid.

Sect. 3. *And be it enacted,* That the aforesaid commissioners or the survivors of them, shall have a right to receive and apply all monies, which may be subscribed for the purpose of improving the navigation of Little Creek, and in their own names as commissioners for the improvement of the navigation of Little Creek, to sue for and recover all such sums of money as may be subscribed for the purposes aforesaid.

Sect. 4. *And be it enacted,* That the said commissioners or a majority of them, or the survivors of them, shall have full and ample powers for doing all lawful acts and things which they may deem necessary, convenient and proper for improving the navigation of said Creek.

Sect. 5. *And be it enacted,* That the said William W. Morris, Cornelius P. Comegys, James P. Lofland, Joseph M. Patton and Henry M. Ridgely, or the survivors of them shall respectively before they enter upon the duties required by this act, give bond in the name of the State in the sum of ten thousand dollars, conditioned for the faithful discharge of the trusts reposed in them respectively, by this act, and the act to which this is an additional supplement, and subject to the same provision as is contained in the act to which this is an additional supplement, respecting bond therein directed to be given.

Sect. 6. *And be it enacted,* That in all cases where the sum of two thousand dollars is mentioned or alluded to in said act to which this is a

supplement, the said sum shall be deemed and taken to be the sum of eight thousand dollars.

Sect. 7. And be it enacted, That so much of the act, to which this is an additional supplement, as is herein changed or supplied, and the supplement to said act, passed at Dover, February 5th, 1825, and January 24th, 1826, be, and the same are hereby repealed."

And,

On motion of Mr. Johnson, seconded by Mr. Burton,
The foregoing amendments were

adopted.

Mr. Cooper, Clerk of the House of Representatives, being admitted, presented for concurrence of Senate, a bill, entitled, "A further additional supplement to the act, entitled, 'an act to authorize and empower the owners or possessors of any swamp or low-ground, to ditch and drain the same; and for rendering more easy and convenient the mode of obtaining permission therefor,'" and withdrew.

Which bill,

On motion of Mr. Wainwright, seconded by Mr. Lewis,

was read.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The "Resolutions appointing Commissioners to act jointly with such Commissioners as may be appointed by the States of Maryland and Virginia, to take measures for cutting and opening a Canal through the lower part of this State;"

was read,

And,

On motion of Mr. Wainwright, seconded by Mr. Burton,

were adopted.

Ordered, That the said Resolution be returned to the House of Representatives.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act concerning the Constitution of the Levy Court and Court of Appeal;" was read a third time by paragraphs,

and passed the Senate.

Ordered, That the said bill be returned to the House of Representatives.

Mr. Cooper, Clerk of the House of Representatives, being admitted, presented for concurrence, a bill, entitled, "A supplement to a further additional supplement to the act, entitled, 'an act to authorize the owners and possessors of the marsh and low grounds, commonly called, and known by the name of Tappahannah marsh, situate in the forest of Murderkill Hundred, in Kent County, to cut a ditch or drain through the same;'"

and withdrew.

Which bill,

On motion of Mr. Wainwright, seconded by Mr. Lewis,

was read.

On motion of Mr. Wainwright, seconded by Mr. Sutton,

The bill, entitled, "A supplement to the act, entitled, 'an act altering the mode of repairing and supporting the Roads and Bridges in

the several Hundreds of the County of New-Castle ;" was read a third time by paragraphs,

and passed the Senate.

Ordered, That the bill bearing the above title be returned to the House of Representatives.

On motion of Mr. Booth, seconded by Mr. Alrichs,

The bill, entitled, "A supplement to the act, entitled, 'a supplement to the act, entitled, 'an act to alter and re-establish the Charter of the Borough of Wilmington ; was taken up for consideration ;

Mr. Booth offered the following amendment :

"Amend the bill as reported by the committee, in the 5th section, 3d line thereof, by striking out after the words 'City Court,' the words 'or from,' and in lieu thereof, insert the following—'and no warrant, writ or process to compel the appearance of any person or persons before either of said Courts issued by.'"

"Also amend the same section, by adding in the 5th line, at the end of said line, after the words 'said City,' the words "except subpœnas for witnesses in criminal prosecutions.'"

"Also amend said bill as reported by the committee, in the 6th section, 13th line thereof, by inserting immediately after the word 'whatsoever,' the words 'from either of the said Courts.'"

Which amendments were severally read, and

adopted.

Mr. Alrichs offered the following amendments :

"Amend the said bill as reported by the committee, by adding at the end of the 6th section, immediately after the word 'Wilmington,' the following words 'unless a majority of the whole number of the Commissioners of the Levy Court and Court of Appeal of New-Castle County, shall determine that the said fees, costs, charges or expenses, and such part of them as they shall deem just and equitable, shall be sustained and defrayed by the said County of New-Castle ; in which case, the same, or such part thereof, as the said Commissioners of the said Levy Court and Court of Appeal, or a majority of the whole number of them shall deem just and equitable, shall be a County charge.'"

"Amend the bill in the 5th section, as it stood when first introduced into the Senate, and before its reference to the committee, by striking out the figure '5,' and insert in lieu thereof, the figure '4,' so as to read 'Sect. 4.'"

Which amendments were severally read, and

adopted.

On motion of Mr. Alrichs, seconded by Mr. Booth,

The bill was read a second time, as amended.

Mr. Cooper, Clerk of the House of Representatives, being admitted, returned the bill entitled, "A supplement to the act entitled, 'an act to incorporate the Wilmington and Downingtown Rail-road Company," and informed Senate that the said bill had passed the House,

and he withdrew.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill entitled, "A supplement to the act extending the time for the recording of deeds,"

was read a second time.

On motion of Mr. Wainwright, seconded by Mr. Lewis,
The bill entitled, "An act prohibiting the planting of hedges and threshing Mispillion Creek," was taken up for a third reading.

On motion of Mr. Johnson, seconded by Mr. Booth,

The bill was amended by striking out the word "twenty," in the 14th line, and inserting the word "ten."

On motion of Mr. Booth, seconded by Mr. Alrichs,

The final reading of said bill was postponed until this afternoon.

On motion, the Senate adjourned until 3 o'clock this afternoon.



Eodem die, 3 o'clock, P. M.

The Senate met pursuant to adjournment.

Mr. Wainwright, from the committee of enrolment, reported as duly and correctly engrossed, the bill, entitled, "A supplement to the act, entitled, 'an act to incorporate the Wilmington and Downingtown Railroad Company.'"

On motion of Mr. Johnson, seconded by Mr. Wainwright,

The bill, entitled, "An additional supplement to the act, entitled, 'an act to enable the persons therein named, to raise a sum not exceeding two thousand dollars by a lottery, for the purpose of improving the navigation of Little Creek,'"

was read a second time.

Mr. Cooper, Clerk of the House of Representatives, being admitted, presented for concurrence, a bill, entitled, "An act to extend the action of Replevin to third persons, whose goods and chattels are seized by virtue of execution process;"

and withdrew.

Which bill,

On motion of Mr. Wainwright, seconded by Mr. Lewis,

was read.

On motion of Mr. Johnson, seconded by Mr. Burton,

The bill entitled, "An act for the erecting and keeping in good repair a draw-bridge over the southwest branch of Duck-Creek," was taken up for consideration.

On motion of Mr. Johnson, seconded by Mr. Burton,

The Senate concurred in the amendments proposed by the House to said bill.

Mr. Johnson, from the committee, to whom was referred the petitions for, and remonstrances against the re-uniting Mispillion and Milford Hundreds; reported, that it was inexpedient to Legislate on the subject during the present Session of the Legislature.

On motion of Mr. Burton, seconded by Mr. Alrichs,

The report was

adopted.

Mr. Cooper, Clerk of the House of Representatives, being admitted, informed Senate that the House had concurred in the amendments proposed by the Senate to the following bills, to wit:

1. "An act to amend the act, entitled, 'an act concerning the Constitution of the Levy Court and Court of Appeal.'"

2. "A supplement to the act, entitled, 'an act altering the mode of repairing the Roads and Bridges in the several Hundreds of the County of New-Castle,'" *and withdrew.*

On motion of Mr. Alrichs, seconded by Mr. Sutton,

The bill, entitled, "A supplement to the act, entitled, 'a supplement to the act, entitled, 'an act to alter and re-establish the Charter of the Borough of Wilmington ;'" was read a third time, as amended, *and passed the Senate.*

Ordered, that the said bill be sent to the House of Representatives for concurrence.

On motion of Mr. Johnson, seconded by Mr. Burton,

The Resolution relative to the sale of the Laws, was taken up for consideration, and

On motion of Mr. Johnson, seconded by Mr. Burton,

The said Resolution was concurred in as amended, and

Ordered, to be returned to the House of Representatives.

On motion of Mr. Wainwright, seconded by Mr. Sutton,

The bill, entitled, "A supplement to the act extending the time for Recording of Deeds ;" was read a third time by paragraphs, *and passed the Senate.*

Ordered, to be returned to the House of Representatives.

On motion of Mr. Booth, seconded by Mr. Wainwright,

The bill, entitled, "An act prohibiting the planting of Hedges and Threshing Mispillion Creek ;" was read a third time by paragraphs, *and passed the Senate.*

Ordered, that the said bill be returned to the House of Representatives.

The Clerk of the House of Representatives, being admitted, informed the Senate that the House had concurred in the amendments proposed by Senate to the Resolution relative to the sale of the Laws ;

and withdrew.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "A supplement to a further additional supplement to the act, entitled, 'an act to authorize the owners and possessors of the marsh and low grounds, commonly called, and known by the name of the Tappahannah Marsh, situate in the forest of Murderkill Hundred, in Kent County, to cut a ditch or drain through the same ;" was read a second time by special order.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "A further additional supplement to the act, entitled, 'an act to authorize and empower the owners or possessors of any swamp or low ground, to ditch and drain the same ; and for rendering more easy and convenient the mode of obtaining permission therefor ;" was read a second time by special order.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act to extend the action of Replevin to third persons, whose goods and chattels are seized by virtue of execution process ; was read a second time by special order.

On motion of Mr. Alrichs, seconded by Mr. Wainwright,

The bill, entitled, "A supplement to the act, entitled, 'an act to prevent the exportation of flour not merchantable, passed at Dover, February 6th, 1796 ;'" was read a second time by special order.

Mr. Cooper, Clerk of the House of Representatives, being admitted, informed Senate that the House had concurred in the amendment proposed by Senate, to the bill, entitled, "An act prohibiting the planting of Hedges and Threshing of Mispillion Creek." *and withdrew.*

He also informed Senate, that the bill, entitled, "A further supplement to the act, entitled, 'an act respecting partition of Lands and Tenements, among joint Tenants and Tenants in Common ;'" had been postponed indefinitely in the House of Representatives, *and withdrew.*

Mr. Gibbons, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, four duly enrolled bills ; *and withdrew.*

Mr. Causey, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, three duly enrolled bills ; *and he withdrew.*

Mr. Grewell, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, two duly enrolled bills ; *and he withdrew.*

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "A supplement to a further additional supplement to the act, entitled, 'an act to authorize the owners and possessors of the marsh and low ground, commonly called, and known by the name of Tappahannah marsh, situate in the forest of Murderkill Hundred, in Kent County, to cut a ditch or drain through the same ;'" was read a third time by special order, by paragraphs, *and passed the Senate.*

Ordered, that the said bill be returned to the House of Representatives.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act to extend the action of Replevin to third persons, whose goods and chattels are seized by virtue of execution process ;" was read a third time by special order, by paragraphs, *and passed the Senate.*

Ordered, that the said bill be returned to the House of Representatives.

On motion of Mr. Alrichs, seconded by Mr. Wainwright,

The bill, entitled, "A further supplement to the act, entitled, 'an act to prevent the exportation of flour not merchantable, passed at Dover, February 6th, 1796 ;'" was read a third time by special order, by paragraphs, *and passed the Senate.*

Ordered, that the bill, bearing the above title, be sent to the House of Representatives for concurrence.

Mr. Hearne, a member of the House of Representatives, being admitted,

ted, presented for the signature of the Speaker of the Senate, a duly enrolled bill,

and withdrew.

Mr. Huffington, a member of the House of Representatives, being admitted, returned a duly enrolled Resolution, and presented two enrolled bills for the signature of the Speaker of the Senate,

and withdrew.

Mr. Webster, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, a duly enrolled Resolution, appointing an Auditor of Accounts ;

and withdrew.

Mr. Booth, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, two duly enrolled bills ;

and withdrew.

Mr. Caulk, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, two duly enrolled bills ;

and withdrew.

On motion of Mr. Booth, seconded by Mr. Alrichs,

The bill, entitled, "An additional supplement to the act, entitled, 'an act for the establishment of Free Schools ;' " was taken up for consideration.

Mr. Johnson proposed the following amendment, to wit ;

"Amend the bill,

1. "In section 1, line 8, strike out the word 'forty,' and insert the words 'thirty-five.'"

On the question,

Will the Senate adopt that amendment ?

Mr. Speaker, Lofland, called for the yeas and nays, which were as follows :

Yeas.—Messrs. Alrichs, Burton, Johnson, Lewis, Sutton, and Wainwright.—6.

Nays.—Mr. Booth, and Mr. Speaker, Lofland.—2.

So the amendment was

adopted.

The Senate proceeded to the consideration of the amendments proposed by Mr. Johnson.

2. "In same section, line 15, strike out the word 'forty,' and insert the words 'thirty-five.'"

3. "In section 4, line 3, strike out the words 'New-Castle County,' and insert the words 'the several Counties of this State.'"

4. In section 4, line 11, strike out the words 'New-Castle County,' and insert 'either of the Counties of this State.'"

5. "In section 4, line 16, strike out the word 'in,' which occurs in the said line after the word 'district,' and also the words 'New-Castle County, in the 17th line.'"

6. "In section 4, line 21, strike out the word 'exhibit,' and insert the word 'with.'"

7. "In section 4, line 23, strike out the words 'to that effect,' and insert 'of such failure.'"

Which amendments were severally considered, and

adopted ; and

On motion of Mr. Booth, seconded by Mr. Alrichs,

The bill was read, as amended, a third time by paragraphs,
and passed the Senate.

And,

Ordered, to be returned to the House of Representatives, and that the concurrence of the House be requested in the amendments.

On motion, the Senate adjourned until 10 o'clock, to-morrow morning.

THURSDAY, 10 o'clock, A. M. February 9, 1832.

The Senate met pursuant to adjournment.

On motion of Mr. Alrichs, seconded by Mr. Sutton,

The bill, entitled, "An act to prevent unnecessary imprisonment, for the execution of Judgments in Civil Cases,"

was read.

Mr. Cooper, Clerk of the House of Representatives, being admitted, presented for concurrence, the bill, entitled, "An act to provide for the distribution and sale of the revised edition of the Laws of the State of Delaware ;"

and withdrew.

Which bill,

On motion of Mr. Wainwright, seconded by Mr. Lewis,

was read.

On motion of Mr. Booth, seconded by Mr. Sutton.

The bill, entitled, "A supplement to the act entitled, 'an act concerning the New-Castle and Frenchtown Turnpike and Rail-road Company,'" was taken up for consideration.

Mr. Booth moved, seconded by Mr. Sutton, that the amendments to the said bill, reported by the committee, be rejected.

On the question—Will the Senate reject the amendments ?

Mr. Booth called for the yeas and nays, which were as follow, to wit :

Yeas,—Messrs. Alrichs, Booth, Burton, Lewis, Sutton, Wainwright, —6.

Nays,—Mr. Johnson, and Mr. Speaker Lofland—2.

So the amendments were rejected.

On motion of Mr. Booth, seconded by Mr. Sutton,

The said bill was read a third time, by paragraphs: On the question of the passage of the 8th section, 'Shall that be the 8th section of the bill ?' It was lost, and the 9th section substituted in lieu thereof.

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

Mr. Booth called for the yeas and nays, which were as follow, to wit :

Yeas,—Messrs. Alrichs, Booth, Burton, Johnson, Lewis, Sutton, Wainwright, and Mr. Speaker Lofland—8.

Nays,—None.

So the bill passed the Senate unanimously.

Ordered to the House of Representatives, for concurrence.

Mr. Cooper, Clerk of the House of Representatives, being admitted, returned the bill, entitled, "An act to establish a rule of evidence touch-

ing the proof of the incorporation of Banks in criminal prosecutions," and informed the Senate that the same had passed the House,

and withdrew.

Mr. Booth, from the committee to whom was committed the bill, entitled, "A supplement to the act concerning the real estate of intestates,"

Reported, That the said bill be postponed until the next session of the Legislature, which

Report was adopted, and the bill postponed accordingly.

Ordered, That the House be informed thereof.

On motion of Mr. Johnson, seconded by Mr. Sutton, the bill entitled, "An additional supplement to the act, entitled, 'an act to enable the persons therein named, to raise a sum not exceeding two thousand dollars, by a lottery, for the purpose of improving the navigation of Little Creek,'" was read a third time, by paragraphs, in order to pass the Senate.

On the question,

"Shall the bill pass?"

Mr. Alrichs called for the yeas and nays, which were as follow,

To wit :

Yeas.—Messrs. Booth, Burton, Johnson, Sutton, and Mr. Speaker. Lofland.—5.

Nays.—Messrs. Alrichs, Lewis and Wainwright.—3.

So the bill passed the Senate, and was

Ordered, to be sent to the House of Representatives for concurrence.

On motion of Mr. Johnson, seconded by Mr. Sutton,

The bill, entitled, "A supplement to the act, entitled, 'an act establishing the boundaries of the Town of Dover, and for other purposes therein mentioned ;'" was taken up for consideration.

Mr. Johnson moved, seconded by Mr. Alrichs,

That the Senate recede from the amendments proposed by Senate,

which motion was lost.

And the bill was ordered to be returned to the House of Representatives, and that the House be informed that the Senate do recede.

On motion, the Senate adjourned until 3 o'clock, this afternoon.



Eodem die, 3 o'clock, P. M.

The Senate met pursuant to adjournment.

Mr. Alrichs asked for, and, on his motion, seconded by Mr. Burton, obtained leave to introduce a bill, entitled, "An act concerning the Road Commissioners of Christiana Hundred,—which,

On motion of Mr. Alrichs, seconded by Mr. Sutton,

was read.

Mr. Booth presented the memorial of Eliza Greatrake, praying the Legislature to pass an act annulling the marriage between Franklin Peale and Eliza his wife, late Eliza Greatrake ; which,

On motion of Mr. Booth, seconded by Mr. Alrichs, was read and referred to a committee of three members, with leave to report by bill or otherwise.

Mr. Speaker appointed Messrs. Booth, Burton and Wainwright.

Mr. Cooper, Clerk of the House of Representatives, being admitted, returned the bill, entitled, "A supplement to the act, entitled, 'a supplement to the act, entitled, 'an act to alter and re-establish the Charter of the Borough of Wilmington,'" and informed the Senate that the said bill had been concurred in by the House ;

and withdrew.

Mr. Cooper, Clerk of the House of Representatives, being again admitted, presented for concurrence of Senate, a bill, entitled, "An act allowing for a limited time an additional Justice of the Peace to the County of New-Castle ;"

and withdrew.

Which bill,

On motion of Mr. Booth, seconded by Mr. Sutton,

was read.

Mr. Booth, from the committee to whom was referred the memorial of Eliza Greatrake, and other papers, reported a bill, entitled, "An act to annul the marriage contract of Franklin Peale and Eliza his wife, late Eliza Greatrake, and for other purposes,"

Which,

On motion of Mr. Booth, seconded by Mr. Sutton.

Was read, and read a second time, by special order.

On motion of Mr. Wainwright, seconded by Mr. Lewis,

The bill, entitled, "An act to provide for the distribution of the revised edition of the Laws of Delaware," was read a second time, by special order.

Mr. Johnson moved, seconded by Mr. Booth,

That the said bill be postponed indefinitely.

On which Mr. Johnson called for the yeas and nays ; which were as follow,

To wit :

Yeas,—Messrs. Alrichs, Johnson and Lewis—3.

Nays,—Messrs. Booth, Burton, Sutton, Wainwright, and Mr. Speaker Lofland—5.

So the Senate refused to postpone the bill indefinitely.

On motion of Mr. Booth, seconded by Mr. Alrichs,

The bill, entitled, "An act to annul the marriage contract of Franklin Peale and Eliza his wife, late Eliza Greatrake, and for other purposes," was read a third time, by special order, by paragraphs, and

passed the Senate.

Ordered, that the said bill be sent to the House of Representatives for concurrence.

Mr. Cooper, Clerk of the House of Representatives, being admitted, informed the Senate that the House of Representatives had concurred in the amendments proposed by Senate to the bill entitled, "A supplement to the act entitled, 'an act for the establishing of free Schools,'" with an amendment to the amendment proposed by Senate, in which the House asked the concurrence of Senate,

and withdrew.

On motion of Mr. Booth, seconded by Mr. Alrichs,

The Senate concurred in the amendment proposed by the House.

Ordered, that the House be informed thereof.

On motion of Mr. Alrichs, seconded by Mr. Burton,

The bill, entitled, "An act to prevent unnecessary imprisonment, for the execution of Judgments in Civil Cases;" was read a second time by special order.

And—Mr. Alrichs moved, seconded by Mr. Burton,

That the bill be read a third by special order, in order to pass the Senate.

On which motion, some debate took place;

And Mr. Alrichs, with the consent of the seconder, withdrew his motion.

Whereupon,

Mr. Johnson offered the following as an amendment to, or a substitute for the said bill.

Which,

On his motion, seconded by Mr. Booth,

Was read, as follows, to wit:

A supplement to the act, entitled, "An act concerning insolvent prisoners."

SECTION 1. BE it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That no person imprisoned in the common jail of any County for debt, or damages, or costs of a civil suit, or non-performance of a decree for the payment of money, by virtue of execution, or other final process or commitment, shall be detained or kept in prison by virtue thereof, longer than five days from the date of such commitment inclusive, unless the creditor, or one or more of the creditors, at whose suit such person is imprisoned, or some person for him or them, shall allege fraud against such person so imprisoned, and shall file in the office of the Prothonotary of the Superior Court of the County in which such person is imprisoned, a statement in writing, verified by oath or affirmation, naming the supposed fraudulent transactions; or unless such imprisoning creditor or creditors, or one of them, or some person for him or them, shall with sufficient surety, enter into recognizance to the State, in the penal sum of two hundred and fifty dollars, with condition, in substance, to be void, if the recognizers or either of them, or their or either of their heirs, executors or administrators, shall keep the said County harmless, and indemnified of and from all damages and charges in consequence of the imprisonment of the said debtor or person so imprisoned, either for the maintenance or through the sickness of the said debtor, or his or her family; which recognizance the said Prothonotary shall have authority to take and to approve the surety therein: Provided however, that nothing in this section contained, shall apply to the case of a prisoner remanded by the Court, upon hearing of the allegations of fraud; nor to a prisoner remanded by the Court for refusing his consent to be adjudged to serve his creditors.

SEC. 2. And be it enacted, That if the creditor, or any one or more of the creditors, at whose suit any person may be imprisoned as aforesaid, or any person for him or them, shall allege fraud as aforesaid, and file such statement as aforesaid, or enter into recognizance as aforesaid,

the said Prothonotary in whose office the said statement is filed, or by whom such recognizance is taken, shall forthwith, under his hand and seal of office, certify to the keeper of the common jail of the County, the fact that such statement has been filed, or such recognizance has been entered into as aforesaid, and such certificate shall be a sufficient warrant to the said keeper for the further detention of the prisoner until discharged by the due course of law. If no such certificate be delivered to the keeper aforesaid, within the time mentioned in the first section of this act, the prisoner shall be discharged, and he shall not again be arrested upon the same process; but such imprisonment and discharge shall have no other effect, and no judgment, debts or demand, shall be thereby extinguished or invalidated.

SEC. 3. And be it enacted, That if recognizance shall be entered into as aforesaid, the principal or principals in such recognizance may at any time direct an entry to be made upon said recognizance or the record thereof, that he, she, or they are unwilling to continue liable touching any further imprisonment of the person in whose case the said recognizance was taken; and such entry shall be made by the Prothonotary and signed by the party directing it; and the said Prothonotary shall forthwith certify in manner aforesaid to the keeper of the common jail of the County the substance of said entry or said recognizance, and the prisoner shall be immediately discharged from imprisonment at the suit of the party or parties causing such entry to be made, in the same manner as if the said recognizance had not been entered into: But such entry shall in no manner impair the said recognizance; nor shall other effect flow from it than that the prisoner shall not after entry made, be detained in prison at the suit of the party causing it to be made.

SEC. 4. And be it enacted, That the appearance of any person who shall be discharged from imprisonment according to this act, may be entered in any such suit or action from process in which such person shall be so discharged, and such suit or action may be proceeded in on the ground of such appearance.

SEC. 5. And be it enacted, That the provisions of this act shall not extend or apply to any person imprisoned by the authority of the United States, nor to discharge any person from imprisonment for any other cause than that specified in the first section of this act; but such person shall be detained for such other cause according to the nature and effect thereof.

SEC. 6. And be it enacted, That the sixth section of the act to which this is a supplement, be, and the same is hereby repealed from and after the fourth day of July next, at which time this act shall take effect, and be in operation.

On motion of Mr. Johnson, seconded by Mr. Booth,
The foregoing amendment or substitute, was

adopted.

Mr. Burton moved, seconded by Mr. Wainwright,

That the bill, entitled, "An act altering and amending the 'act providing for the recovery of small debts,' and extending the jurisdiction of Justices of the Peace to sums not exceeding one hundred dollars," be postponed until the next session of the Legislature.

After some debate, the motion was lost.

Mr. Johnson moved, seconded by Mr. Booth,

That the said bill be postponed indefinitely ;
Which motion prevailed.

So the bill was postponed indefinitely.

Mr. Burton offered the following resolution,—which,

On his motion, seconded by Mr. Johnson, was read, to wit:

Resolved, That it shall be the duty of the Secretary of State, to publish the act entitled, “ An act altering and amending the act providing for the recovery of small debts, and extending the jurisdiction of Justices of the Peace to sums not exceeding one hundred dollars,” in two of the Newspapers in this State, one in the City of Wilmington, and the other at Georgetown, in the County of Sussex, once a week for three months next after the fourth day of July next, in the present year.

On motion of Mr. Johnson, seconded by Mr. Burton, the above Resolution,

was adopted.

On motion, the Senate adjourned until 10 o'clock, to-morrow morning.

FRIDAY, 10 o'clock, A. M. February 10, 1832.

The Senate met pursuant to adjournment.

On motion of Mr. Booth, seconded by Mr. Sutton,

The bill, entitled, “ An act allowing for a limited time, an additional Justice of the Peace for New-Castle County,”

was read a second time.

And—On motion of Mr. Booth, seconded by Mr. Sutton,

The said bill was read a third time, by special order, by paragraphs,
and passed the Senate.

Ordered, that the aforesaid bill be returned to the House of Representatives.

On motion of Mr. Alrichs, seconded by Mr. Sutton,

The bill entitled, “ An act concerning the Road Commissioners of Christiana Hundred,”

was read a second time.

And—On motion of Mr. Alrichs, seconded by Mr. Sutton,

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

and passed the Senate.

Ordered, to be sent to the House for concurrence.

Mr. Wainwright, from the committee of claims, made a report.

Which,—On his motion, seconded by Mr. Burton, was read, as follows :

The Committee of Claims, beg leave to Report the following Allowances, to wit:

| | |
|--|---------|
| To Isaac Knowles, late Collector of Broad Creek Hundred, | \$29 73 |
| “ James Pettyjohn, of E. late ditto Broadkill ditto | 4 76 |
| “ Eli Layton, “ Dagsborough ditto | 4 40 |
| “ John Day “ Nanticoke ditto | 3 44 |

| | | | |
|---------------------|---|-------------------|----------------|
| To James H. Hudson, | “ | Cedar Creek ditto | 17 65 |
| | | Amounting to | <u>\$59 98</u> |

The above is agreeable to the statement and Certificate of C. P. Comegys, Esqr. State Treasurer.

| | | | |
|--|---|---|----------------|
| To John H. Eccleston, Clerk H. C. E. and Appeals, for furnishing the Court with pens, ink and paper, at the June Term, 1831. | - | - | <u>\$10 00</u> |
|--|---|---|----------------|

| | | | |
|--|---|---|-------|
| To Caleb H. Sipple, Administrator of J. W. Ruth, for superintending, at Wilmington, the printing (in part) of the Journal of Senate of the State of Delaware, for the year 1831. | - | - | 50 00 |
|--|---|---|-------|

| | | | |
|---|---|---|-------|
| To R. Porter and W. P. Brobson, for superintending the printing (in part) of the Journal of the Senate, and examining the proof-sheets, &c. during the indisposition, and after the death of J. W. Ruth,—and making an Index for the Journal. | - | - | 40 00 |
|---|---|---|-------|

| | | | |
|--|---|---|-----------------|
| To James Maull, Assignee of John B. Stout, for said Stout's allowance for all his claim for superintending the printing, and other services rendered, respecting the Journal of the Senate for 1831. | - | - | 60 00 |
| | | | <u>\$150 00</u> |

The above allowances of one hundred and fifty dollars, include all expenses for superintending the printing and examining the proof-sheets of the Journal of the Senate, and other services, generally performed by the Clerk of the Senate.

| | |
|--|---------|
| To Marcus E. Capelle, Sheriff of New-Castle County, for keeping a Register of the prisoners confined in the public gaol of said County, making return thereof to the General Assembly, and for advertising Convention, &c. | \$44 90 |
|--|---------|

On motion of Mr. Burton, seconded by Mr. Lewis,
The Report was adopted.

Mr. Cooper, Clerk of the House of Representatives, being admitted, presented for the concurrence of Senate, a bill, entitled, “An act for the payment of claims against the State, and against the School-fund:”—And also returned the following bills, and informed Senate that they had been concurred in by the House; to wit:

1. “A supplement to the act, entitled, ‘an act concerning the New-Castle and French-town Turnpike and Rail-road Company.’”
2. “A supplement to the act, entitled, ‘an act to prevent the exportation of flour not merchantable; passed at Dover February 5th, 1796,’
and withdrew.”

On motion of Mr. Wainwright, seconded by Mr. Lewis,
The bill, entitled, “An act for the payment of claims against the State, and against the School-fund,”

was read, and

On motion of Mr. Wainwright, seconded by Mr. Lewis,
The said bill was, by special order,

read a second time.

Mr. Cooper, Clerk of the House of Representatives, being admitted, returned the following bills, and informed the Senate that the same had been concurred in by the House of Representatives, to wit:

1. "An act concerning the Road Commissioners of Christiana Hundred.

2. "An act to annul the marriage contract of Franklin Peale and Eliza Greatrake, and for other purposes,"

and withdrew.

On motion of Mr. Booth, seconded by Mr. Sutton,

The bill, entitled, "An act to prevent the use of fire-arms by free negroes and free mulattoes, and for other purposes," was taken up for consideration.

Mr. Booth proposed the following amendments :

Which,—On his motion, seconded by Mr. Sutton, were read, to wit :

1. Amend the bill in the 1st section, 4th line, by striking out the word 'hereafter'—and in lieu thereof, insert the words 'from and after the first day of June next.'

2. Amend the same section, 9th line, by striking out the word 'two' and in lieu thereof, insert the word 'one.'

3. Also strike out the final 's' in the word 'Justices' wherever the word occurs in the 1st section.

4. Amend the same section in the 12th line, by inserting after the word 'appear' these words, 'upon the written certificate of five or more respectable and judicious citizens of the neighborhood.'

5. Amend in the 18th line of the same section, by striking out 'their' and in lieu thereof, inserting 'his'—also in the same line by striking out the letter 's' in the word 'hands.'

6. Amend in the 2d section, by inserting in the 2d line, between 'that' and 'it'—the words 'from and after the said first day of June next'; also by striking out in the 3d and 4th lines, the words 'conservator of the peace.'

7. Also by striking out all that follows after the word 'forthwith' in the 12th line of the said 2d section, and in lieu thereof, insert as follows: 'to bring before such Justice, such free negro or free mulatto, to answer the charge of offending against the provisions of the first section of this act; and if upon a full hearing, it shall appear by the testimony of one or more competent witnesses, that such free negro or free mulatto is an offender against the provisions of the first section of this act, according to the true intent and meaning thereof, he shall be adjudged to pay a fine of five dollars to the State, for the use of the poor of the county, where such proceedings are had; which fine with the costs as specified in the last section of this act, shall be levied and made by execution process, in the same manner as is directed by the act entitled, 'An act providing for the recovery of small debts.'

8. Amend 3d section by striking out all between the enacting clause and the word 'whatever' in the 8th line, and in lieu thereof, insert the following 'that from and after the first day of June next, no congregation or

meeting of free negroes or free mulattoes consisting of more than twelve persons assembled for the purpose of religious worship or for any other purpose or pretence whatsoever, shall be held or continued longer than the hour of ten o'clock in the night season.'

Amend the same section by inserting at the commencement of the 9th line immediately before the word 'under' the words 'or continued.'

Amend in the 11th line of same section by inserting immediately after the word 'meeting' the words 'after the said hour of ten o'clock in the night season.'

Strike out in line 20th the word 'state' and in lieu thereof, insert the words 'county where such recovery is had.'

9. Amend 4th section in 8th line by inserting after the word 'exhortation' these words,—'without the license of some Judge or Justice of the Peace in this State, granted upon the written recommendation of five respectable and judicious citizens of this State.'

10. Amend the 5th section, by striking out all that follows after the word 'act' at the end of the 11th line.

11. Amend by striking out the 6th section, and also by striking out the figure '7' in the next following section and inserting in lieu thereof, the figure '6'—also by striking out in the last mentioned section in the 5th line, immediately after the word 'act' the words 'mentioned in the preceding section,' and in lieu thereof, insert these words 'entitled 'An act to prohibit the emigration of free negroes and free mulattoes into this State and for other purposes'—also, by striking out in the 10th line, the word 'fifty' and in lieu thereof insert the words 'thirty-three.'

Amend by striking out the 8th section.

12. Amend the section next following by striking out the figure '9 and in lieu thereof, insert the figure '3.'

Also strike out the word 'fifty' in the 12th line of the same section, and in lieu thereof, insert the words 'thirty-three.'

Also strike out all in same section, that follows after the word 'returning' in the 14th line thereof''.

And—On motion of Mr. Booth, seconded by Mr. Sutton,

The bill and amendments were ordered to lie on the table, for further consideration of Senate.

Mr. Brooks, a member of the House of Representatives, being admitted, returned two duly enrolled bills, and informed the Senate that the same had received the signature of the Speaker of the House.

and withdrew.

Mr. Houston, a member of the House of Representatives, being admitted, returned a duly enrolled bill, which had received the signature of the Speaker of the House.

and withdrew.

Mr. Grewell, a member of the House of Representatives, being admitted, returned an enrolled bill, and informed Senate, that the said bill had received the signature of the Speaker of the House,

and withdrew.

Mr. Caulk, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, four duly enrolled bills, which had been signed by the Speaker of the House ;

and withdrew.

Mr. Dilworth, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, two duly enrolled bills ;

and withdrew.

Mr. Causey, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, sundry duly enrolled bills, which had received the signature of the Speaker of the House ;

and withdrew.

Mr. Frame, a member of the House of Representatives, being admitted, returned two enrolled bills, and one enrolled Resolution, which had received the signature of the Speaker of the House,

and withdrew.

Mr. Johnson, from the committee of Accounts, made the following

Report :

The Committee of Accounts beg leave to report for the consideration of Senate, the following accounts, and recommend the allowance of the same.

| | Days. | Miles. | |
|---|-------|--------|------------|
| To James P. Lofland, Speaker of Senate, | 41 | 20 | \$123 00 |
| Jacob Alrichs, - - - - - | 41 | 50 | 115 00 |
| James Booth, - - - - - | 25 | 45 | 78 75 |
| John Sutton, - - - - - | 41 | 31 | 110 25 |
| Thomas Wainwright - - - - - | 39 | 3 | 98 25 |
| William Johnson, - - - - - | 39 | | 97 50 |
| Joshua Burton, - - - - - | 41 | 51 | 115 25 |
| Kendall M. Lewis, - - - - - | 41 | 52 | 115 50 |
| Representatives of the late John Carey, | 29 | 38 | 82 00 |
| Additional allowance in consideration of funeral, and other expenses, - - - - - | | | 20 00 |
| Augustus M. Schee, for printing 100 copies of the Governor's Message, - - - - - | | | 12 25 |
| James A. Sparks, Clerk, his daily attendance, - - - - - | | | 97 50 |
| Do. Transcribing, engrossing and other services as per bill, - - - - - | | | 195 05 |
| Do. Contingencies furnished, as per receipts, - - - - - | | | 22 75 |
| James Schee, door-keeper, and Sergeant at Arms, his per diem allowance, - - - - - | | | 48 75 |
| James Schee, ringing bell 16 days, - - - - - | | | 5 61 |
| Do. Serving writ of election on Sheriff of New-castle, - - - - - | | | 7 00 |
| Do. One day putting room in order at close of Session, and other services, - - - - - | | | 29 00 |
| Moses America, servant, for his services, - - - - - | | | 15 00 |
| Elijah Douglass, cutting wood and other services, - - - - - | | | 10 00 |
| George M. Manlove, as per bill, - - - - - | | | 18 51 |
| To Jacob Alrichs, for carpet for Senate Chamber, making same, hearth rug, and other matters, as per bills and receipts, - - - - - | | | 63 10 |
| John Reed, as per bill, - - - - - | | | 21 55 |
| Amount carried forward, | | | \$1,506 57 |

| | |
|--|--------------------------|
| Amount brought forward, | \$1,506 57 |
| Thomas Stevenson, as per bill, | 4 18 $\frac{1}{2}$ |
| Jesse S. Burton, as per bill, | 4 00 |
| C. P. Comegys, State Treasurer, and Trustee to the School Fund, for notices to School Committees, &c. as per bill, | 10 30 |
| Sipple and Pennewill, as per bill, | 2 96 |
| Swany Saxton, for mason work done in Senate Chamber and committee room, as per bill, | 2 00 |
| Samuel M. Chipman, for putting Senate Chamber in order, and for other services, | 4 00 |
| J. P. Lofland, for postage on communications directed to Speaker of Senate, | 50 |
| | <hr/> |
| | \$1,534 51 $\frac{1}{2}$ |

“ Amend Report by Committee of Accounts, by adding as follows :

“ Caleb H. Sipple, administrator of J. W. Ruth, for superintending, at Wilmington, the printing (in part) of the Journal of Senate of the State of Delaware, for the year 1831. 50 00

“ R. Porter and W. P. Brobson, for superintending the printing, (in part) of the Journal of the Senate, and examining the proof sheets, &c. during the indisposition, and after the death of J. W. Ruth, and for making an index to the said Journal, 40 00]


“ James Maull, assignee of John B. Stout, for said Stout's allowance, for all his claim for superintending the printing and other services rendered, respecting the Journal of the Senate for the year 1831, 60 00

\$150 00

The above allowances of one hundred and fifty dollars, includes all expenses for superintending the printing, and examining the proof sheets of the Journal of the Senate, and other services generally performed, as by the Clerk of the Senate for 1831.

On motion of Mr. Wainwright, seconded by Mr. Alrichs,
The above report was accepted.

On motion, the Senate adjourned until 3 $\frac{1}{2}$ o'clock this afternoon.

—  —

Eodem die, 3 $\frac{1}{2}$ o'clock, P. M.

The Senate met pursuant to adjournment.

Mr. Cooper, Clerk of the House of Representatives, being admitted,

Returned the bill, entitled, “ An act for the payment of claims against the State, and against the School Fund ;” and informed Senate that the House had concurred in the amendments proposed by Senate, with amendments, in which he asked the concurrence of Senate.

and withdrew,

On motion of Mr. Johnson, seconded by Mr. Burton,

Q

The Senate receded from the two first amendments to the said bill, but does not recede further.

Ordered, that the House be informed accordingly.

On motion of Mr. Booth, seconded by Mr. Sutton,

The bill, entitled, "An act to prevent the use of fire-arms by free negroes and free mulattoes;" was taken up, read a third time by paragraphs, as amended,

and passed the Senate.

Ordered, that the said bill be returned to the House of Representatives, and that the House be requested to concur in the amendments.

On motion of Mr. Alrichs, seconded by Mr. Booth,

The bill, entitled, "An act to prevent the unnecessary imprisonment for the execution of Judgments in Civil Cases;" was taken up, and read a third time by paragraphs.

The title was amended, by substituting the following: "A supplement to the act, entitled, 'an act concerning insolvent prisoners;'"

And the bill, as amended,

passed the Senate.

Ordered, that the said bill be returned to the House of Representatives, and that the concurrence of the House be requested to the amendment.

Mr. Cooper, Clerk of the House of Representatives, being admitted, informed Senate that the House had receded from so much of its amendments to the bill, entitled, "An act for the payment of claims against the State, and against the School Fund, as the Senate had non-concurred in,

and withdrew.

Mr. Cooper, Clerk of the House of Representatives, being again admitted, informed Senate, that the House had agreed, and disagreed to the amendments proposed by Senate, to the bill, entitled, "An act to prevent the use of fire-arms by free negroes and free mulattoes, and for other purposes; according to the following statement.

"House of Representatives, February 10, 1832.

"The House concur in amendments No. 1, 2, 3, 4, 5, 6, 7, last clause of 8, 11, last clause of 12, and clause before last.

The House non-concur, first clause 8, second clause 8, 9, 10, last clause 11, first clause 12.

"Extract from the Journal,

"I. T. COOPER, Clerk.

"For Concurrence."

Mr. Booth moved, seconded by Mr. Sutton,

That the Senate do not recede from their amendments to the bill, entitled, "An act to prevent the use of fire-arms by free negroes and free mulattoes, and for other purposes."

Ordered, That the Clerk of the Senate proceed to the House of Representatives, and inform the House thereof.

Mr. Marim, a member of the House of Representatives, being admitted, informed the Senate that the House had agreed to concur in the several amendments of the Senate, from which the Senate did not recede—he also informed the Senate that the house would adjourn until half past eight o'clock this evening,

and withdrew.

On motion, the Senate adjourned until half past eight o'clock, this evening.



Eodem die, 8½ o'clock, P. M. Evening Session.

The Senate met at the time to which it stood adjourned.

Mr. Marim, a member of the House of Representatives, being admitted, presented for the signature of the Speaker of the Senate, a duly enrolled bill, entitled, "An act to prevent the use of fire-arms by free negroes and free mulattoes;" which had received the signature of the Speaker of the House;

and withdrew.

Mr. Gibbons, a member of the House of Representatives, being admitted, presented two enrolled bills, which had received the signature of the Speaker of the House, for the signature of the Speaker of the Senate;

and withdrew.

Mr. Cooper, Clerk of the House of Representatives, being admitted, informed the Senate, that the House had concluded their business, and would be ready to adjourn in five minutes.

and withdrew.

On motion of Mr. Johnson, seconded by Mr. Booth,
The Journal of the day

was read.

On motion of Mr. Johnson, seconded by Mr. Booth,

It was,

Ordered, That the Clerk of the Senate proceed to the House of Representatives, and inform that body, that the Senate having disposed of all their business, was ready to adjourn forthwith, *sine die*.

Mr. Booth, after making some appropriate remarks, laid on the table the following Resolution, which

was read.

To wit :

Resolved unanimously by the Senate of the State of Delaware, That the thanks of the Senate be, and they are hereby presented to the Honorable JAMES P. LOFLAND, their Speaker, in testimony of his gentlemanly deportment, and of the fidelity and impartiality with which he has performed the duties of his office, as presiding officer of the Senate.

Mr. Johnson moved, seconded by Mr. Alrichs, that the foregoing Resolution be adopted.

After some remarks, Mr. Johnson put the question,

And the Resolution was adopted

nem. con.

Mr. Speaker Lofland then rose and addressed the Senate as follows :
Gentlemen of the Senate,

I rise to return you my warmest acknowledgments for the kind manner with which you have been pleased to express your approbation of my official conduct. It will be among the most

grateful recollections of my life. Although I am sensible that I have not been able to discharge the duties incumbent upon this station with that ability with which it has often been discharged by many of my predecessors ; I yet have the consolation to feel, that wherever I have erred, it has been an "error of the head and not of the heart."

It is a subject of gratulation that we are about to close a long and tedious Session without a single circumstance to alloy its harmony, except the loss of our amiable and much lamented friend and colleague, Dr. JOHN CAREY : He sleeps under the silent sod of yon neighboring church yard ; but the memory of his virtues still lives in each of our hearts.

On this occasion, allow me to say, that he was a man of that singleness of heart, and purity of purpose, that those who knew him best, loved him most ; and though we may wish to *forget* the *pain* of our loss, we never can cease to remember his useful public life and many endearing social qualities.

Permit me at this moment of perhaps final separation, to thank you for the kind indulgence which you have been pleased to extend to the numerous errors which I must have committed, and to express to you my ardent wish that you may have a safe and pleasant return to the bosom of your respective families, and to tender to you all, a cordial and affectionate farewell.

The Speaker then adjourned the Senate *sine die*.

ATTEST.

JAMES A. SPARKS,

Clerk of the Senate

of the State of Delaware.

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A.

ACCOUNT--

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BILL—

Assessors and Inspectors—An act to amend the act, directing the election of—presented and read 49, read a second time 59, amended, read a third and passed and returned 62, House non-curred in the amendments, Senate receded 66, enrolled 72.

Attachments—An act to amend the act, directing the manner of suing out—within this Government, presented 73, read 75, read a second time 91, read a third time and passed 95, returned to the House 96.

Bank Commercial—of Delaware, An act to enable the President, Directors and Company of—to close the concerns of that—presented and read 91, read a second time 94, read a third time, passed and returned 98.

Banks, An act establishing a rule of evidence, touching the proof of the incorporation of—in criminal prosecutions, introduced 101, read 102, read a second time 106, read a third time, passed and sent to the House for concurrence 111, returned passed 119, 20.

Bateman Susan, An act to enable her to locate certain vacant lands—presented 70, read a second time 89, read a third time, passed and returned to the House 94.

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BILL—

Borough of Wilmington, A supplement to the act, entitled, an act to alter and re-establish the Charter of the—presented and read, and read a second time and ordered to lie on the table 29, taken up and committed 30, reported with amendments 37, 8, read a third time and passed by yeas and nays, returned to the House, amendments concurred in 43.

—A supplement to the act, entitled, a supplement to the act, entitled, an act to alter and re-establish the Charter of the—introduced, read and committed 77, reported amended, read and ordered to lie on the table 106, 7, read a third time, passed and sent to the House for concurrence 116, returned concurred in 121.

Big marsh of Marshyhope, an act for the relief of the owners and possessors of the---and to enable them to ditch, drain and reclaim the same---presented 56---read 60, read a second time 87, read a third time, passed and returned 90.

Broadkiln creek, An act for the protection of the pivot bridge over---at Paynter's landing---presented 44, read a second time 49, read a third time, passed and returned 54, enrolled 64.

Canal, A further supplement to an act, entitled an act to incorporate a company, for the purpose of cutting a---between the waters of the Chesapeake and Delaware bays, presented 65, read 66, read a second time and amended 71, read a third time, passed and returned 75, enrolled 96.

Cat-tail marsh company, An act to incorporate the---and for other purposes, presented 49, read 51, read a second time 56, amended, read a third time, passed and returned 58, amendments concurred in 59, enrolled 72.

Claims against the State and against the School fund, an act for the payment of the---presented and read 125, read a second time, amended and passed and returned 126, amended in the House 129, Senate recedes in part, the House recedes 130.

College Delaware An act for the benefit of---introduced and read 93, read a second time 98, 9, read a third time by yeas and nays, passed by yeas and nays, and sent for concurrence 101, postponed indefinitely in the House 102.

Constitution, An act to carry into effect the amended---and for other purposes, presented and read 30, amendments proposed and rejected, third section stricken out, amended 40, 1, 2, read a third time, passed and returned 42. House concurs 43.

Constables, An act to amend the act concerning---presented 65, read 66, read a second time 90, read a third time, passed and returned 95.

Courts, An act fixing the time of holding the---of Law and Equity in this State, presented 49, read 50, read a second time and amended 53, 4, read a third time, passed and returned 54, House non-concur, committee of conference appointed 55, 6, report adopted 58, 9, enrolled 72.

—An act concerning the seals of the---presented and read 20, read a second time by special order, committed 21, reported amended, read a third time, passed and returned, House concur in amendments 22, enrolled 30.

BILL—

Courts, An act providing (temporarily) a test day for the --- presented 44, read, and read a second time by special order, amended, read a third time by special order, passed and returned 45.

— of Law and Equity, An act to repeal a further supplement to an act to alter the times of holding the --- in this State, presented 73, read 74, read a second time 91, read a third time, passed and returned 97.

— An act supplying (temporarily) the --- with seals, introduced, read and laid on the table 39, read a second and third time by special order, passed and sent to the House, concurred 40, enrolled 45, received the signature of the Speaker of the House 51.

Cow marsh, An act to enable the owners to ditch and drain the same, &c. presented 47, read 50, read a second time and amended 63, amendments adopted 64, House non-concur in part, Senate recedes 87.

Debts, A supplement to an act providing for the recovery of small --- presented 73, read 74, 5, read a third time, passed and returned 98.

Dover, A supplement to an act establishing the boundaries of the town of --- presented 77, read 97, read a second time and amended 99, read a third time and passed 102, returned, House non-concurs 103, Senate recedes 120.

Duck Creek, An act for erecting a draw-bridge over the south-west branch of --- reported and read 26, read a second time and amended 61-2, read a third time, passed and sent to the House 70, postponed 72, having been reconsidered, returned amended and concurred in 115.

Divorces, An act regulating --- presented 40, read 43, read a second time and committed 46, reported, amended, read a third time, passed and returned 75, 6, House non-concur 89, Senate recedes.

Edson Calvin, An insolvent prisoner, an act for the relief of --- introduced and read 100, read a second time 105, read a third time, passed and sent to the House 106, returned 107, enrolled 110.

Election, General An act to amend the act regulating the --- and other acts therein mentioned, presented, considered and amended 95, read a third time, passed and returned 97.

Emory, Thomas B. An act dissolving the marriage between him and Mary N. Emory his wife, presented and read 25, committed 28, reported and read a second time 56, read a third time, passed and returned 70.

Evidence, An act establishing a rule of --- touching the proof of the incorporation of Banks. (see Banks.)

Fisher, Silas, An act dissolving the marriage between —, and Maria his wife, late Maria Dawson, presented and read 25, read a second time 28, amended, read a third time, passed and returned 30.

Flour not merchantable, A further supplement to an act to prevent the exportation of —, introduced, read a second time, and a third time by special order, passed and sent to the House 117, returned passed 125.

BILL--

Free negroes and free mulattoes. An act to prevent the use of fire-arms by —, and for other purposes, presented 72, read 75, read a second time 107, amended and laid on the table 126, 7, read a third time, passed and returned, House concurred in part, Senate does not recede, House concurred 130, enrolled 131.

Free Schools. An additional supplement to an act for the establishment of —, presented, read and committed 93, reported with amendments 103, 4, 5, second reading postponed until to-morrow, amended, yeas and nays, read a third time, passed and returned 118, 19, amended in the House 121, Senate concurred 122.

Gibbons, John, (see Wright.)

Government. An act making provision for the support of --- for the year eighteen hundred and thirty two, presented 100, read 102, read a second time 106, read a third time, passed and returned 108.

Harris, Abel. An act granting to --- certain marsh, presented 66, read 68, read a second time, amended, and laid on the table 89, taken up, read a third time, passed and returned 94, House concurred with an amendment, 94, 5, Senate concurred 95.

Hearne, George and Joseph. An act to enable — — to locate certain vacant lands, presented 49, read 50, read a second time 51, read a third time, passed and returned 54, 5, House non-concurred, committee of conference 54, 5, 6, House concurred 59, enrolled 111.

Imprisonment. An act to prevent the unnecessary — for the execution of judgments in Civil Cases, presented and read 70, read a second time, amended or supplied 122, 3, read a third time, title amended, passed and returned 130.

James, William. An act for the relief of --- presented 73, read 74, read a second time and laid on the table 89, read a third time, passed and returned 93.

Janvier, John, Jr. Trustee of Sarah Ann M'Donough, lunatic, An act to authorize — to sell and convey certain lands of said lunatic, presented 40, read 43, read a second time 46, read a third time, passed and returned 48.

Judgments. An act to authorize process upon, and to declare the effect of certain — introduced by leave and read, and read a second time 52, returned from the House, passed 62, reported enrolled 71, received the signature of the Speaker of the House 100.

Justice of the Peace. An act allowing an additional — for a limited time, to New-Castle County, presented and read 94, read a second time 98, read a third time, passed and returned 102, enrolled 111.

— An act allowing an additional — to New-Castle County, for a limited time, presented and read 121, read a second time, and a third time by special order, passed and returned 126.

— An act allowing an additional — and Constable, to Sussex County, for a limited time, presented and read 98, read a second time 102, read a third time, passed and returned 106.

— An act altering the act for the recovery of small debts, and extending the jurisdiction of —, to sums not exceeding one hundred dollars, presented and read 100, motion to postpone 'till next Session lost 123, postponed indefinitely 124.

BILL—

- Laws*, A supplement to the act, entitled, an act for the distribution and sale of the revised — of the State of Delaware, presented and read 119, read a second time, motion to postpone indefinitely, lost by yeas and nays 121, read a third time, passed, and sent to the House.
- Jury Court, and Court of Appeals*, An act to amend the act concerning the Constitution of the —, presented 73, read 75, read a second time and laid on the table 91, taken up, amended 107, 8, read a third time, passed and returned 113. House concurred 116.
- *Clerk of the Peace, Assessors, Collectors, and County Treasurers*, An act to amend the act concerning the —, presented 65, read 66, read a second time 71, read a third time, passed and returned 76, enrolled 96.
- Little Creek*, An additional supplement to an act, to enable the persons therein mentioned, to raise a sum by Lottery for the purpose of improving the navigation of —, introduced and read 103, amended 111, 12, 13, read a second time 115, read a third time and passed by yeas and nays, sent to the House 120, postponed in the House.
- Mahons, Ditch*, An act to change the name of —, to Mahon River, presented and read 44, read a second time, passed and returned to the House 49.
- Marriage Licenses*, An act defining the duty of the Clerks of the Peace in dispensing —, presented and read 94, read a second time 98, read a third time, passed and returned 102, enrolled 111.
- Middleborough Marsh*, on the north side of Christiana River, An additional supplement to an act to enable the owners and possessors of —, to keep the banks, dams and sluices in repair, and to defray the expenses thereof, reported and read 48, read a second time and amended 51, 2, read a third time, passed and sent to the House 52, returned passed 65, enrolled 70, 1.
- Misspillion Creek*, An act to prevent the planting of hedges and threshing of — presented 100, read 102, again read 107, amended 115, read a third time, passed and returned 116, concurred in 117.
- Morris Sarah*, An act to divorce — and her husband Endless Morris, from the bonds of matrimony, presented and read 23, read a second time and committed 23, read a third time, passed and returned 55, enrolled 64.
- Nanticoke River*, An act to incorporate a company to erect a Draw Bridge over the — at Seaford, presented and read 68, read a second time and laid on the table 88, taken up, amended, read a third time, passed, yeas and nays 92, returned 93, House concurred 94.
- New-Castle and French-town Turnpike and Rail-Road Company*, A supplement to the act concerning the —, reported and read 72, read a second time and blank filled 74, committed 87, reported, amendments proposed and ordered to lie on the table 109, 10, taken up, amendments rejected by yeas and nays, read a third time, passed by yeas and nays, and sent to the House 119, returned passed 135.

BILL—

- Library Company, An act to re-enact and continue in force an act to incorporate the subscribers of the ---, their heirs and assigns, introduced and read 45, read a second time 48, read a third time, passed, and sent to the House 51, returned concurred 59, enrolled 61, signed by the Speaker of the House 64.
- Palmer, Alexander*, An act dissolving the marriage between ---, and his wife Mary Ann Palmer, late Mary Ann Daniel, presented 47, read 50, read a second time 52, read a third time, passed and returned 59, enrolled 72.
- Palmer, Levick*, An act granting to ---, certain marsh therein described, presented and read 60, read a second time and amended 65, read a third time, passed and returned 70.
- Partition of lands among joint tenants and tenants in common*, An act respecting the ---, introduced, read and laid on the table 90, read a second time 95, read a third time, passed and sent to the House 101, indefinitely postponed in the House 117.
- Peale, Franklin*, An act to annul the marriage contract of ---, and Eliza his wife, late Eliza Greatrake, and for other purposes, reported and read, read a second and a third time by special order, passed and sent to the House 121, returned passed 126.
- Pennell, Eleanor*, An act to divorce --- and her husband Jackson Pennell from the bonds of matrimony, presented and read 25, read a second time 28, amended, read a third time, passed and returned 44, House non-concurred, a committee of conference appointed 45, 6, Senate receded 103, enrolled 111.
- Polk, William N. and John Sorden*, An act to enable ---, to locate certain vacant lands, reported and read 23, read a second time 25, read a third time and passed 26, sent to the House 27, returned amended 43, amendments amended, House concurred 99, enrolled 101.
- Rail Road Company*, An act to incorporate the Wilmington and Susquehanna ---, reported and read 26, read a second time, amended and laid on the table 27, amended, read a third time, passed and sent to the House 28, 9, passed with an amendment 43, amendment amended 44, enrolled 71.
- A supplement to an act to incorporate the Wilmington and Downington ---, introduced and read 90, read a second time 95, read a third time, passed and sent to the House 98, returned passed 114, enrolled 115.
- Real estate of intestates*, A supplement to an act concerning the ---, presented and read 58, read a second time 62, taken up for a third reading and committed 66, reported, postponed until the next Session of the Legislature, and the House informed thereof 120.
- Records*, An act for the preservation of the --- of the Court of Chancery and Orphans Court in Sussex County, presented 73, read 75, read a second time and amended 90, read a third time, passed and House concurred 96, 7.
- A supplement to an act for the preservation of certain --- of the Court of Common Pleas and Supreme Court of Kent County, presented and read 52, read a second time 58, read a third time, passed and returned 71.

BILL.—

- An act directing the manner in which certain — shall be kept, introduced and read 68, read a second time, blanks filled 70, read a third time, passed and sent to the House 75, passed with an amendment 94, Senate non-concurred 95, House recedes.
- An act for the preservation of a certain — of the Orphans' Court, in Kent County, presented 28, read 29, read a second time 45, amended, read a third time, passed and returned 48, 9.
- Replevin*, An act to extend the action of — to third persons, whose goods and chattels are seized by virtue of execution process. presented and read 115, read a second time by special order 115, read a third time by special order, passed and returned 117.
- Roads and Bridges*, An act altering the mode of repairing and supporting the — in the several Hundreds of the County of New-Castle, presented 73, read 75, read a second time 90, ordered to lie on the table 91, taken up and amended 108, read a third time, passed and returned to the House 113, 14, the House concurred in the amendments 116.
- Road Commissioners*, An act concerning the — of Christiana Hundred, introduced and read 120, read a second time, and a third time by special order, passed and sent to the House 124, returned passed 126.
- An act concerning the — of New-Castle Hundred, reported and read 74, read a second time 89, read a third time, passed and sent to the House 90, amended, concurred in 100, enrolled 108.
- Robinson, Susanna*, An act for the relief of —, presented 47, read 50, read a second time and committed 51, reported, amended, read a third time, passed and returned 56, 7, House concurred 59, enrolled 72.
- Russel, William*, An act granting to —, a certain tract or parcel of marsh, presented and read 96, read a second time 98, read a third time, passed and returned 102, enrolled 111.
- Savings Fund*, An act to incorporate the Wilmington ---, Society, reported and read 15, read a second time 19, read a third time, passed and sent to the House 25, amended and concurred in 25, enrolled 28, signed by the Speaker of the House 43.
- School Fund*, Claims against the ---, (see claims against the State, and also Free Schools.)
- School, Self supporting*, An act to incorporate the Trustees of ---, in Brandywine Hundred, New-Castle County. reported and read 44, read a second time laid on the table, taken up and committed, reported, 7th section stricken out, read a third time by special order, passed and sent to the House 46, 7, enrolled 61.
- Starling, Mary Ann*, An act for the relief of ---, of Pencader Hundred, New-Castle County, presented and read 93, read a third time and passed 97, sent to the House 98.
- Sudley, William and David Hammond*, An act for the relief of ---, presented and read 22, read a second time and laid on the table 23, taken up, read a third time, passed and returned 26, enrolled 30.

BILL---

Swamp, An act to enable the owners and possessors of any ---- or low grounds to ditch and drain the same, and to render more easy and convenient the mode of obtaining permission therefor, presented and read 113, read a second time by special order, 116, read a third time and passed.

Swine, A supplement to an act to restrain persons from suffering --- to go at large within certain limits, presented and read 53, read a second time 58, read a third time, passed and returned 62, enrolled 72.

Tam, Lemuel, An act to divorce ---- and Hetty Tam, presented and read 23, read a second time, 2d section stricken out 28, read a third time, passed and returned, enrolled 42.

Tappanah Marsh, A supplement to a further additional supplement to an act to authorize the owners and possessors thereof to ditch and drain the same, presented and read, 113, read a second time by special order 116, read a third time by special order, passed and returned, 117.

Townsend, Barkley, an act for the relief of ---, presented 39, read 50, read a second time 54, amended, read a third time, passed and returned 57, House concurred 57, enrolled 64.

Trader, Jacob, (negro) an act for the relief of ---, introduced and read --- read a second time and amended 28, read a third time, passed and sent to the House 30, returned passed 47, enrolled 49.

Trimble, William, An act dissolving the marriage between --- and Hannah Trimble, presented and read 50, read a second time 56, read a third time, passed and returned 58.

Vessel Property An act to exempt --- from taxation, presented and read 96, read a second time 98, read a third time, passed by yeas and nays and returned 100.

Williams, Sarah, An act to divorce ---, and her husband Samuel Williams from the bonds of matrimony, presented and read 27, read a second time and committed 28, reported, read a third time, passed and returned 66, enrolled 72.

Wilson, John, (carpenter, dec'd.) A supplement to an act to carry into effect the last will and testament of ---, presented 42, read 44, read a second time 51, read a third time, passed and returned, 54, enrolled 54.

Wright, Turpin, Charles and Jacob --- and John Gibbons, An act to enable ---, to locate certain vacant lands, &c. presented 40, read 43, read a second time 51, amended, read a third time, passed and returned 55, enrolled 65.

B.

BOOTH, JAMES, a Senator elected to represent New Castle county, during the unexpired term of Wm. T. Read, resigned, takes his seat 39.

BURTON, JOSHUA, a newly elected Senator to represent Sussex county appeared and took his seat 3.

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CAREY, JOHN, Senator from Sussex, indisposition of —, 42, 7, death, resolutions thereon and House informed thereof 74, resolution of the House to wear crape during the remainder of the Session 75-6.

CLERK—

Representatives, of the House of —. informs Senate that a quorum of the House had assembled, organized, and were ready to proceed to business 4.

Senate, of the, James A. Sparks, elected and qualified 3.

— Ordered to inform the House that a quorum of the Senate had assembled and were ready to proceed to business 4.

— to cause one hundred copies of the Governor's Message to be printed for the use of Senate 13.

COMMITTEE—

Accounts, of, appointed 105, report 128, report accepted 129.

Arrangement, of, appointed 15.

Borough of Wilmington —, to whom was committed, a supplement to a supplement to an act to alter and re-establish the charter of the—, appointed 77, report 106.

Claims, of, appointed 24, another member added 68, report 124-5.

Conference, of, on sundry bills—appointed 53, report in part 58, report further 103.

Divorces, a bill regulating —, committed to a —, appointed 46, ask and obtain longer time to make report 42, report 53, 56, 66.

Divorce bill, sundry — committed to a —, appointed 28, asked and obtained longer time to make report 42, report 53, 56, 66.

Election, of, appointed 15, another member added 18, ask and obtain longer time to make report 24, report 51-2.

Enquiry, a joint committee for further —, upon the subject of carrying into effect the Amended Constitution, appointed 81.

Enrolment, of, appointed 24, report 28, another member added 43, report 45-9, 61, 70-1, 101-8, 10, 15.

Fire Insurance Company, the petition of sundry citizens for the incorporation of the Wilmington —, referred to a ---, appointed 53, —whom was committed an act to incorporate the Wilmington—, appointed 67.

Flour Inspector, Petition of the citizens of Wilmington in relation to —, referred to a ---, 105.

Free Negroes the petition in relation to ---, referred to a ---, appointed 20.

Free Schools, the --- to whom was committed an additional supplement to an act for the establishment of —, in this State, appointed 93, report 103-4-5.

Governor, to wait on His Excellency the ---- appointed, report 5.

Greatrake, Eliza, Memorial of ---, referred to a ---, appointed and report 121.

Hall, Willard, Communication from the Hon. --- referred to a --- appointed 47.

Indenum, Francis, --- on the petition of---, appointed 16, report 19.

COMMITTEE—

Middleborough Marsh, --- on the petition of the owners and possessors of --- appointed 31, report 48.

Milford and *Mispillion* Hundred, --- to whom was referred the petition for, and the remonstrances against re-uniting --- appointed 87, report 115.

New Castle and *Frenchtown* Turnpike and Rail Road Company --- on the memorial of --- appointed 69,

——— To whom was committed a supplement to an act concerning the --- and *Frenchtown* Turnpike and Rail Road Company, appointed 87, report 109-10.

——— Hundred --- to whom was referred the memorial in favor of incorporating --- appointed 47, remonstrance against --- referred to same, 57-8, 64-5, report 74.

Polk, William N. and John Sorden, --- on the petition of --- praying an act to enable them to locate certain vacant lands, appointed 16, report a bill 23,

Rail Road, the petition of sundry citizens for incorporating the *Wilmington* and *Susquehanna* --- Company, appointed 24, report 26.

Real Estate of Intestates, --- to whom was committed a supplement to an act concerning the --- appointed 67, report 120.

Record, --- to examine a certain ---, in the Orphan's Court of Kent county, appointed, report 48.

Riggs, Clement, the petition of --- referred to a --- appointed 48, report 103

Robinson, Susanna, --- to whom was committed the bill entitled an act for the relief of ---, appointed 51, report 56.

Rules, --- to draft ---, appointed 4, report 13, 14.

Seals of the Courts, to whom was committed, An. act concerning the ---, appointed 21, reported 22.

Self-Supporting School, On the petition for the incorporation of the Trustees of the --- of *Brandywine* Hundred, *New-Castle* County, appointed 39, reported 44.

Starling, Mary Ann, on the petition of ---, praying an act for her relief appointed 73.

State Treasurer, to settle with the ---, appointed 18, reported 21, 2.

Unfinished business, on ---, appointed 14, reported 16.

Windser, James, --- on the petition of ---, for an act to enable him to make a deed for certain land in *Sussex* county, appointed 20.

COMMUNICATION—

Comegys, Cornelius P. State Treasurer--from, relating to certain Collectors of *Sussex* County, presented, read and referred to the Committee on Claims, 24.

Governor, from the ---, presented by the Secretary of State from 5 to 13, ordered that one hundred copies thereof be printed 13.

——— presented by the Secretary of State exhibiting a list of books, papers, &c. &c. received at the office of the Secretary of State during the recess of the Legislature; also the resignation of William T. Read, a Senator from N. Castle county, 16-7-8.

Martin's Bridge, --- on the petition for and the remonstrance against making --- a Draw-bridge, appointed 19.

COMMUNICATION—

Hall, Willard, --- from, superintendent of Free Schools for New Castle County, presented, read and ordered to lie on the table 31 to 37 taken up and referred to a committee with leave to report thereon 47.

Read, William T. ---, resigning his seat in the Senate 18.

Secretary of State, ---, from the, Caleb S. Layton, 78 to 86.

Truitt, George, ---, from, resigning his seat in the Senate. 4.

F.

ELECTION---

Returns of ---, read 3.

Resolution for a special --- in New-Castle County, to supply a vacancy 19.

Returns of --, presented 31.

Free Schools, communication from W. Hall, superintendant of --- 31 to 37.

F.

FARMERS' BANK,

Directors of, Resolution appointing Directors of the --- of the State of Delaware, on the part of the State 15.

G.

GENERAL ASSEMBLY,

Adjourned, sine die 132.

Communication from Willard Hall, Esq. to the --- 31 to 37.

from the Governor to the --- 5 to 13.

from the Secretary of State to the --- 78 to 86.

Convened at Dover January 3d. 1832.

GOVERNOR,

Communication from the --- 5 to 13.

----- List of books, papers, &c. &c. 16 to 18.

K.

KENT COUNTY,

Members from, appear and take their seats 3.

L.

LEWIS KENDALL M. a newly elected member from Sussex County, in lieu of George Truitt, Esq. appears, is qualified and takes his seat 3.

LOFLAND, JAMES P.

Address to the Senate 131, 2.

Elected Speaker of the Senate 3.

Thanks of the Senate presented to --- 132.

M.

MEMORIAL.

Greatrake Eliza, --- from, presented 120.

New-castle and Frenchtown Turnpike and Rail-road Company rom, presented 69.

-----Hundred --- from sundry citizens, presented 39.

N.

NEW-CASTLE COUNTY.

Members from --- appear and take their seats 3.

P

PETITION,

Edson Calvin, an insolvent prisoner, five --- in favor of his discharge from prison, presented and read and ordered to lie on the table 105.

Fire Insurance Company, a --- in favor of the incorporation of the Wilmington --- presented, read and referred 52, 3.

Flour Inspectors, --- for an alteration in the law respecting --- presented, read and referred 105.

Free negroes, the --- of sundry citizens of Sussex County in relation to the --- of this State, presented, read and referred 20.

Endenun Francis, --- of praying to be divorced from his wife, presented, read and referred 16, reported on 19.

Martin's Bridge, the --- of sundry citizens of Kent County, praying that --- may be made a draw bridge, presented, read and referred 19, report 26.

Middleborough Marsh, the --- of the owners and possessors of --- presented and referred 31, report 48.

Milford & Mispillion, the -- of sundry citizens of --- & ---- Hundreds, praying the re-uniting of said Hundreds, presented and laid on the table 62, referred 87, reported 115.

Militia, --- for the organization of, presented and read 22.

Polk William N. and John Sorden --- of, praying to be authorized to locate certain vacant lands, presented, read and referred 16, report 23.

Rail-road, the --- of sundry citizens, praying for an act to incorporate the Wilmington and Susquehanna --- presented, read and referred 24.

Real Estate of intestates the --- of sundry citizens of Kent county, praying a law to be passed concerning the --- presented and referred 87 (see p. 66.)

Riggs Clement, praying to be divorced from his wife Martha Riggs, presented, read and referred 47, report 103.

Savings Fund, the --- of the Wilmington --- --- Society, presented, read and referred 15, report ib.

Self-supporting School, the --- of sundry persons in favor of the incorporation of the trustees of the ----- of Brandywine Hundred, in New Castle County, presented, read and referred 39, report 44.

PETITION—

Starling, Mary Ann, the — of praying relief, presented, read and referred 73.

Windson, James, the — of, presented, read and referred 19, 20.

POSTPONED---

The bill, entitled, "An act altering and amending the 'act providing for the recovery of small debts,' and extending the jurisdiction of Justices of the Peace, to sums not exceeding one hundred dollars, indefinitely, 123, 4.

The bill, entitled, a supplement to an act concerning the real estate of intestates -- until the next Session 120.

A Resolution, amending the Amended Constitution ---- indefinitely 109.

PUBLICATION---

Of the bill, entitled, an act altering and amending the act. providing for the recovery of small debts, and extending the jurisdiction of Justices of the Peace, to sums not exceeding one hundred dollars, for three months next, after the 4th day of July, in the present year, in two of the news-papers of this State, one in the City of Wilmington, the other in George-Town 124.

R.

READ, WILLIAM T. resigns his seat in the Senate 18.

RECESS, Senate take a --- for fifteen minutes 52.

REMONSTRANCES of the citizens of the country part of Christiana Hundred against releasing the citizens of Wilmington from any part of the road tax of Christiana Hundred, presented, read and ordered to lie on the table 39.

— against making Martin's bridge a draw bridge, presented and read 54.

— against incorporating New-Castle Hundred, presented 57, read and referred 58, another presented and referred to the same committee 64, 5, report 74.

— against incorporating the Wilmington Fire Insurance Company, also the recantation of sundry citizens who had signed the petition, presented, read and ordered to lie on the table 65.

— against re-uniting Milford and Mispillion Hundreds, presented and referred 87, another presented, read and referred 88.

REPORT—

— of the Committee to draft rules 13, 14.

— of the House of Representatives, on so much of the Governor's message, as relates to a Canal between the Chesapeake Bay, and the waters of the Delaware Bay, through Sussex County, presented and read 67, 8, concurred in.

— of the Committee to wait on the Governor 4.

— of the Committee of Accounts 128, 9.

— Do. of Claims 124, 5.

— Do. to whom was referred the petition of the Wilmington Savings Fund Society, a bill 15.

T

REPORT—

- _____ of the Committee on unfinished business 16.
- _____ Do. to settle with the State Treasurer 21, 2.
- _____ on the petition of Frances Ludenum 19, adopted.
- _____ on the petition of W. N. Polk, and J. Sorden. a bill 23.
- _____ of the Committee of conference, on the bill, entitled, an act fixing the time of holding the Courts of Law and Equity in this State 58, 9.
- _____ of the Committee on the petition of sundry citizens of Kent County, praying that Martin's Bridge may be made a draw-bridge 26.
- _____ of the Committee to whom was referred the petition in favor of incorporating the Wilmington and Susquehanna Rail-Road Company 26.
- _____ of the Committee to whom was referred the petition of the owners and possessors of Middleborough Marsh 48.
- _____ on the act for the relief of Susanna Robinson 56.
- _____ of the Committee of conference, adopted 58, House informed thereof 60, 103.
- _____ of the Committee of enrolment, 28, 45, 9, 61, 70, 1, 101, 8, 10, 15.
- _____ of the Committee to whom was committed the Resolution relating to the Libraries of the Senate and House of Representatives 69.
- _____ of the Committee to whom was referred the petition for, and remonstrances against incorporating New-Castle Hundred, in New-Castle County 74.
- _____ of the Committee on the petition of Clement Riggs, praying to be divorced from his wife Martha Riggs 103.
- _____ Milford and Mispillion Hundreds --- of the Committee to whom was referred the petition for, and remonstrance against reuniting 115.

RESOLUTION---

- _____ amending the Amended Constitution, presented 75, read and postponed indefinitely 109.
- _____ appointing George S. Adkins Auditor of Accounts, presented 25, read and laid on the table 26, taken up and again laid on the table 27, motion to take up lost 57, taken up, non-concurred in and returned 88,
- _____ appointing Jacob Biddle Auditor of Accounts, presented 94, enrolled 118.
- _____ to go into the election of Clerk 3.
- _____ Do. Sergeant at Arms and door-keeper 4.
- _____ appointing a Committee to wait on the Governor 4.
- _____ From the House appointing a joint Committee to wait on the Governor, presented, read and concurred, and House informed thereof.
- _____ appointing a Committee to draft rules 4.
- _____ Do. on the unfinished business of last Session 13
- _____ Do. of arrangement,

RESOLUTION—

- appointing Directors of the Farmers' Bank of the State of Delaware, on the part of the State 15, concurred in by the House *ib.* reported enrolled 101.
- from the House, on so much of the Governor's message, as relates to cutting a canal between the Chesapeake and Delaware Bays, through Sussex County, presented 67, 8.
- requesting the Speaker to issue writ of election, directed to the Sheriff of New-Castle County, commanding him to cause an election to be held, to supply a vacancy in the Senate, occasioned by the resignation of William T. Read, esq. 19.
- from the House, appointing a joint Committee to settle with State Treasurer, presented and concurred in 18, returned to the House 19.
- appointing State Treasurer, presented and read 25, concurred in 26.
- for appointing a Commissioner to arrange the books, papers and pamphlets in the Library of the Senate, presented 60, taken up for consideration and committed to a committee of two, with instructions 65, reported back amended so as to embrace the Library of the House, and read 67, blanks filled and adopted and sent to the House for concurrence 91, returned concurred in 97, reported enrolled 101.
- approbatory of the Bank of the United States, (from the House,) presented and read 62, taken up for consideration 87, read, adopted and returned to the House 89.
- relative to the adjournment of both Houses, presented 67, taken up, amended, adopted as amended and returned to the House 95.
- in relation to a canal between the waters of the Chesapeake and Delaware Bays, through Sussex County, presented and read 67, 8, read, adopted and returned to the House 113.
- passed on the death of Dr. John Carey 74, of the House 75, 6.
- for further enquiry upon the subject of carrying into effect the Amended Constitution, presented 75, read, considered, adopted, and the House informed thereof 90.
- amending the Amended Constitution, presented 75, taken up read, indefinitely postponed, and the House informed thereof 109.
- for the sale of the Laws of Delaware, presented 102, read and amended 105, concurred in as amended, and returned to the House 116, returned concurred in, *ib.*
- appointing a Director in lieu of James Barratt, resigned, introduced and read 103, read, adopted and sent to the House for concurrence 109, returned with an amendment 111.

S.

SCHEE JAMES, elected Sergeant at Arms and Door-keeper 4.

SECRETARY OF STATE, admitted, presents the Governor's message 5.

- again admitted, presented a communication from the Governor, containing a list of books, papers, &c. &c. received at the Department of State, during the past years 16, 17, 18.

SECRETARY—

----- communication from the ----, presenting his accounts with the State of Delaware, the School Fund and the contingent expenses of the Secretary's Office 78 to 86.

SPARKS, JAMES A. elected Clerk 3.

SHERIFF---

A statement from the --- of the respective Counties, of the number of persons imprisoned during the year 1831, 25.

SPEAKER---

Lofland James P. elected 3.

Addresses Senate 131, 2.

Pro tempore. Burton Joshua elected 23, 31, 74.

SUSSEX COUNTY---

Members of ---, appear and take their seats 3.

SUTTON, JOHN, a newly elected member from New-Castle County, appears and takes his seat 3.

T.

TRUITT, GEORGE, resigns his seat in the Senate 4.

W.

WAINWRIGHT, THOMAS, a newly elected member from Kent County, appears and takes his seat 3.

Y.**YEAS and NAYS---**

----- on the final passage of the bill, entitled, 'a supplement to the act, entitled, an act to alter and re-establish the Charter of the Borough of Wilmington,' 43.

----- on the final passage of the bill, incorporating the Wilmington Fire Insurance Company 88.

----- on the final passage of an act to incorporate a Company for the purpose of building a bridge over the River Nanticoke 92.

----- on the final passage of an act to exempt vessel property from taxation 100.

----- on the third reading and final passage of 'an act for the benefit of Delaware College, at or near New-Ark, in New-castle county', which provides for raising a sum of money by lottery.

----- on amendments to an additional supplement to an act for the establishment of Free Schools 118.

----- on the rejection of amendments proposed to the supplement to an act concerning the New-castle and French-town Turnpike and Rail-Road Company 119.

----- on the indefinite postponement of a supplement to an act to provide for the distribution and sale of the revised edition of the Laws of Delaware 121.

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By virtue of an Act of the General Assembly of the State of Delaware, passed at Dover, on the twenty-seventh day of January, in the year of our Lord one thousand eight hundred and twenty-nine, entitled "An act concerning the keeping of the papers belonging to the Executive Department, and the Acts of the General Assembly, and the printing and disposal of the Laws and Journals," I do hereby, appoint Messrs. R. and J. B. Porter, to print the foregoing Journal and Index.

JAMES A. SPARKS,

Clerk of the Senate of the State of Delaware.

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