

So the bill having received the constitutional majority,

Passed the House.

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

On motion,

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

TUESDAY, February 2, 1864—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Watson, from the committee to whom was referred the petition of William B. Tomlinson and others, for an act appointing commissioners to lay out a new public road in Lewes and Rehoboth Hundred, in Sussex County, reported a bill entitled,

"An act appointing commissioners to lay out a public road in Sussex County,"

Which,

On motion of Mr. Watson,

Was read.

Mr. Whitby, from the committee to whom was referred the petition of Samuel Jefferson and others, for an act to change the location of a certain public road in St. Georges' Hundred, New Castle County, reported a bill entitled,

"An act to change the location of a certain public road in Saint Georges' Hundred, New Castle County,"

Which,

On his motion,

Was read.

Mr. Duncan, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Watson,

Obtained leave to introduce a bill entitled,
 "An act for the relief of the families of volunteers,"

Which,

On motion of Mr. Duncan,

Was read.

On motion of Mr. Watson,

The Senate bill entitled, "An act to enable Greensbury M. Truitt, Sarah Truitt, and George M. Cary, to locate certain vacant lands in Broad Creek Hundred, Sussex County, and to complete their title to the same,"

Was taken up for consideration,

Mr. Watson offered the following amendment,

Which,

On his motion,

Was read :

"Amend the bill by striking out 'one dollar and fifty cents,' in line 71, of said bill and inserting in lieu thereof the words 'two dollars and fifty cents,'"

And,

On his further motion,

The amendment was

Adopted,

And further,

On his motion,

The bill as amended, was ordered to be read a third time, as amended, in order to pass the House.

Section 1 having been read,

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

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Duncan, Paxson, Waples, and Watson—4.

Nays—Messrs. Allen, Curtis, Fisher, Gemmill, Horsey, Lattomus, Slay, Stubbs, Whitby, Williams, and Mr. Speaker—11.

So the question was decided in the negative,

And Section 1 was

Lost,

And the bill was lost.

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

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had passed, and presented for the concurrence of the House,

"A joint resolution authorizing the Trustee of the School Fund to pay a certain sum to School District No. 25, in New Castle County,"

And informed the House that the Senate had concurred in the following House bills, to wit:

"An act to incorporate Hermann Lodge, No. 29, of the Independent Order of Odd Fellows, of the City of Wilmington, Delaware;,"

"An act to revive and continue in force the act entitled 'An act to enable Waitman Jones to locate certain vacant lands in North West Fork Hundred, Sussex County, and to complete his title to the same,' passed at Dover, February 15, 1859;,"

"An act to authorize the Trustees of the Seaford Academy to sell and convey the old Academy building, in the town of Seaford;,"

And returned the same to the House, and presented the following enrolled Senate bills for the signature of the Speaker of the House, they having received the signature of the Speaker of the Senate, to wit:

"An act to amend 'An act authorizing the Recorder of Deeds of Kent County to copy indices,' passed at Dover, January 24, 1861;,"

And,

"An act to divorce William Foreakers, of Joseph, and Mary Ann, his wife, late Mary Ann Watkins, from the bonds of matrimony."

On motion of Mr. Gemmill,

The Senate Joint Resolution for the payment of certain monies to School District, No. 25, in New Castle County,

Was read and laid over until this afternoon.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had instructed him to request the House to return to the Senate the bill entitled,

"An act to enable James A. Dodd, William A. Dodd, Edward S. Tunnell and George M. Cooper, to locate certain vacant marsh land in Lewes and Rehoboth Hundred, in Sussex County, and complete their title to the same,"

On motion of Mr. Waples,

The Clerk was instructed to return said bill to the Senate.

On motion of Mr. Watson,

The bill entitled, "An act to authorize the Prothonotary of the Superior Court of the State of Delaware, in and for Kent County, to procure a new Press and Seal of office,"

Was read a third time, and by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Duncan,

The bill entitled, "An act to incorporate the Wilmington City Passenger Railway Company,"

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

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

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Curtis, Duncan, Fisher, Gemmill, Horsey, Lattomus, Paxson, Slay, Stubbs, Waples, Watson, Whitby, Williams, and Mr. Speaker—15.

Nays—None.

So the bill having received the constitutional majority,

Passed the House.

Ordered to the Senate for concurrence.

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

On his motion,

Was read and referred to the Committee on Claims.

Mr. Watson, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Fisher,

Obtained leave to introduce a bill entitled,

"An act extending the term of office of Recorder of Deeds,"

Which,

On motion of Mr. Watson,

Was read.

On motion of Mr. Waples,

The bill entitled, "An act to repeal and supply Section 1 of Chapter 63 of the Revised Code, entitled 'General Provisions respecting Trade,'"

Was ordered to be read a third time, in order to pass the House,
And,

On his further motion,

The reading of the bill was laid over until this afternoon.

On motion of Mr. Williams,

The Senate bill entitled, "An act to amend Section 34 of Chapter 60 of the Revised Statutes relative to the repairs of bridges over any mill-dam erected on a public road,"

Was taken up for consideration,

And,

On his further motion,

The consideration of the bill was postponed until this afternoon.

On motion,

The House adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Slay, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Watson,

Obtained leave to introduce a bill entitled,

"An act to repeal an act entitled 'An act to amend an act entitled 'A further supplement to the act entitled 'An act to authorize the owners and possessors of the marsh and low grounds commonly known and called by the name of the Culbreth's Marsh, situate in the forrest of Murderkill and Dover Hundreds, in Kent County, to cut a ditch or drain through the same,''"

Which,

On motion of Mr. Slay,

Was read,

On motion of Mr. Paxson,

The bill entitled, "A further additional supplement to an act entitled 'An act to incorporate a company for the purpose of cutting and making a canal between the Chesapeake Bay and Bay or River Delaware, or the waters thereof,'"

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

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

The yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Bewley, Curtis, Duncan, Fisher, Hayes, Horsey, Paxson, Whitby, and Williams—9.

Nays—Messrs. Allen, Gemmill, Gootee, Lattomus, Slay, Stubbs, Waples, and Watson—8.

So the bill not having received the constitutional majority,

Was

Lost.

On motion of Mr. Duncan,

The bill entitled, "An act to amend the act entitled 'An act to incorporate the Young Men's Association for Mutual Improvement, of the City of Wilmington,'"

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

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

The yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Bewley, Curtis, Duncan, Fisher, Gemmill, Gootee, Hayes, Horsey, Lattomus, Paxson, Slay, Stubbs, Waples, Watson, Whitby, Williams, and Mr. Speaker—18.

Nays—None.

So the bill having received the constitutional majority,

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Allen,

The bill entitled, "An act supplementary to an act entitled 'An act regulating the sale of intoxicating liquors, &c.,' passed at Dover, March 6th, 1861,"

Was taken up for consideration, and amended,

And,

On the further motion of Mr. Watson,

The bill was ordered to be read a third time, with the view of passing the House.

Section 1 having been read,

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

The yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Bewley, Fisher, Gootee, Horsey, Slay, Stubbs, Waples, Watson, and Williams—10.

Nays—Messrs. Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Whitby, and Mr. Speaker—8.

So the question was decided in the affirmative,

And Section 1 was

Adopted.

Section 2 having been read and adopted, and Section 3 having been read,

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

The yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Bewley, Fisher, Gootee, Horsey, Slay, Stubbs, Waples, Watson, Williams, and Mr. Speaker—11.

Nays—Messrs. Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, and Whitby—7.

So the question

Prevailed,

And Section 3 was

Adopted.

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

Mr. Gemmill called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Bewley, Fisher, Gootee, Horsey, Slay, Stubbs, Waples, Watson, and Williams—10.

Nays—Messrs. Curtis, Duncan, Gemmill, Lattomus, Paxson, Whitby, and Mr. Speaker—8.

So the question

Prevailed,

And the bill

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Waples,

The bill entitled, "An act to repeal and supply Section 1 of Chapter 63, of the Revised Code, entitled 'General Provisions respecting Trade,'"

Was taken up for consideration,

And,

On his further motion,

The bill was read a third time, in order to pass the House, and lost on Section 1.

On motion of Mr. Curtis,

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

Was taken up for consideration,

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

The yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Curtis, Duncan, Fisher, Gemmill, Gootee, Hayes, Lattomus, Paxson, Waples, Watson, Whitby, and Mr. Speaker—13.

Nays—Messrs. Bewley, Horsey, Slay, Stubbs, and Williams—5.

So the question

Prevailed,

And the bill

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Gemmill,

The Senate Joint Resolution authorizing the Trustee of the School Fund to pay a certain sum to School District, No. 25, in New Castle County,

Was

Concurred in.

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

On motion of Mr. Williams,

The bill entitled, "An act to increase the salary of the Chief Justice,"

Was read a third time, and by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Bewley, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Watson,

Obtained leave to introduce a bill entitled,
 "An act to lay out a public road in Little Creek Hundred, Kent County,"

Which,

On motion of Mr. Bewley,

Was read.

On motion of Mr. Bewley,

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

And the bill was so read.

Mr. Slay presented the remonstrance of James S. Moore and others, against the passage of the bill just read,

Which,

On his motion,

Was read and filed with the bill.

Mr. Stubbs, from the committee to whom was referred the petition of Thomas J. Quigley and others, for an amendment to the law in relation to free negroes and mulattoes, reported a bill entitled,

"An act to amend an act entitled 'An act in relation to free negroes and mulattoes,'"

Which,

On his motion,

Was read.

On motion of Mr. Watson,

The Senate bill entitled, "An act to vest in Philodemic Lodge, No. 7, I. O. O. F., the title to certain property therein mentioned,"

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

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

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Bewley, Curtis, Duncan, Fisher, Gemmill, Gootee, Hayes, Horsey, Lattomus, Paxson, Raughley, Scribner, Slay, Stubbs, Waples, Watson, Whitby, Williams, and Mr. Speaker—21.

Nays—None.

So the bill having received the constitutional majority,

Passed the House.

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

On motion of Mr. Watson,

The bill entitled, "An act for laying a tax on dogs, and for the better protection of sheep,"

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

Section 1 having been read,

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

Mr. Raughley called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Curtis, Duncan, Gemmill, Hayes, Horsey, Stubbs, Whitby, and Williams—8.

Nays—Messrs. Allen, Bailey, Bewley, Fisher, Gootee, Lattomus, Paxson, Raughley, Scribner, Slay, Waples, Watson, and Mr. Speaker—13.

So the question was decided in the negative,

And Section 1 was

Lost,

And the bill was lost.

On motion of Mr. Raughley,

The Senate bill entitled, "An act to amend Section 34 of Chapter 60 of the Revised Statutes, relative to the repairs of bridges over any mill-dam erected on a public road,"

Was read a third time, and lost on Section 1.

On motion of Mr. Whitby,

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

"An act to change the location of a certain public road in Saint Georges' Hundred, New Castle County,"

Might be read a second time by its title,

And the bill was so read.

On motion of Mr. Slay,

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

"An act to repeal an act entitled 'An act to amend an act entitled 'A further supplement to the act entitled 'An act to authorize the owners and possessors of the marsh and low grounds, commonly known and called by the name of the Culbreth Marsh, situated in the forrest of Murderkill and Dover Hundreds, in Kent County, to cut a ditch or drain through the same,''"

Might be read a second time by its title,

And the bill was so read.

Mr. Stubbs, from the committee to whom was referred the petition of William Gooden and others, for an act to prevent swine running at large within certain limits, in Murderkill Hundred, North Election District, reported a bill entitled,

"An act to prevent swine from running at large within certain limits in Murderkill Hundred, North Election District, in Kent County,"

Which,

On his motion,

Was read.

On motion of Mr. Williams,

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

"An act to amend an act entitled 'An act authorizing the Prothonotary of Kent County to copy indices,'"

And,

Which, being sent to the Clerk's table,

Was read.

On the further motion of Mr. Williams,

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

And the bill was so read.

On motion of Mr. Watson,

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

"An act appointing commissioners to lay out a public road in Sussex County,"

Might be read a second time by its title,

And the bill was so read.

On motion,

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

WEDNESDAY, February 3, 1864—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Whitby,

The bill entitled, "An act to change the location of a certain public road in Saint Georges' Hundred, New Castle County,"

Was read a third time, and by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Slay,

The bill entitled, "An act to repeal an act entitled 'An act to amend an act entitled 'A further supplement to an act entitled 'An act to authorize the owners and possessors of the marsh and low grounds commonly known and called by the name of the Culbreth Marsh, situate in the forrest of Murderkill and Dover Hundreds, in the County of Kent, to cut a ditch or drain through the same,''"

Was read a third time, and by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Watson,

The bill entitled, "An act extending the term of office of Recorder of Deeds,"

Was read a second time by its title.

Mr. Lattomus, from the committee on enrolled bills, presented the following bills for the signature of the Speaker, the same having been correctly enrolled, viz :

"An act to authorize the Trustees of the Parsonage Property, belonging to the members of the Methodist Episcopal Church, in the village of Newport, New Castle County, to sell or lease certain property in said village ;"

"An act to authorize John M. Rawlins to change the location of, straighten and shorten a certain public road in North West Fork Hundred, Sussex County ;"

"An act to vacate a certain street or highway in the town of New Castle, and make a new one in its stead ;"

"An act to enable Samuel Burnham to cut a ditch through land of Samuel Dale, (n.) ;"

"An act authorizing William Tharp, Administrator of Bethuel Watson, to pay certain legacies ;"

"An act vacating a part of a public road in Sussex County ;"

"An act to revive and amend an act entitled 'An act to incorporate the Green Branch Ditch Company,' passed at Dover, February 18, 1863 ;"

"An act to amend Section 5 of Chapter 34, of the Revised Statutes of the State of Delaware ;"

"A further supplement to an act granting an act to incorporate a bank in Milford, under the name of the President, Directors and Company of the Farmers' and Mechanics' Bank of Milford,"

"An act to authorize George B. Dickson to make an index to the old marriage record in the Recorder's office of Kent County, from the year 1847 to 1861 ;"

"An act to amend Section 3 of Chapter 42, of the Revised Code, entitled 'Of Ditches ;'"

"Joint Resolution convening the two Houses of the General Assembly to elect a United States Senator."

On motion of Mr. Watson,

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

Was read a third time, and by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Bewley,

The bill entitled, "An act to lay out a public road in Little Creek Hundred, Kent County,"

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

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

Mr. Bewley called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Bewley, Gootee, Lattomus, Raughley, Scribner, Slay, Waples, Watson, Whitby, and Williams—12.

Nays—Messrs. Curtis, Duncan, Fisher, Gemmill, Hayes, Horsey, Paxson, Stubbs, and Mr. Speaker—9:

So the question was decided in the affirmative,

And the bill

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Williams,

The bill entitled, "An act to amend an act entitled 'An act to authorize the Prothonotary of Kent County, to copy indices,'"

Was read a third time, and by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Lattomus,

The bill entitled, "An act to provide bounties for volunteers,"

Was taken up for consideration,

Mr. Watson in the Chair.

Mr. Sorden offered the following amendment,

Which,

On his motion,

Was read.

"Amend Section 1 in line 6, by striking out the word 'six' and inserting in lieu thereof the word 'twenty,'"

Which,

He moved be adopted.

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

The yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Bewley, Curtis, Duncan, Fisher, Gemmill, Hayes, Horsey, Lattomus, Paxson, Waples, Whitby, Williams, and Mr. Speaker—14.

Nays—Messrs. Bailey, Gootee, Raughley, Scribner, Slay, Stubbs, and Watson—7.

So the question was decided in the affirmative,

And the amendment was

Adopted.

Mr. Sorden offered the following amendment:

"Amend Section 1 in line 8 by striking out the word 'one' and inserting in lieu thereof the word 'two,'"

Which, he moved be adopted.

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

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

Yeas—Messrs. Allen, Curtis, Duncan, Gemmill, Hayes, Horsey, Lattomus, Paxson, Watson, Whitby, and Mr. Speaker—11.

Nays—Messrs. Bailey, Bewley, Fisher, Gootee, Raughley, Scribner, Slay, Stubbs, Waples, and Williams,—10.

So the question was decided in the affirmative,

And the amendment was

Adopted.

Mr. Sorden offered the following amendment :

“Amend Section 2, line 19, by striking out the word ‘one’ and inserting the word ‘two,’”

Which,

He moved be adopted.

On the question, “Shall the amendment be adopted?”

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Curtis, Duncan, Gemmill, Hayes, Horsey, Lattomus, Paxson, Whitby, and Mr. Speaker—9.

Nays—Messrs. Allen, Bailey, Bewley, Fisher, Gootee, Raughley, Scribner, Slay, Stubbs, Waples, Watson, and Williams—12.

So the question was decided in the negative,

And the amendment was

Lost.

Mr. Sorden further moved,

To amend in Section 3, line 13, by inserting the word “every” between the word “of” and the word “such,”

Which,

He afterwards withdrew.

Mr. Bewley offered a substitute for the bill,

Which,

On his motion,

Was read, as follows :

“An act to authorize the State Treasurer to borrow two hundred and fifty thousand dollars, for purposes herein mentioned.

‘SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met,* That the State Treasurer be and he is hereby authorized, directed and empowered to borrow any sum or sums of money not exceeding

in the aggregate two hundred and fifty thousand dollars, to be applied by him as hereinafter provided; and that the faith of the State be and the same is hereby pledged for the payment of such sum or sums of money so borrowed, with interest at the rate of six per centum per annum, payable semi-annually, and the said Treasurer shall receive for his services one eighth of one per centum on the money so borrowed.

'SECTION 2. *And be it further enacted*, That for the purpose of securing the payment of the said sum of two hundred and fifty thousand dollars, the said State Treasurer be and he is hereby authorized and directed to issue bonds in the name of the State of Delaware, in sums not less than one hundred dollars, nor more than five thousand dollars each, signed by the said State Treasurer; said bonds shall be conditioned for the payment of the sum of money therein expressed within ten years from the date of said bonds; and it shall be the duty of the said Treasurer upon the issuing of said bonds or of one or more of them to certify the same in writing, to the Auditor of Accounts, specifying the number of, and the amount for which such bonds shall be severally issued; and the said Auditor of Accounts shall report to the next succeeding session of the General Assembly, the number and the amount for which said bonds were so issued respectively.

'SECTION 3. *And be it further enacted*, That every white citizen of the State of Delaware who has heretofore been drafted into the military service of the United States, and has paid the sum of three hundred dollars as commutation money, for the purpose of exemption from said draft or liability to said military service, and every white citizen of this State who shall hereafter be drafted into said military service, under and by virtue of any call of the President of the United States or other department of the Government of the United States at any time between the passage of this act and the thirteenth day of September, A. D. 1864, and shall hereafter pay commutation money for exemption from such draft, shall upon the delivery to the State Treasurer of the receipt of the officer duly authorized to receive the same, be entitled to receive from the State Treasurer the sum of money so paid by him as commutation money as aforesaid, as part of the said sum so borrowed as aforesaid: *Provided* that each and every person who shall hereafter be drafted and claim the benefit of this act shall also produce to the State Treasurer the certificate of the legally authorized Board of Enrollment, that he or they has or have been examined by said Board of Enrollment and found to be physically qualified for military service.'"

On motion of Mr. Bewley,

The further consideration of the whole subject was postponed until this afternoon.

On motion of Mr. Duncan,

The bill entitled, "An act for the relief of the families of volunteers,"

Was read a second time by its title.

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

"An act to amend 'An act authorizing the Recorder of Deeds of Kent County to copy indices,' passed at Dover, January 24, 1861,"

And,

"An act to divorce William Foreakers, of Joseph, and Mary Ann, his wife, late Mary Ann Watkins, from the bonds of matrimony."

On motion,

The House adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Bewley,

The bill entitled, "An act to provide bounties for volunteers,"

Was taken up for consideration.

Mr. Bewley moved,

That his substitute be adopted.

Which motion,

He subsequently withdrew for the present.

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

"An act relating to the exportation of oysters from this State ;"

"An act to enable James A. Dodd, William A. Dodd, Edward S. Tunnell and George M. Cooper, to locate certain vacant marsh land in Lewes and Rehoboth Hundred, in Sussex County, and complete their title to the same ;"

"An act to divorce George W. Buchanan and Hannah Buchanan, from the bonds of matrimony ;"

"An act to change the name of Williamina Stevens Henry to Maria Margaret Ashton Henry ;"

"An act for the benefit of the heirs of Aaron Marshall, deceased;"

"An act to amend Section 1 of Chapter 59, of the Revised Code, entitled 'Of Ditches;'"

"An act in relation to a certain projected change of street in the town of New Castle;"

And that the Senate had non-concurred in the following House bills entitled,

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

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

"An act to divorce Ezekiel Blackiston and Mary, his wife, from the bonds of matrimony;"

And returned the same to the House.

On motion of Mr. Gemmill,

"An act to amend an act entitled 'A supplement to an act entitled 'An act to authorize the construction of a public bridge across Blackbird Creek, in New Castle County,''"

Was read.

Mr. Allen moved,

That the bill entitled, "An act for the benefit of the State of Delaware,"

Be taken up for consideration,

On the question, "Shall this bill be taken up for consideration?"

Mr. Gemmill called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Bailey, Fisher, Gootce, Horsey, Raughley, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—12.

Nays—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Whitby, and Williams—9.

So the question was decided in the affirmative,

And the bill was taken up for consideration.

Mr. Allen offered an amendment,

Which,

He moved be read.

On the question, "Shall the amendment be read?"

Mr. Bewley called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

Nays—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

So the question was decided in the affirmative,

And the amendment was read as follows :

‘SECTION 5. *Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met,* That the said sum of three hundred and sixty thousand dollars be and the same is, and shall be hereby appropriated to and divided among the corporations, and for the purposes hereinafter named in the following proportions, to wit :

To the Maryland and Delaware Railroad Company, the sum of seventy-five thousand dollars.

To the Junction and Breakwater Railroad Company, the sum of two hundred and eighteen thousand dollars.

For Broad Creek Hundred, the sum of five thousand dollars, for the maintenance of free public schools, to be paid over as hereinafter provided, to Isaac Wooten, William D. Rickards and Thomas L. Cannon, Commissioners hereby appointed to receive and disburse the same.

For the purchase of the Seaford Bridge, the sum of five thousand dollars, to be paid over as hereinafter provided, to Captain Michael Coulborn, Thomas R. Harper, and Alfred Cottingham, Commissioners hereby appointed to receive and disburse the same.

For the improvement of Cedar Creek Canal, the sum of five thousand dollars, to be paid as hereinafter provided to William A. Scribner, James H. Deputy, W. N. W. Dorsey, hereby appointed commissioners to receive and disburse the same.

For the improvement of Murderkill Creek, the sum of twenty thousand dollars, to be paid over to John W. Hall, Paris T. Carlisle, Henry Whitaker, Stephen Boon and William Townsend, commissioners hereby appointed to receive and disburse the same.

For the improvement of Mispillion Creek, the sum of twenty thousand dollars, to be paid as hereinafter provided to William A. Scribner, James H. Deputy and W. N. W. Dorsey, commissioners hereby appointed to receive and disburse the same.

For the maintenance of free public schools, in Nanticoke Hundred, the sum of two thousand dollars, to be paid as hereinafter provided to Luther W. Fisher, James W. Welch, Noble Connaway, commissioners hereby appointed to receive and disburse the same.

For building a new bridge at the town of Laurel, on Broad Creek, connecting the Street or Broad Creek Hundred side with the street on the opposite side, between the property owned by Nathaniel Horsey, and William L. Hearn, and for the improvement of the naviga-

tion of the said Broad Creek, the sum of ten thousand dollars, to be paid over as hereinafter provided to George W. Horsey, William H. Wheatley, and Benjamin F. Fooks, Commissioners hereby appointed to receive and disburse the same; the said sums to be paid over respectively to the Corporations and Commissioners hereinbefore named, to receive and disburse the same; and upon the payment of the said several sums of money aforesaid, as the same shall be severally made to the State Treasurer aforesaid, by the said grantees, it shall be the duty of the said State Treasurer, within thirty days after the receipt of each and every payment as aforesaid to pay over to the said several corporations and commissioners their full and just proportional shares *pro rata* of said several payments in proportion to the said several sums to the said corporations and commissioners appropriated by this act: *Provided* that the State Treasurer be and he is hereby directed and required before paying over to the Maryland and Delaware Railroad Company, any instalment or payment directed by this act to be paid to said Company, to require of the President of the said company, for the time being, a bond to the State of Delaware with security residing within this State, to be approved by the State Treasurer for the time being, in a sum double the amount of the installment or payment so to be made to the said Maryland and Delaware Railroad Company, to be void if the money so paid to the said company shall be expended and paid out in aid of the construction of that part of the Maryland and Delaware Railroad, lying and running within the limits of this State, according to the provisions of this act; otherwise to remain in full force and virtue.

'SECTION 6. *And be it further enacted*, That all sale or sales of the grant made by this act as provided in the third Section thereof, shall be subject to the approval of the President and Directors for the time being, of the Maryland and Delaware Railroad Company and the Junction and Breakwater Railroad Company before the same shall take effect.'

Mr. Saulsbury, a member of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in the following named bills:

"An act to authorize the laying out of a public road in Dagsboro' Hundred, Sussex County;"

And,

"An act appointing commissioners to change and straighten the course of a public road in Kent County."

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

"An act for the relief of Thomas D. Gregg."

Mr. Allen moved,

That his amendment be adopted.

Mr. Williams moved,

That the further consideration of the bill be postponed.

On the question, "Shall the further consideration of this bill be postponed?"

Mr. Bewley called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

Nays—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

So the question was decided in the negative,

And the motion to postpone was

Lost.

Mr. Williams moved,

That the House adjourn.

On the question, "Will the House adjourn?"

Mr. Bewley called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

Nays—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

So the question was decided in the negative,

And the motion to adjourn was

Lost.

The question recurring on the adoption of Mr. Allen's amendment,

Mr. Williams called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

Nays—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

So the question was decided in the affirmative,

And the amendment was

Adopted.

Mr. Gemmill moved,

That the House adjourn.

And on the question, "Will the House adjourn?"

Mr. Bewley called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Paxson, Raughley, and Williams—8.

Nays—Messrs. Allen, Bailey, Fisher, Gootce, Horsey, Lattomus, Scribner, Slay, Stubbs, Waples, Watson, Whitby, and Mr. Speaker—13.

So the question being decided in the negative,

The motion to adjourn was

Lost.

On motion of Mr. Allen,

The bill was further amended by striking out the words "two hundred and eighty-eight" where the same occur in the bill, and inserting in lieu thereof the words "three hundred and sixty."

Mr. Cahall, a member of the Senate, being admitted, informed the House that the Senate had concurred in the House bill entitled,

"An act to authorize the laying out a public road in Broadkila Hundred, Sussex County."

Mr. Allen moved,

Further to amend the bill in the 16th line, on the 2d page from the top, and on the 13th line from the bottom of the 3d page, by striking out the words "thirty-eight" and inserting in lieu thereof the word "forty."

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

Mr. Williams called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Fisher, Gootce, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

Nays—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

So the question was decided in the affirmative,

And the amendment was

Adopted.

Mr. Allen further moved,

To amend the bill by striking out on the third line from the last in the first Section, the word "eighteen" and inserting in lieu thereof the word "twenty,"

And moved that the amendment be read.

On the question, "Shall the amendment be read?"

Mr. Gootee called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

Nays—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

So the question being decided in the affirmative,

The amendment was read,

Mr. Allen moved,

That the amendment be adopted.

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

Mr. Bewley called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

Nays—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

So the question was decided in the affirmative,

And the amendment was

Adopted.

Mr. Allen further moved,

To amend the bill by striking out in the 2d Section the word "October" wherever the same occurs, and inserting in lieu thereof the word "April," and wherever the word "April" occurs, striking it out and inserting the word "October."

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

Mr. Williams called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

Nays—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

So the question was decided in the affirmative,

And the amendment was

Adopted.

Mr. Williamson, a member of the Senate, being admitted, informed the House that the Senate had non-concurred in the House bill entitled,

"An act to divorce Joshua Scotten and Sarah Elizabeth Scotten, from the bonds of matrimony."

Mr. Allen offered a further amendment to the bill,
And moved that it be read.

Mr. Bewley moved,

To amend that motion by postponing the whole matter until to-morrow morning.

On the question, "Shall the further consideration of the bill be postponed until to-morrow morning?"

Mr. Bewley called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

Nays—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

So the question was decided in the negative,
And the motion to postpone until to-morrow

Was

Lost.

Mr. Williams moved,

That the House adjourn.

On the question, "Will the House adjourn?"

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

Nays—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

So the question being decided in the negative,

The motion to adjourn was

Lost.

Mr. Duncan moved,

That the further consideration of the bill be postponed until the second Tuesday in September.

And on the question, "Shall the further consideration of the bill be postponed until the second Tuesday in September?"

Mr. Williams called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Paxson, Raughley, Whitby, and Williams—9.

Nays—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

So the question being decided in the negative,

The motion to postpone was

Lost.

The question recurring,

On the motion of Mr. Allen,

The amendment was read as follows :

“Strike out all between the enacting clause of the third Section, and the word “shall,” in the 4th line of said Section, and insert in lieu thereof the following :

‘That the said William E. Spaulding, Thomas Hinds, Jr., and Henry P. Gootee, their heirs, agent or agents, assignee or assignees, shall, within thirty days from and after the passage of this act, certify in writing to the State Treasurer, his, or their acceptance of this grant, and the rights and privileges herein conferred, and shall, within the time aforesaid, give bond with surety as provided in Section two : And if the said William E. Spaulding, Thomas Hinds, Jr., and Henry P. Gootee, their heirs, agent or agents, assignee or assignees, shall fail or neglect to signify their acceptance as aforesaid, and to give bond with surety as aforesaid, or ’”

Mr. Gemmill moved,

That the further consideration of the bill be indefinitely postponed.

And on the question, “Shall the bill be indefinitely postponed?”

Mr. Bewley called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

Nays—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

So the question being decided in the negative,

The motion was

Lost.

Mr. Allen offered a further amendment to the bill,

Which,

On his motion,

Was read as follows :

“Insert after the word ‘determine’ in the last line of Section 2, ‘The said several installments to be paid to the said State Treasurer as herein provided, whether the said grantees, their heirs, agent or agents, assignee or assignees, shall or shall not use, exer-

cise and enjoy any of the rights, privileges and franchises herein granted: *Provided* that the said grantees, their heirs, agent or agents, assignee or assignees shall signify their acceptance of this grant as provided in Section three of this act.'"

Mr. Allen moved,

That the amendment be adopted,

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

Mr. Williams called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

Nays—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

So the question being decided in the affirmative,

The amendment was

Adopted.

Mr. Allen moved,

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

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

Mr. Williams called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

Nays—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

So the question was decided in the affirmative,

And the bill was ordered to be read a third time, with a view of passing the House.

Mr. Bewley moved,

That the House adjourn.

On the question, "Will the House adjourn?"

Mr. Bewley called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Paxson, Raughley, Whitby, and Williams—9.

Nays—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Lattomus, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—12.

So the question being decided in the negative,

The motion to adjourn was

Lost.

Mr. Allen moved,

That the bill be read.

Mr. Gemmill moved,

To amend that motion by postponing the consideration of the bill until Friday morning.

On the question, "Shall the bill be postponed until Friday morning?"

Mr. Gemmill called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

Nays—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

So the question being decided in the negative,

The motion to postpone was

Lost.

Mr. Bewley moved,

That the House adjourn.

On the question, "Will the House adjourn?"

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

Nays—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

So the question being decided in the negative,

The motion to adjourn was

Lost.

On motion of Mr. Allen,

Section 1 of the bill was then read.

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

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

Nays—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

So the question was decided in the affirmative,

And Section 1 was

Adopted.

Mr. Lattomus moved,

That the House adjourn.

On the question, "Will the House adjourn?"

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

Nays—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

So the question was decided in the negative,

And the motion was

Lost.

Mr. Curtis moved,

That the further consideration of the subject be postponed until the second Tuesday in September next.

On the question, "Shall the further consideration of the bill be postponed until the second Tuesday in September next?"

The yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

Nays—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

So the question being decided in the negative,

The motion was

Lost.

Section 2 having been read,

On the question, "Shall that be Section 2 of the bill?"

Mr. Bewley called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

Nays—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

So the question was decided in the affirmative,

And Section 2 was

Adopted.

Section 3 having been read,

On the question, "Shall that be Section 3 of the bill?"

Mr. Bewley called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Fisher, Gootce, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

Nays—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby and Williams—10.

So the question was decided in the affirmative,

And Section 3 was

Adopted.

Section 4 having been read,

On the question, "Shall that be Section 4 of the bill?"

Mr. Gemmill called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Fisher, Gootce, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

Nays—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

So the question was decided in the affirmative,

And Section 4 was

Adopted.

Mr. Bewley moved,

That the House do now adjourn.

On the question, "Will the House now adjourn?"

Mr. Bewley called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Stubbs, Whitby, and Williams—11.

Nays—Messrs. Allen, Bailey, Fisher, Gootce, Horsey, Scribner, Slay, Waples, Watson, and Mr. Speaker—10.

So the question was decided in the affirmative,

And the House adjourned until 10 o'clock to-morrow morning:

THURSDAY, February 4, 1864—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

The Speaker announced that the question before the House was the bill entitled,

“An act for the benefit of the State of Delaware,”

Which was under consideration on yesterday.

Section 5 of said bill having been read,

On the question, “Shall that be Section 5 of the bill?”

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

Nays—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby and Williams—10.

So the question was decided in the affirmative,

And Section 5 was

Adopted.

Mr. Tatum, a member of the Senate, being admitted, informed the House that the Senate had concurred in the House bill entitled,

“An act to incorporate the Wilmington City Passenger Railway Company,”

And returned the same to the House.

Section 6 of the bill entitled,

“An act for the benefit of the State of Delaware,”

Having been read,

On the question, “Shall that be Section 6 of the bill?”

The yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

Nays—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

So the question was decided in the affirmative,

And Section 6 was

Adopted.

The title having been read,

On the question, "Shall that be the title of the bill?"

Mr. Bailey called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

Nays—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

So the question was decided in the affirmative,

And the title was

Adopted.

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

Mr. Stubbs moved,

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

Which motion was

Lost.

Mr. Gemmill moved,

That the consideration of the bill be indefinitely postponed,

And on the question, "Shall the consideration of the bill be indefinitely postponed?"

Mr. Bewley called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

Nays—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

So the question was decided in the negative,

And the motion was

Lost.

Mr. Stubbs moved,

That the further consideration of the bill be postponed until to-morrow morning, at 10 o'clock.

On the question, "Shall the further consideration of the bill be postponed until to-morrow morning, at 10 o'clock?"

Mr. Allen called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Bewley, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—12.

Nays—Messrs. Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby and Williams—9.

So the question was decided in the affirmative,

And the further consideration of the bill was postponed until to-morrow morning, at 10 o'clock.

Mr. Bewley asked, and obtained leave, to withdraw the substitute offered by him to the bill entitled,

“An act to provide bounties for volunteers.”

Mr. Duncan moved,

That the bill entitled, “An act to provide bounties for volunteers,”

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

And demanded the previous question,

Which, was seconded.

Mr. Watson moved,

To postpone the further consideration of the bill until to-morrow afternoon.

The Speaker ruled the motion to postpone, out of order, the previous question having been seconded,

On the question, “Shall the main question be put?”

Mr. Bailey called for the yeas and nays;

Which, being taken, were as follows:

Yeas—Messrs. Bailey, Curtis, Duncan, Gemmill, Gootee, Hayes, Lattomus, Paxson, and Whitby—9.

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

So the question was decided in the negative,

And the main question was not ordered.

Mr. Bewley moved,

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

On the question, “Shall the further consideration of the bill be postponed until to-morrow afternoon?”

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Bewley, Horsey, Raughley, Scribner, Stubbs, Waples, Watson, and Mr. Speaker—8.

Nays—Messrs. Allen, Bailey, Curtis, Duncan, Fisher, Gemmill, Gootee, Hayes, Lattomus, Paxson, Whitby and Williams—12.

So the question was decided in the negative,

And the motion to postpone was

Lost.

On motion of Mr. Watson,

The Senate amendment to the bill entitled,

“An act to straighten a road in Cedar Creek Hundred,”

Was read and

Concurred in.

Ordered that the Senate be informed thereof.

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

“An act to authorize the Trustees of the Seaford Academy to sell and convey the old Academy building, in the town of Seaford;”

“An act to enable James A. Dodd, William A. Dodd, Edward S. Tunnell and George M. Cooper to locate certain vacant marsh land in Lewes and Rehoboth Hundred, in Sussex County, and to complete their title to the same;”

“An act to incorporate Hermann Lodge, No. 29, of the Independent Order of Odd Fellows, of the City of Wilmington, Delaware;”

Mr. Lattomus, from the same committee, reported the following House bills duly and correctly enrolled, and presented the same for the signature of the Speaker, viz :

“An act to divorce Mary A. Milby, of Sussex County, and Nathaniel Milby, from the bonds of matrimony;”

“An act to change the name of Williamina Stevens Henry to Maria Margaret Ashton Henry;”

“An act to divorce George W. Buchanan and Hannah Buchanan, from the bonds of matrimony;”

“An act to amend Section 1 of Chapter 59, of the Revised Code, entitled ‘Of Ditches;’”

“An act relating to the exportation of oysters from this State;”

“An act in relation to a certain projected change of street in the town of New Castle;”

“An act for the benefit of the heirs of Aaron Marshall, deceased.”

On motion of Mr. Duncan,

The Senate bill entitled, "An act for the relief of Thomas D. Gregg,"

Was read,

And,

On his further motion,

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

And the bill was so read.

On motion of Mr. Stubbs,

The bill entitled, "An act to prevent swine from running at large within certain limits in Murderkill Hundred, North Election District, in Kent County,"

Was read a second time by its title.

Mr. Waples, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Gemmill,

Obtained leave to introduce a bill entitled,

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

Which,

On motion of Mr. Waples,

Was read.

Mr. Bewley moved,

That the Clerk be instructed to erase from the journal the substitute offered yesterday, to the bill entitled,

"An act to provide bounties for volunteers."

On the question, "Shall the substitute be erased from the journal?"

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bewley, Fisher, Horsey, Raughley, Scribner, Waples, Watson, Williams, and Mr. Speaker—10.

Nays—Messrs. Bailey, Curtis, Duncan, Gemmill, Gootee, Hayes, Lattomus, Paxson, Slay, Stubbs, and Whitby—11.

So the question was decided in the negative,

And the motion was

Lost.

On motion of Mr. Waples,

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

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

Might be read a second time by its title,

And the bill was so read.

On motion,

The House adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Watson presented the claim of George W. Mahan against the State,

Which,

On his motion,

Was read and referred to the Committee on Claims.

On motion of Mr. Waples,

The Senate bill entitled, "An act to authorize the laying out a public road in Dagsborough Hundred, in Sussex County,"

Was read,

And,

On his further motion,

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

And the bill was so read.

Mr. Williams presented the petition of Matthew Hazel and others, for an act to lay out a public road in Kent County,

Which,

On his motion,

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

Whereupon,

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

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

“An act to authorize the laying out a public road in Broadkirk Hundred.”

Mr. Horsey, from the same committee, reported the following Senate bill as correctly enrolled, and presented the same for the signature of the Speaker :

“An act to enable Thomas Slaughter to survey and locate certain salt marsh therein named; and complete his title to the same.”

On motion of Mr. Duncan,

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

“An act for the relief of Thomas D. Gregg.”

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

And the bill was so read, and

Passed the House.

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

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

“An act to change the location of a certain public road in Saint Georges' Hundred, New Castle County ;”

“An act to cede certain lands to the United States of America ;”

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

“An act to define and prevent certain nuisances.”

Also presented the following enrolled Senate bills, for the signature of the Speaker of the House, they having received the signature of the Speaker of the Senate, viz :

“An act to vest in Philodemic Lodge, No. 7, I. O. O. F., the title to certain property therein mentioned ;”

"An act to amend Section 7 of Chapter 241 of the Laws of the State of Delaware, passed at Dover, February 26th, 1855;"

"An act to divorce Charles H. Cattell and Ann B. Cattell, from the bonds of matrimony;"

And the following Senate Joint Resolutions, viz :

"Joint Resolution authorizing the Trustee of the School Fund to pay a certain sum of money to School District No. 25, in New Castle County;"

"Joint Resolution approving of the course of the Hon. James A. Bayard;"

"Joint Resolution of adjournment."

On motion of Mr. Bewley,

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

"An act in relation to overseers of roads, in Kent County,"

Which he sent to the Clerk's table,

And,

On his motion,

Was read.

Mr. Bewley presented the recommendation of the Levy Court of Kent County, in favor of the passage of the bill,

Which,

On his motion,

Was read and filed with the bill.

On the further motion of Mr. Bewley,

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

And the bill was so read.

And further,

On his motion,

Rule 12 was again, by unanimous consent, suspended, in order that the bill might be read a third time, and by paragraphs, with a view of passing the House,

And the bill was so read, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Duncan,

The bill entitled, "An act for the relief of the families of volunteers,"

Was taken up for consideration.

Mr. Duncan offered an amendment to the bill,

Which,

On his motion,

Was read and

Adopted.

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

"An act to repeal an act entitled 'An act to prevent swine running at large within certain limits of Kent County.'"

On motion of Mr. Duncan,

The bill entitled, "An act for the relief of the families of volunteers,"

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

Section 1 having been read,

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

Mr. Gemmill called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, and Whitby—7.

Nays—Messrs. Allen, Bailey, Bewley, Fisher, Gootee, Horsey, Raughley, Scribner, Slay, Stubbs, Waples, Williams, and Mr. Speaker—14.

So the question was decided in the negative,

And Section 1 was

Lost,

And the bill lost.

Mr. Gemmill offered the following Joint Resolutions,

Which,

On his motion,

Were read :

Resolved, That we, the Senate and House of Representatives, of the State of Delaware, in General Assembly met, do urge upon the General Government a most vigorous prosecution of the war, to crush out this most causeless and unnatural rebellion now existing in some of the States forming the Federal Union.

Resolved, That our thanks are especially due to the brave officers and men from the State of Delaware, who have periled their lives and suffered so much of hardship in defense of the Government against the traitors who are trying to overthrow and destroy it.

Resolved, That we do most sincerely condole with the families of those who have fallen in defense of the Government, and that we extend our sympathy to those brave Delawareans who have been wounded in battle.

Resolved, That a copy of the foregoing, duly attested by the Speakers of both Houses, be sent to our Senators and Representatives in Congress.

Mr. Gemmill moved,

That the resolution be adopted.

And on the question, "Shall the resolution be adopted?"

Mr. Gemmill called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, and Whitby—7.

Nays—Messrs. Allen, Bailey, Bewley, Fisher, Gootee, Horsey, Raughley, Scribner, Slay, Stubbs, Waples, Watson, Williams, and Mr. Speaker—14.

So the motion was

Lost,

And the resolutions were not adopted.

Mr. Watson, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Fisher,

Obtained leave to introduce a bill entitled,

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

Which,

On motion of Mr. Watson,

Was read.

On motion of Mr. Watson,

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

And the bill was so read.

On motion of Mr. Waples,

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

"An act authorizing the laying out a public road in Dagsborough Hundred, Sussex County ;"

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

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

On motion of Mr. Waples,

The bill was committed to a committee of three, with leave to report amendments,

Whereupon,

Messrs. Waples, Bewley and Fisher were appointed said committee.

On motion of Mr. Curtis,

The Senate amendment to the House bill entitled,

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

Was read, as follows :

SENATE, February 4, 1864.

"Amend the first Section by adding the following :

"And provided also, that the land hereby ceded shall be used for the purpose hereinbefore specified, and for no other purpose whatsoever: *And provided further*, that no non-resident negro or mulatto, shall be employed in the erection of any fort, battery, fortification, or pier, or for any other purpose within the limits of the land hereby ceded.

"Amend further by substituting for Section 2, the following :

"SECTION 2. *Be it further enacted, by the authority aforesaid*, That the above cession of land and jurisdiction hereby made to the United States, is made upon the express and fundamental conditions hereinafter named, that is to say, upon the express and fundamental condition that slavery, or involuntary servitude shall not be abolished within the limits hereby ceded, while slavery shall exist by law, within the State of Delaware, and upon the further express and fundamental condition that no escaped or fugitive slave shall be permitted to remain within the limits hereby ceded, but shall be delivered up upon proof of ownership to the person, his agent, or attorney, entitled to the labor or service of such escaped or fugitive slave ; and also upon the further express and fundamental condition that if the United States of America shall fail to maintain and keep in repair any fort, battery, fortification, or pier, erected or constructed on the land hereby ceded, for the space of five years, then, and in that case, all the claim, title and right of soil and jurisdiction of the United

States, of, to and over the land ceded by this act, shall cease and determine, and the same shall revert to, and re-vest absolutely in the State of Delaware.'

"Amend further by striking out the figure '2,' after the word Section, in the first line of Section 2 and insert in lieu thereof the figure '3.'

"Extract from the journal. For concurrence.

"E. L. MARTIN,

"Clerk of the Senate."

Mr. Curtis moved,

That the House non-concur in the Senate amendments to said bill.

On the question, "Will the House non-concur in the Senate amendments to said bill?"

Mr. Watson called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Whitby, and Mr. Speaker—9.

Nays—Messrs. Bailey, Bewley, Fisher, Horsey, Raughley, Scribner, Stubbs, Waples, Watson, and Williams—10.

So the question was decided in the negative,

And the motion was

Lost.

Mr. Bewley moved,

That the House concur in the Senate amendments to said bill.

And on the question, "Will the House concur in the Senate amendments to said bill?"

Mr. Curtis called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Bailey, Bewley, Fisher, Horsey, Raughley, Scribner, Waples, Watson, and Williams—10.

Nays—Messrs. Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Stubbs, Whitby, and Mr. Speaker—9.

So the question was decided in the affirmative.

And the amendments were

Concurred in.

Ordered that the Senate be informed thereof.

On motion of Mr. Gemmill,

The Senate bill entitled, "An act to amend an act entitled 'A supplement to an act entitled 'An act to authorize the construction of a public bridge across Blackbird Creek, in New Castle County,'" passed at Dover, February 16th, 1859,"

Was read a second time by its title.

And,

On his further motion,

Rule 12 was, by unanimous consent, suspended, in order that the bill might be read a third time, with a view of passing the House.

And the bill was so read.

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

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bewley, Curtis, Duncan, Fisher, Gemmill, Hayes, Raughley, Waples, Watson, Whitby, and Williams—12.

Nays—Messrs. Bailey, Gootee, Horsey, Lattomus, Scribner, Slay, Stubbs, and Mr. Speaker—8.

So the question was decided in the affirmative,

And the bill *Passed the House.*

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

On motion of Mr. Whitby,

The Senate amendment to the bill entitled,

"An act to change the location of a certain public road in Saint Georges' Hundred, New Castle County,"

Was read as follows :

SENATE, February 4, 1864.

"Amend the bill by striking out the words 'Superior Court,' and inserting the words 'Court of General Sessions of the Peace and Jail Delivery,'

"Extract from the journal. For concurrence.

"E. L. MARTIN,

"Clerk of the Senate."

And,

On his further motion,

The amendment was *Concurred in.*

Ordered that the Senate be informed thereof.

On motion of Mr. Watson,

The bill entitled, "An act extending the term of office of Recorder of Deeds,"

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

Section 1 having been read,

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

The yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Bewley, Fisher, Scribner, Slay, Stubbs, Waples, and Watson—7.

Nays—Messrs. Allen, Bailey, Curtis, Duncan, Gemmill, Gootee, Hayes, Horsey, Lattomus, Paxson, Raughley, Whitby, Williams, and Mr. Speaker—14.

So the question was decided in the negative,

And Section 1 was

Lost,

And the bill was lost.

On motion of Mr. Stubbs,

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

"An act to prevent swine running at large within certain limits of Murderkill Hundred, North-Election District, in Kent County,"

Might be read a third time, with a view of passing the House,

And the bill was so read and

Passed the House.

Ordered to the Senate for concurrence.

On motion,

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

FRIDAY, February 5, 1864—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Watson,

The reading of the journal was dispensed with for to-day.

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

"An act to authorize the re-binding and transcribing of certain indices to the records in the office of the Recorder of Deeds, in Sussex County ;"

"An act to define and prevent certain nuisances ;"

"An act to increase the salary of the Chief Justice."

Mr. Bewley presented the account of John H. Bateman, Postmaster, with the House of Representatives,

Which,

On his motion,

Was read and referred to the Committee on Accounts.

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

"An act to vest in Philodemic Lodge, No. 7, I. O. O. F., the title to certain property therein mentioned ;"

"An act to amend Section 7 of Chapter 241 of the Laws of the State of Delaware, passed at Dover, February 26, 1855 ;"

"An act to divorce Charles H. Cattell and Ann B. Cattell, from the bonds of matrimony,"

And the following Joint Resolutions :

"Joint Resolution authorizing the Trustee of the School Fund to pay a certain sum of money to School District No. 25, in New Castle County ;" /

"Joint Resolution approving of the course of the Hon. James A. Bayard ;"

"Joint Resolution of adjournment."

On motion of Mr. Allen,

The Senate bill entitled, "An act to divorce Matilda Dickerson and James Dickerson, from the bonds of matrimony,"

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

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

Mr. Watson called for the yeas and nays,

Which, being taken, were as follows :

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

Nays—Messrs. Curtis, Duncan, Gemmill, Hayes, Paxson, Stubbs, Whitby, and Williams—8.

So the question was decided in the affirmative,

And the bill

Passed the House.

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

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

“An act to repeal an act entitled ‘An act to amend an act entitled ‘A further supplement to an act entitled ‘An act to authorize the owners and possessors of the marsh and low grounds, commonly known and called by the name of the Culbreth’s Marsh, situate in the forest of Murderkill and Dover Hundreds, in Kent County, to cut a ditch or drain through the same.’”

And returned the same to the House.

Mr. Bewley presented the claim of Andrew J. Calley, Auditor of Accounts, against the State,

Which,

On his motion,

Was read and referred to the Committee on Claims,

And,

Also the claim of Loxley R. Jacobs, State Treasurer, against the State,

Which,

On his motion,

Was also read and referred to the Committee on Claims.

Mr. Waples, from the committee to whom was committed the bill entitled,

“An act authorizing the laying out a public road in Dagsborough Hundred, Sussex County,”

Reported the same back without amendment.

The question being, “Shall the bill pass the House?”

It was decided in the negative,

And the bill was

Lost.

Mr. Saulsbury, a member of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in a joint resolution rescinding the Joint Resolution of adjournment, passed on the 28th ultimo.

On motion of Mr. Watson,
The Senate Joint Resolution just received,
Was read.

Mr. Watson then moved,
That the House concur in the said resolution.

On the question, "Will the House concur in the resolution?"

Mr. Gemmill called for the yeas and nays,

Which, being taken, were as follows :

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

Nays—Messrs. Curtis, Duncan, Fisher, Gemmill, Hayes, Lattomus, Paxson, and Whitby—8:

So the question was decided in the affirmative,

And the resolution was *Concurred in.*

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

Mr. Duncan, from the committee to whom was referred the petition of Matthew Hazel and others, for an act authorizing the laying out of a public road in Kent County, reported adversely to the prayer of said petitioners, and asked to be discharged.

On motion,

The report was accepted, and the committee discharged.

On motion of Mr. Allen,

The bill entitled, "An act for the benefit of the State of Delaware,"

Was taken up for consideration,

Mr. Allen moved,

That the further consideration of the bill be postponed until Tuesday morning next, at 10 o'clock.

Mr. Gemmill moved,

That the further consideration thereof be postponed until the 1st day of January, 1865.

On the question, "Shall the further consideration of the bill be postponed until the 1st day of January, 1865?"

Mr. Gemmill called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—10.

Nays—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

So the question was decided in the negative,

And the motion was

Lost.

The question recurring,

On the motion of Mr. Allen,

To postpone the bill until Tuesday morning next,

Mr. Bewley moved,

To amend that motion by postponing the consideration of the bill until 3 o'clock, on Tuesday afternoon next,

Which,

Amendment was accepted, and the motion as amended,

Prevailed,

And the consideration of the bill was so postponed.

On motion,

The House adjourned until 8 o'clock and 30 minutes, on Monday evening next.

MONDAY, February 8, 1864—8.30 o'clock, P. M.

The House met pursuant to adjournment.

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

“An act to amend an act entitled ‘An act authorizing the Prothonotary of Kent County to copy indices,’”

And returned the same to the House,

And,

Also returned the following enrolled House bills, with the signature of the Speaker of the Senate thereto, viz :

H10

"An act to authorize the Trustees of the Seaford Academy to sell and convey the old Academy building, in the town of Seaford ;"

"An act to amend Section 8 of Chapter 42 of the Revised Code, entitled 'Of Free Schools ;'"

"A further supplement to an act granting an act to incorporate a bank in Milford, under the name of the President, Directors and Company of the Farmers' and Mechanics' Bank of Milford ;"

"An act to authorize George B. Dickson to make an index to the old marriage record in the Recorder's office of Kent County, from the year 1847 to 1861 ;"

"An act to revive and amend an act entitled 'An act to incorporate the Green Branch Ditch Company,' passed at Dover, February 18, 1863 ;"

"An act to amend Section 5 of Chapter 34, of the Revised Statutes of the State of Delaware ;"

"An act to vacate a certain street or highway in the town of New Castle, and make a new one in its stead ;"

"An act authorizing William Tharp, Administrator of Bethuel Watson, to pay certain legacies ;"

"An act to enable Samuel Burnham to cut a ditch through land of Samuel Dale, (n.) ;"

"An act vacating a part of a public road in Sussex County ;"

"An act to authorize the Trustees of the Parsonage Property, belonging to the members of the Methodist Episcopal Church, in the village of Newport, New Castle County, to sell or lease certain property in said village ;"

"An act to authorize John M. Rawlins to change the location of, straighten and shorten a certain public road in North West Fork Hundred, Sussex County ;"

"An act relating to the exportation of oysters from this State ;"

"An act in relation to a certain projected change of street in the town of New Castle ;"

"An act for the benefit of the heirs of Aaron Marshall, deceased."

"An act to divorce George W. Buchanan and Hannah Buchanan, from the bonds of matrimony ;"

"An act to amend Section 1 of Chapter 59, of the Revised Code, entitled 'Of Ditches ;'"

"An act to change the name of Williamina Stevens Henry to Maria Margaret Ashton Henry ;"

"An act to divorce Mary A. Milby, of Sussex County, and Nathaniel Milby, from the bonds of matrimony ;"

"An act to incorporate Hermann Lodge, No. 29, of the Independent Order of Odd Fellows, of the City of Wilmington, Delaware;"

"An act to enable James A. Dodd, William A. Dodd, Edward S. Tunnell and George M. Cooper to locate certain vacant marsh land in Lewes and Rehoboth Hundred, in Sussex County, and to complete their title to the same;"

And,

"A Joint Resolution convening the two Houses of the General Assembly to elect a United States Senator;"

And presented the following enrolled joint resolution, for the signature of the Speaker of the House, the same having received the signature of the Speaker of the Senate:

"Joint Resolution rescinding the joint resolution adjourning the two Houses to the second Tuesday of September next."

On motion of Mr. Allen,

Rule 16 was, by unanimous consent, suspended, in order that the vote by which Section 1 of the bill entitled,

"An act extending the term of office of Recorder of Deeds,"

Was lost, might be reconsidered.

And,

On his further motion,

The vote was reconsidered.

On motion of Mr. Waples,

The Clerk was instructed to request the Senate to return to the House the bill entitled,

"An act to authorize the laying out a public road in Dagsborough Hundred, in Sussex County,"

Mr. Whitby presented the petition of Mary Jane McGill, of Saint Georges' Hundred, New Castle County, for a divorce,

Which,

On his motion,

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

Whereupon,

Messrs. Whitby, Waples and Raughley were appointed said committee.

Mr. Martin, Clerk of the Senate, being admitted, returned to the House the bill entitled,

"An act to authorize the laying out a public road in Dagsborough Hundred, Sussex County ;"

In pursuance of the request of the House.

Mr. Allen moved,

That the vote by which the bill entitled,

"An act extending the term of office of Recorder of Deeds,"

Was lost, be reconsidered.

On the question, "Shall the vote be reconsidered?"

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Fisher, Horsey, Scribner, Stubbs, Waples, Watson, and Williams—9.

Nays—Messrs. Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Whitby, and Mr. Speaker—8.

So the question was decided in the affirmative,

And the vote was

Reconsidered.

On the further motion of Mr. Allen,

The consideration of the bill was laid over until to-morrow.

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

"An act to change the location of a certain public road in Saint Georges' Hundred, New Castle County ;"

"An act to straighten a road in Cedar Creek Hundred."

On motion,

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

TUESDAY, February 9, 1864—10 o'clock, A. M.

The House met pursuant to adjournment.

Mr. Williams presented the claim of John C. Pennewill, Sheriff of Kent County, against the State,

Which,

On his motion,

Was read and referred to the Committee on Claims.

Mr. Whitby, from the committee to whom was referred the petition of Mary Jane McGill, for a divorce, reported a bill entitled,

"An act to divorce Mary Jane McGill and William McGill, from the bonds of matrimony,"

Which,

On his motion,

Was read.

Mr. Bewley, from the committee to whom was referred the petition of J. P. Springer and others, for an act to amend the law in relation to municipal elections in the city of Wilmington, reported that they deemed it inexpedient to legislate upon the subject,

Whereupon,

The committee were discharged.

On motion of Mr. Williams,

The vote by which the bill entitled,

"An act to authorize the laying out a public road in Dagsborough Hundred, in Sussex County,"

Was lost, was reconsidered.

On motion of Mr. Waples,

The bill was committed to a committee for the purpose of receiving amendments,

Whereupon,

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

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

"An act to divorce Henry Stout and Sophia Stout, his wife, from the bonds of matrimony;"

And had concurred in the House bill entitled,

"An act in relation to overseers of roads in Kent County,"

With an amendment, and requested the concurrence of the House in the same;

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

"An act to amend an act entitled 'An act to incorporate the Young Men's Association for Mutual Improvement, of the City of Wilmington.'"

He also returned the following enrolled House bills, with the signature of the Speaker of the Senate thereto :

"An act to straighten a road in Cedar Creek Hundred ;"

"An act to change the location of a certain public road in Saint Georges' Hundred, New Castle County ;"

"An act to increase the salary of the Chief Justice ;"

"An act to define and prevent certain nuisances ;"

"An act to authorize the re-binding and transcribing of certain indexes to the records in the office of the Recorder of Deeds, in Sussex County ;"

"An act to authorize the laying out a public road in Broadkirk Hundred ;"

"An act to revive and continue in force the act entitled 'An act to enable Waitman Jones to locate certain vacant lands in North West Fork Hundred, Sussex County, and to complete his title to the same,' passed at Dover, February 15, 1859."

On motion of Mr. Bewley,

The Senate bill entitled, "An act to divorce Henry Stout and his wife, Sophia Stout, from the bonds of matrimony,"

Was read.

On motion of Mr. Stubbs,

The bill entitled, "An act to amend an act entitled 'An act in relation to free negroes and mulattoes,'"

Was read a second time by its title.

Mr. Williams, from the Committee on Enrollment, reported as duly and correctly enrolled, the joint resolution entitled,

"Joint Resolution rescinding the joint resolution adjourning the two Houses of the General Assembly until the second Tuesday of September,"

And presented the same for the signature of the Speaker.

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

"An act to lay out a public road in Little Creek Hundred, in Kent County."

On motion of Mr. Watson,

The Senate amendments to the bill entitled,

"An act in relation to overseers of roads in Kent County,"

Were read.

On motion of Mr. Bewley,

The amendments were

Concurred in.

Ordered that the Senate be informed thereof.

On motion of Mr. Whitby,

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

"An act to divorce Mary Jane McGill and William McGill, from the bonds of matrimony,"

Might be read a second time by its title,

And the bill was so read.

Mr. Stubbs moved,

That Rule 12 be suspended, in order that the bill entitled,

"An act to amend an act entitled 'An act in relation to free negroes and mulattoes,'"

Might be read a third time, with a view of passing the House,

On the question, "Shall the rule be suspended?"

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Duncan, Hayes, Lattomus, Paxson, Scribner, Stubbs, Waples, Watson, Whitby, and Mr. Speaker—11.

Nays—Messrs. Bailey, Bewley, Curtis, Fisher, Gemmill, Horsey, and Williams—7.

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

And the motion was

Lost.

Mr. Whitby moved,

That Rule 12 be suspended, in order that the bill entitled,

"An act to divorce Mary Jane McGill and William McGill, from the bonds of matrimony,"

Might be read a second time by its title.

On the question, "Shall the rule be suspended?"

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Bewley, Curtis, Duncan, Fisher, Hayes, Horsey, Lattomus, Paxson, Scribner, Stubbs, Waples, Watson, Whitby, and Mr. Speaker—16.

Nays—Messrs. Gemmill, and Williams—2.

So the question was decided in the affirmative,
And the bill was read a second time by its title.

On motion of Mr. Gemmill,

The Senate bill entitled, "An act to amend an act entitled 'An act in relation to free negroes and mulattoes,' passed at Dover, March 18, 1863,"

Was read a second time by its title.

Mr. Watson moved,

That the House adjourn.

On the question, "Will the House adjourn?"

The yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Bailey, Bewley, Fisher, Paxson, Scribner, Waples, Watson, Whitby, Williams, and Mr. Speaker—10.

Nays—Messrs. Allen, Curtis, Duncan, Gemmill, Hayes, Horsey, Lattomus, and Stubbs—8.

So the question was decided in the affirmative,

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

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Allen,

The bill entitled, "An act for the benefit of the State of Delaware,"

Was taken up for consideration,

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

Mr. Watson called for the yeas and nays,

Which, being taken, were as follows:

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

Nays—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Stubbs, Watson, Whitby, and Williams—11.

So the question was decided in the negative,

And the bill was

Lost.

Mr. Bewley moved,

That the vote by which the bill entitled,

“An act for the benefit of the State of Delaware,”

Was lost, be reconsidered.

Mr. Williams moved,

To lay that motion on the table.

On the question, “Shall the motion be laid on the table?”

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Bewley, Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Stubbs, Whitby, and Williams—10.

Nays—Messrs. Allen, Bailey, Fisher, Gootee, Horsey, Scribner, Waples, Watson, and Mr. Speaker—9.

So the question was decided in the affirmative,

And the motion to lay on the table

Prevailed.

Mr. Bewley presented a bill of James Cowgill & Son against the State,

Which,

On his motion,

Was read and referred to the Committee on Accounts.

Mr. Martin, Clerk of the Senate, being admitted, presented for the signature of the Speaker of the House, the following enrolled Senate bill, which had received the signature of the Speaker of the Senate, and requested the signature of the Speaker of the House thereto, to wit:

“An act to amend an act entitled ‘A supplement to an act entitled ‘An act to authorize the construction of a public bridge across Blackbird Creek, in New Castle County,’ passed at Dover, February 16, 1859.”

On motion of Mr. Allen,

The bill entitled, “A further additional supplement to an act entitled ‘An act to incorporate a company for the purpose of cutting and making a canal between the Chesapeake Bay and bay or river Delaware, or the waters thereof,’”

Was taken up for consideration,

When he presented the memorial of Andrew C. Gray, President of the Chesapeake and Delaware Canal Company,

Which,

Was read and filed with the bill.

The question then being, "Shall this bill pass the House?"

The yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Bailey, Bewley, Curtis, Duncan, Fisher, Gemmill, Hayes, Horsey, Lattomus, Paxson, Scribner, Stubbs, Waples, Watson, Whitby, Williams, and Mr. Speaker—18.

Nay—Mr. Gootee—1.

So the bill having received the constitutional majority,

Passed the House.

Ordered to the Senate for concurrence.

Mr. Waples, from the committee to whom was recommitted the Senate bill entitled,

"An act authorizing the laying out a public road in Dagsborough Hundred, Sussex County,"

Reported the bill back with amendments,

Which were read, as follows:

"1. 'Amend the bill by striking out all of Section 2.'

"2. 'By striking out the word 'shall,' in lines 6 and 7 and inserting in lieu thereof in each of said lines, the word 'may.'

"3. 'Amend Section 3 by striking out all in lines 9, 10 and 11, after the word 'entitled,' in the 9th line, and before the word 'and,' in the 11th line,'"

Which,

On his motion,

Were

Adopted,

And,

On his further motion,

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

Passed the House.

Ordered that the Senate be informed of said amendments, and their concurrence therein requested.

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

"An act to amend the act entitled 'An act to incorporate the Young Men's Association, for Mutual Improvement, of the City of Wilmington ;' "

"An act to repeal an act entitled 'An act to amend an act entitled 'A further supplement to the act entitled 'An act to authorize the owners and possessors of the marsh and low grounds, commonly known and called by the name of the Culbreth Marsh, situate in the forest of Murderkill and Dover Hundreds, in Kent County, to cut a ditch or drain through the same.' "

Mr. Lattomus, from the same committee, reported the following Senate bill duly and correctly enrolled, and presented the same for the signature of the Speaker, viz :

"An act for the relief of Thomas D. Gregg."

Also,

The House bill entitled, "An act to incorporate the Wilmington City Railway Company."

On motion of Mr. Bailey,

The Senate bill entitled, "An act to divorce Henry Stout, and Sophia Stout, his wife, from the bonds of matrimony,"

Was taken up for consideration.

Mr. Bailey then moved,

That the further consideration of the bill be postponed until Henry Stout had conveyed, in fee, to Eli Saulsbury, Esq., a certain farm, commonly called and known by the name of the "Redman Farm," in trust to pay over the rents and profits thereof to Sophia Stout, during the time which she may remain a single woman, or until her death; and after the happening of either event, to Henry Stout, Jr., and Emanuel Stout, children of the said Henry and Sophia Stout, in fee,

Which motion,

He afterwards withdrew, with the understanding that the said motion should not be taken up unless the House was full, or the motion was called up by himself.

Mr. Bewley moved,

That the House adjourn.

On the question, "Will the House adjourn?"

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bewley, Fisher, Paxson, Raughley, Scribner, Stubbs, Waples, Watson, Williams, and Mr. Speaker—11.

Nays—Messrs. Bailey, Curtis, Duncan, Gemmill, Gootee, Hayes, Horsey, Lattomus, and Whitby—9.

So the motion

Prevailed,

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

WEDNESDAY, February 10, 1864—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

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

“ An act to divorce Matilda Dickerson and James Dickerson, from the bonds of matrimony ;”

“ A further additional supplement to an act entitled ‘ An act to incorporate a company for the purpose of cutting and making a canal between the Chesapeake Bay and Bay or River Delaware, or the waters thereof,’ ”

And returned the same to the House.

Mr. Waples presented the petition of S. P. Houston and others, of Sussex County, for an act to lay out a public road in Sussex County,

Which,

On his motion,

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

Whereupon,

Messrs. Waples, Watson and Scribner were appointed said committee.

Mr. Duncan presented the claim of “ The Peninsular News and Advertiser ” against the State,

Which,

On his motion,

Was read and referred to the Committee on Claims.

Mr. Fisher presented the account of Zadoc L. Butler with the House of Representatives,

Which,

On his motion,

Was read and referred to the Committee on Accounts.

On motion of Mr. Watson,

The bill entitled, "An act extending the term of office of Recorder of Deeds,"

Was taken up for consideration,

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

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bewley, Fisher, Horsey, Raughley, Scribner, Slay, Stubbs, Waples, and Watson—10.

Nays—Messrs. Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Whitby, and Mr. Speaker—8.

So the question was decided in the affirmative,

And Section 1 was

Adopted.

Section 2 having been read,

On the question, "Shall that be Section 2 of the bill?"

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bewley, Fisher, Horsey, Raughley, Scribner, Slay, Stubbs, Waples, and Watson—10.

Nays—Messrs. Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Whitby, and Mr. Speaker—8.

So the question was decided in the affirmative,

And Section 2 was

Adopted.

The title having been read,

On the question, "Shall that be the title of the bill?"

Mr. Gemmill called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bewley, Fisher, Horsey, Raughley, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

Nays—Messrs. Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, and Whitby—7.

So the question was decided in the affirmative,

And the title of the bill was

Adopted.

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

Mr. Gemmill called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bewley, Fisher, Horsey, Raughley, Scribner, Slay, Stubbs, Waples, and Watson—10.

Nays—Messrs. Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Whitby, and Mr. Speaker—8.

So the question was decided in the affirmative,

And the bill

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Whitby,

The bill entitled, "An act to divorce Mary Jane McGill and William McGill, from the bonds of matrimony,"

Was taken up for consideration,

And,

On his further motion,

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

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Watson,

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

Was taken up for consideration.

Mr. Watson offered the following amendment,

Which, was read :

"Amend the bill by adding at the end of Section 1, the words 'And the first payment shall be made on the first day of July, A. D. 1864,'"

Which,

On his further motion,

Was

Adopted,

And,

Further on his motion,

The consideration of the bill was postponed until this afternoon.

On motion of Mr. Allen,

The bill entitled, "An act to divorce Henry Stout and Sophia Stout, his wife, from the bonds of matrimony,"

Was read a second time by its title.

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

"An act supplementary to an act entitled 'An act regulating the sale of intoxicating liquors, &c.,' passed at Dover, March 6th, 1861."

On motion,

The House adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

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

"An act to authorize the laying out a public road in Dagsborough Hundred, in Sussex County;"

And that the Senate had non-concurred in the House bill entitled;

"An act to prevent swine from running at large within certain limits in Murderkill Hundred North Election District, in Kent County."

Mr. Waples, from the committee to whom was referred the petition of S. P. Houston and others, for an act to lay out a public road in Sussex County, reported a bill entitled,

"An act to lay out a public road in Lewes and Rehoboth Hundred, in Sussex County,"

Which,

On his motion,

Was read.

On motion of Mr. Waples,

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

And the bill was so read.

On motion of Mr. Bailey,

The bill entitled, "An act to divorce Henry Stout and Sophia Stout, his wife, from the bonds of matrimony,"

Was taken up for consideration.

Mr. Bailey moved,

That the further consideration of the bill be postponed until Henry Stout shall execute a deed of trust to Eli Saulsbury, Esq., securing to the said Sophia Stout the farm commonly called the Redman Farm, and the profits arising therefrom, during the time she may remain single, or during her life, and afterwards in fee to her children, Manuel Stout and Henry Stout, Jr.,

And on the question, "Shall the motion prevail?"

Mr. Bewley called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bailey, Curtis, Duncan, Gemmill, Hayes, Horsey, Lattomus, Paxson, Scribner, Stubbs, and Whitby—11.

Nays—Messrs. Allen, Bewley, Fisher, Gootee, Raughley, Slay, Waples, Watson, Williams, and Mr. Speaker—10.

So the question was decided in the affirmative,

And the motion

Prevailed.

Mr. Gemmill moved,

That the Senate bill entitled, "An act to amend an act entitled 'An act in relation to free negroes and mulattoes,' passed at Dover, March 18th, 1863,"

Be read a third time, and by paragraphs, with a view to its passage.

Section 1 having been read,

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

Mr. Gootee called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bailey, Bewley, Curtis, Duncan, Fisher, Gemmill, Hayes, Lattomus, Paxson, Slay, Waples, Watson, Whitby, and Mr. Speaker—14.

Nays—Messrs. Allen, Gootee, Horsey, Raughley, Scribner, Stubbs, and Williams—7.

So the question was decided in the affirmative,

And Section 1 of the bill was

Adopted.

The title having been read,

On the question, "Shall that be the title of the bill?"

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Bailey, Bewley, Curtis, Duncan, Fisher, Gemmill, Hayes, Lattomus, Paxson, Slay, Waples, Watson, Whitby, and Mr. Speaker—14.

Nays—Messrs. Allen, Gootee, Horsey, Raughley, Scribner, Stubbs, and Williams—7.

So the question was decided in the affirmative,

And the title of the bill was

Adopted.

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

Mr. Bewley called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Curtis, Duncan, Fisher, Gemmill, Gootee, Hayes, Lattomus, Paxson, Slay, Waples, Whitby, and Mr. Speaker—12.

Nays—Messrs. Allen, Bailey, Bewley, Horsey, Raughley, Scribner, Stubbs, Watson, and Williams—9.

So the question was decided in the affirmative,

And the bill

Passed the House.

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

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

"An act appointing commissioners for Great and Beach Marshes, in Lewes and Rehoboth Hundred, Sussex County."

On motion of Mr. Duncan,

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

"A further supplement to the act entitled 'An act to authorize the construction of a railroad from the Town of New Castle to the City of Wilmington,'"

Which,

On his motion,

Was read,

And,

On his further motion,

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

And the bill was so read.

On motion of Mr. Stubbs,

The bill entitled, "An act to amend an act in relation to free negroes and mulattoes,"

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

Section 1 having been read,

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

Mr. Stubbs called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Stubbs, Waples, and Whitby—9.

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

So the question being decided in the negative,

Section 1 was

Lost,

And the bill was lost.

On motion,

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

THURSDAY, February 11, 1864—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Allen moved,

That Rules 7 and 12 be suspended during the balance of the session.

And on the question, "Shall the rules be so suspended?"

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas.—Messrs. Allen, Bailey, Bewley, Curtis, Fisher, Horsey, Raughley, Scribner, Slay, Stubbs, Waples, Watson, Whitby, Williams, and Mr. Speaker—15.

Nays.—Messrs. Duncan, Gootee, Hayes, Lattomus, and Paxson—5.

So the question having received a two-third vote,

The motion

Prevailed.

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

"An act appointing commissioners to lay out a public road in Sussex County ;"

"An act to divorce Mary Jane McGill and William McGill, from the bonds of matrimony."

He also returned the following enrolled House bills, the same having received the signature of the Speaker of the Senate, viz :

"An act to incorporate the Wilmington City Railway Company ;"

"An act to repeal an act entitled 'An act to amend an act entitled 'A further supplement to the act entitled 'An act to authorize the owners and possessors of the marsh and low grounds, commonly known and called by the name of the Culbreth Marsh, situate in the forest of Murderkill and Dover Hundreds, in Kent County, to cut a ditch or drain through the same ;' "

"An act to amend the act entitled 'An act to incorporate the Young Men's Association, for Mutual Improvement, of the City of Wilmington.' "

He also requested the House to return to the Senate, the House bill entitled,

"An act to prevent swine running at large within certain limits in Murderkill Hundred, North Election District, in Kent County."

On motion of Mr. Duncan,

The bill entitled, "A further supplement to the act entitled 'An act to authorize the construction of a railroad from the Town of New Castle to the City of Wilmington,' "

Was read a third time, and by paragraphs, with a view of passing the House,

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

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

Yeas—Messrs. Allen, Bailey, Bewley, Curtis, Duncan, Fisher, Hayes, Horsey, Lattomus, Paxson, Raughley, Scribner, Slay, Waples, Watson, Whitby, Williams, and Mr. Speaker—18.

Nay—Mr. Gootee—1.

So the question was decided in the affirmative,

And the bill

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Waples,

The bill entitled, "An act to lay out a public road in Lewes and Rehoboth Hundred, in Sussex County,"

Was read a third time, and by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Watson,

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

Was taken up for consideration,

And,

On his further motion,

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

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

Mr. Horsey called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bewley, Curtis, Lattomus, Paxson, Scribner, Stubbs, Waples, Watson, Whitby, Williams, and Mr. Speaker—12.

Nays—Messrs. Duncan, Fisher, Hayes, Horsey, Raughley, and Slay—6.

So the question was decided in the affirmative,

And the bill

Passed the House.

Ordered to the Senate for concurrence.

Mr. Bewley presented the bill of Mrs. E. A. Dean against the State,

Which,

On his motion,

Was read and referred to the Committee on Accounts.

Mr. Williams presented the claim of the Dover Gas Company against the State,

Which,

On his motion,

Was read and referred to the Committee on Claims.

On motion of Mr. Stubbs,

The bill entitled, "An act to prevent swine from running at large within certain limits in Murderkill Hundred, North Election District, in Kent County,"

Was returned to the Senate, in accordance with the request of that body.

Mr. Waples, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Bewley,

Obtained leave to introduce a bill entitled,

"An act appointing commissioners of Great and Beach Marshes,"

Which,

Was read,

And,

On the further motion of Mr. Waples,

The bill was read a second time by its title.

Mr. Cahall, a member of the Senate, being admitted, informed the House that the Senate had concurred in the House bill entitled,

"An act extending the term of office of Recorder of Deeds,"

With an amendment, in which the concurrence of the House was requested.

On motion of Mr. Bewley,

The Senate amendment to the bill entitled,

"An act extending the term of office of Recorder of Deeds,"

Was read, as follows :

SENATE, February 11, 1864.

"Amend the bill by adding to Section 1 the following :

"And the said Chapter shall hereafter be read and construed as hereby amended."

“Strike out in Section 2 all after the word ‘enacted,’ and insert in lieu thereof the following: ‘the terms of office of the present Recorder of Deeds in the several counties of this State, shall be extended one year from the time when their commissions respectively will expire, notwithstanding anything contained therein.’”

“Extract from the journal. For concurrence.

“E. L. MARTIN,

“Clerk of the Senate.”

Mr. Bewley moved,

That the amendment be concurred in.

On the question, “Shall the amendment be concurred in?”

Mr. Bewley called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Bewley, Fisher, Horsey, Raughley, Scribner, Slay, Stubbs, Waples, and Watson—10.

Nays—Messrs. Bailey, Curtis, Duncan, Hayes, Lattomus, Paxson, Whitby, Williams, and Mr. Speaker—9.

So the question was decided in the affirmative,

And the amendment was

Concurred in.

Ordered that the Senate be informed thereof.

Mr. Williams asked leave to introduce a bill,

On the question, “Shall the member have leave to introduce a bill?”

Mr. Bewley called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Bewley, Curtis, Duncan, Hayes, Lattomus, Paxson, Raughley, Scribner, Slay, Stubbs, Waples, Watson, Whitby, Williams, and Mr. Speaker—15.

Nays—Messrs. Allen, Bailey, Fisher, and Horsey—4.

So the question was decided in the affirmative,

And Mr. Williams introduced a bill entitled,

“An act proposing an amendment to the Constitution of the State of Delaware,”

Which,

On his motion,

Was read,

And,

On his further motion,

Was read a second time by its title.

Mr. Belville, a member of the Senate, being admitted, informed the House that the Senate had concurred in the House bill entitled,

"A further supplement to an act entitled 'An act to authorize the construction of a railroad from the Town of New Castle to the City of Wilmington.'"

Mr. Watson asked,

And,

On motion of Mr. Bewley,

Obtained leave to introduce a bill entitled,

"An act to raise revenue for the State of Delaware,"

Which,

On motion of Mr. Watson,

Was read,

And,

On his further motion,

The bill was read a second time by its title.

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

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

On motion of Mr. Watson,

The bill just received from the Senate,

Was read.

Mr. Allen asked,

And,

On motion of Mr. Watson,

Obtained leave to introduce a bill entitled,

"An act for the relief of persons subject to military duty,"

Which,

On motion of Mr. Allen,

Was read,

And,

On his further motion,

Was read a second time by its title.

On motion of Mr. Bewley,
The bill was taken up for consideration.

Mr. Fisher moved,
To strike out the word "two" where it refers to commutation, and insert "three."

On the question, "Shall the bill be so amended?"

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bailey, Bewley, Fisher, Horsey, Raughley, Scribner, Slay, and Stubbs—8.

Nays—Messrs. Allen, Curtis, Duncan, Hayes, Lattomus, Paxson, Waples, Watson, Whitby, Williams, and Mr. Speaker—11.

So the question was decided in the negative,

And the amendment was

Lost.

Mr. Lattomus moved,

To amend the bill by striking out the entire clause in reference to commutation money,

Which motion,

Was

Lost.

On motion,

The House adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Waples,

The bill entitled, "An act appointing commissioners of the Great and Beach Marshes,"

Was read a third time, and by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Lattomus, from the Committee on Enrollment, reported as duly and correctly enrolled, the bill entitled,

"A further additional supplement to an act entitled 'An act to incorporate a company for the purpose of cutting and making a canal between the Chesapeake Bay and Bay or River Delaware, or the waters thereof,'"

And presented the same for the signature of the Speaker.

Mr. Williams, from the same committee, reported the following bills as duly and correctly enrolled, viz :

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

"An act supplementary to an act entitled 'An act regulating the sale of intoxicating liquors, &c.,' passed at Dover, March 6th, 1861 ;"

"An act to lay out a public road in Little Creek Hundred, in Kent County ;"

"An act to divorce Matilda Dickerson and James Dickerson, from the bonds of matrimony ;"

And presented the same for the signature of the Speaker.

Mr. Martin, Clerk of the Senate, being admitted, presented the following enrolled Senate bill for the signature of the Speaker of the House, the same having received the signature of the Speaker of the Senate :

"An act to authorize the laying out a public road in Dagsborough Hundred, Sussex County."

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

"An act in relation to overseers of roads in Kent County."

On motion of Mr. Williams,

The Senate bill entitled, "An act appointing commissioners to change and straighten the course of a public road in Kent County,"

Was read.

On motion of Mr. Williams,

The petition accompanying the bill was also read.

On the further motion of Mr. Williams,

The bill was read a second time by its title.

On motion of Mr. Watson,

The Senate bill entitled, "An act to repeal an act entitled 'An act to prevent swine running at large within certain limits, in Kent County,'"

Was read.

On motion of Mr. Watson,

The petition accompanying the bill, was also read.

On the further motion of Mr. Watson,

The bill was read a second time by its title.

Mr. Duncan offered a joint resolution in relation to the State Library,

Which,

On his motion,

Was read,

And

Adopted.

Ordered to the Senate for concurrence.

On motion of Mr. Williams,

The bill entitled, "An act appointing commissioners to change and straighten the course of a public road in Kent County,"

Was read a third time, and by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Allen presented a memorial of Henry Stout, Esq., asking for the withdrawal of his petition for divorce.

Which memorial,

On motion of Mr. Allen,

Was read.

On motion of Mr. Allen,

The memorialist, Mr. Stout, was allowed to withdraw his petition for divorce.

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

"An act to lay out a public road in Lewes and Rehoboth Hundred, in Sussex County;"

"An act appointing commissioners of the Great and Beach Marshes,"

And,

Also presented for the signature of the Speaker of the House, the following enrolled Senate bill, the same having received the signature of the Speaker of the Senate :

"An act to amend an act entitled 'An act in relation to free negroes and mulattoes,' passed at Dover, March 18, 1863."

He also returned the following enrolled House bills, the same having received the signature of the Speaker of the Senate, viz :

"An act to divorce Matilda Dickerson and James Dickerson, from the bonds of matrimony ;"

"An act to lay out a public road in Little Creek Hundred, Kent County ;"

"A further additional supplement to an act entitled 'An act to incorporate a company for the purpose of cutting and making a canal between the Chesapeake Bay and bay or river Delaware, or the waters thereof ;'"

"An act supplementary to an act entitled 'An act regulating the sale of intoxicating liquors, &c.,' passed at Dover, March 18th, 1861 ;"

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

Mr. Bailey moved,

That the vote by which the consideration of the bill entitled,

"An act to divorce Henry Stout and Sophia Stout, his wife, from the bonds of matrimony,"

Was postponed, be reconsidered.

Mr. Curtis moved,

To lay that motion on the table,

Which motion,

He subsequently withdrew,

And the motion of Mr. Bailey

Prevailed.

On motion of Mr. Bewley,

The bill was taken up for consideration.

On motion of Mr. Bewley,

The bill was then indefinitely postponed.

Mr. Bewley moved,

That the vote by which the consideration of the bill was indefinitely postponed, be reconsidered.

On motion of Mr. Bewley,

The motion to reconsider the vote by which the bill was indefinitely postponed,

Was laid on the table.

On motion of Mr. Watson,

The bill entitled, "An act to repeal an act entitled 'An act to prevent swine running at large within certain limits in Kent County,'"

Was read a third time, and by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Lattomus,

The bill entitled, "An act for the relief of persons subject to military duty,"

Was taken up for consideration,

Mr. Lattomus moved,

To amend the bill by striking out all that part of the bill which refers to commutation money,

Which motion,

Was

Lost.

Mr. Duncan moved,

To amend the title by adding to the end thereof the words, "and prevent the General Government from obtaining conscripts in Delaware."

On the question, "Shall the title be so amended?"

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Curtis, Duncan, Hayes, Lattomus, Paxson, and Whitby—6.

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

So the question was decided in the negative,

And the amendment was

Lost.

Mr. Bewley moved,

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

Section 1 having been read,

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

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Bewley, Curtis, Duncan, Fisher, Hayes, Horsey, Lattomus, Paxson, Raughley, Scribner, Slay, Stubbs, Waples, Watson, Whitby, Williams, and Mr. Speaker—19.

Nays—None.

So the question was decided in the affirmative,

And Section 1 of the bill was

Adopted.

Section 2 having been read,

On the question, "Shall that be Section 2 of the bill?"

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows :

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

Nays—Messrs. Curtis, Duncan, Hayes, Lattomus, Paxson, and Whitby—6.

So the question was decided in the affirmative,

And Section 2 of the bill was

Adopted.

Section 3 having been read,

On the question, "Shall that be Section 3 of the bill?"

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows :

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

Nays—Messrs. Curtis, Duncan, Hayes, Lattomus, Paxson, and Whitby—6.

So the question was decided in the affirmative,

And Section 3 of the bill was

Adopted.

Section 4 having been read,

On the question, "Shall that be Section 4 of the bill?"

Mr. Curtis called for the yeas and nays,

Which, being taken, were as follows :

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

Nays—Messrs. Curtis, Duncan, Hayes, Lattomus, Paxson, and Whitby—6.

So the question was decided in the affirmative,

And Section 4 of the bill was

Adopted.

Section 5 having been read,

On the question, "Shall that be Section 5 of the bill?"

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bailey, Bewley, Fisher, Horsey, Raughley, Scribner, Slay, Stubbs, Waples, Watson, Williams, and Mr. Speaker—12.

Nays—Messrs. Curtis, Duncan, Hayes, Lattomus, Paxson, and Whitby—6.

So the question was decided in the affirmative,

And Section 5 of the bill was

Adopted.

Section 6 was read and adopted.

The preamble having been read,

On the question, "Shall that be the preamble of the bill?"

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bewley, Fisher, Horsey, Raughley, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

Nays—Messrs. Bailey, Curtis, Duncan, Hayes, Lattomus, Paxson, Whitby, and Williams—8.

So the question was decided in the affirmative,

And the preamble was

Adopted.

The title having been read,

On the question, "Shall that be the title of the bill?"

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows :

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

Nays—Messrs. Curtis, Duncan, Hayes, Lattomus, Paxson, and Whitby—6.

So the question was decided in the affirmative,

And the title of the bill was

Adopted.

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

The yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Bewley, Fisher, Horsey, Raughley, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—11.

Nays—Messrs. Bailey, Curtis, Hayes, Lattomus, Paxson, Whitby, and Williams—8.

So the question was decided in the affirmative,

And the bill *Passed the House.*

Ordered to the Senate for concurrence.

On motion of Mr. Williams,

The bill entitled, "An act proposing an amendment to the Constitution of the State of Delaware,"

Was taken up for consideration.

Mr. Williams moved,

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

On the question, "Shall the bill be read a third time?"

Mr. Bewley called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Bewley, Curtis, Duncan, Hayes, Lattomus, Paxson, Raughley, Slay, Watson, Whitby, and Williams—11.

Nays—Messrs. Allen, Bailey, Fisher, Horsey, Scribner, Stubbs, Waples, and Mr. Speaker—8.

So the question was decided in the affirmative,

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

Section 1 having been read,

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

Mr. Fisher called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Bewley, Curtis, Duncan, Hayes, Lattomus, Paxson, Raughley, Whitby, and Williams—9.

Nays—Messrs. Allen, Bailey, Fisher, Horsey, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—10.

So the question was decided in the negative,

And Section 1 was

Lost,

And the bill was lost.

On motion of Mr. Bewley,

The House adjourned until 7 o'clock and 30 minutes, this evening.

SAME DAY—7.30 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Lattomus, from the Committee on Enrollment, reported sundry bills as duly and correctly enrolled, and presented the same for the signature of the Speaker.

On motion of Mr. Bewley,

The bill entitled, "An act for the payment of claims against the State,"

Was taken up for consideration,

And,

On his further motion,

The bill was read a second time by its title,

And,

Further on his motion,

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

Passed the House.

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

Mr. Bewley moved,

That the affidavit of Rev. Dr. Morris, in the Stout Divorce Case, be returned to Mr. Stout.

On the question, "Shall the affidavit be so returned?"

The yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Bewley, Hayes, Horsey, Raughley, Scribner, Slay, Stubbs, Waples, Watson, Williams, and Mr. Speaker—12.

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

So the question was decided in the affirmative,

And the Clerk was directed to return the affidavit to Mr. Stout.

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

"Joint Resolution in relation to the State Library."

On motion of Mr. Watson,

The bill entitled, "An act to raise revenue for the State of Delaware,"

Was taken up for consideration.

And,

On his further motion,

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

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

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Bewley, Fisher, Raughley, Scribner, Slay, Stubbs, Waples, Watson, and Mr. Speaker—10.

Nays—Messrs. Curtis, Duncan, Hayes, Horsey, Lattomus, Paxson, Whitby, and Williams—8.

So the question was decided in the affirmative,

And the bill

Passed the House.

Ordered to the Senate for concurrence.

On motion,

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

FRIDAY, February 12, 1864—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Watson,

The reading of the journal of yesterday was dispensed with.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had adopted a joint resolution adjourning the two houses of the General Assembly from February 12 until the second Tuesday of September next, and requested the concurrence of the House in said resolution,

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

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

And returned the same to the House; and presented for the signature of the Speaker of the House, sundry enrolled Senate bills, which had received the signature of the Speaker of the Senate.

On motion of Mr. Bewley,

The opinion of J. P. Comegys and Eli Saulsbury, Esqs., on a bill entitled,

"An act to raise revenue for the State of Delaware,"

Was read.

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

And also an enrolled Senate bill, which had received the signature of the Speaker of the Senate, and presented the same for the signature of the Speaker of the House.

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

Which was read, as follows :

FEBRUARY 12, 1864.

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

John Sorden, Speaker, 4 days, 41 miles.....	\$28 30
John Hayes, 4 " 51 "	27 30
John A. Duncan, 4 " 50 "	27 00
Solomon M. Curtis, 4 " 45 "	25 50
David W. Gemmill, 4 " 43 "	24 90
Merritt H. Paxson, 4 " 32 "	21 60
John Whitby, 4 " 25 "	19 50
Levi W. Lattomus, 4 " 20 "	18 00
John H. Bewley, 2 " 12 "	9 60
Benjamin F. Gootee, 2 " 12 "	9 60
James Williams, 2 " 9 "	8 70
John Slay, 2 " 9 "	8 70

Amount carried forward..... \$228 70

<i>Amount brought forward</i>			\$228 70
William B. Stubbs,	2 days,	7 miles.....	8 10
Robert Raughley,	4 "	25 "	19 50
Curtis S. Watson,	4 "	25 "	19 50
William A. Scribner,	4 "	25 "	19 50
Luther W. Fisher,	4 "	33 "	21 90
Major W. Allen,	4 "	40 "	24 00
Isaac H. Bailey,	4 "	47 "	26 10
George W. Horsey,	4 "	42 "	24 60
William D. Waples,	4 "	50 "	27 00

 \$418 90

FEBRUARY SESSION, 1864.

John Sorden, Speaker,	34 days,	41 miles.....	\$148 30
John Hayes,	34 "	51 "	117 30
John A. Duncan,	34 "	50 "	117 00
Solomon M. Curtis,	34 "	45 "	115 50
David W. Gemmill,	34 "	43 "	114 90
Merritt H. Paxson,	34 "	32 "	111 60
John Whitby,	34 "	25 "	109 50
Levi W. Lattomus,	34 "	20 "	108 00
John H. Bewley,	32 "	12 "	99 60
Benjamin F. Gootee,	32 "	12 "	99 60
James Williams,	32 "	9 "	98 70
John Slay,	32 "	9 "	98 70
William B. Stubbs,	32 "	7 "	98 10
Robert Raughley,	34 "	25 "	109 50
Curtis S. Watson,	34 "	25 "	109 50
William A. Scribner,	34 "	25 "	109 50
Luther W. Fisher,	34 "	33 "	111 90
Major W. Allen,	34 "	40 "	114 00
Isaac H. Bailey,	34 "	47 "	116 10
George W. Horsey,	34 "	42 "	114 60
William D. Waples,	34 "	50 "	117 00
John B. Penington, Clerk, for his duties, transcribing, en-			
grossing and other services,.....			400 00
Charles P. Wetherby, Clerk <i>pro tem.</i> of the House by reso-			
lution.....			50 00
Rev. Cyrus Huntington, Chaplain of the House of Repre-			
sentatives,....			50 00
William Wyatt, Messenger, pay to order of John B. Pen-			
ington.....			25 00
George W. White, Sergeant-at-Arms and Doorkeeper, for			
daily attendance.....			125 00
John H. Bateman, Postmaster, for stamps.....			24 00
Mrs. Eliza A. Dean, for ice furnished the House during the			
session.....			14 50

Amount carried forward..... \$3,445 40

<i>Amount brought forward</i>	\$3,445 50
Zadock L. Butler, for washing towels.....	4 07
Dover Gas Light Company, for gas consumed from January 6, 1864 to February 11, 1864, payable to the order of Daniel Trump.....	89 80
James Kirk, publisher of Delawarean, for advertising sundry acts of the last session, &c.	103 54
Isaac Tunnell, publisher of Georgetown Messenger, for advertising sundry acts of last session.....	90 75
James Cowgill & Son, for stationery, candles, coal, wood, &c., as per resolution.....	354 19
Zadock L. Butler, for services rendered as fireman.....	30 00

\$4,117 75

Eli Saulsbury, for drawing Bounty bill for the House..... 50 00

\$4,167 75

JOHN H. BEWLEY,
JOHN A. DUNCAN,
L. W. FISHER,

Committee.

Mr. Lattomus moved,

To amend the report by adding to the allowance to the Clerk the sum of fifty dollars.

On the question, "Shall the report be so amended?"

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Horsey, Lattomus, Paxson, Raughley, Stubbs, Watson, Whitby, and Williams—9.

Nays—Messrs. Bailey, Bewley, Curtis, Duncan, Fisher, Hayes, Scribner, Slay, Waples, and Mr. Speaker—10.

So the question was decided in the negative,

And the motion was

Lost.

On motion,

The House adjourned until 2 o'clock this afternoon.

SAME DAY—2 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Williams, from the Committee on Enrollment, reported sundry House bills as being duly and correctly enrolled, and presented the same for the signature of the Speaker.

Mr. Martin, Clerk of the Senate, being admitted, presented sundry enrolled Senate bills and joint resolutions for the signature of the Speaker of the House, and returned sundry enrolled House bills and joint resolutions with the signature of the Speaker of the Senate thereto.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate would be ready in five minutes to adjourn until the Second Tuesday of September next.

On motion,

The Clerk of the House was instructed to inform the Senate that the House would be ready in five minutes to adjourn until the same time.

On motion of Mr. Curtis,

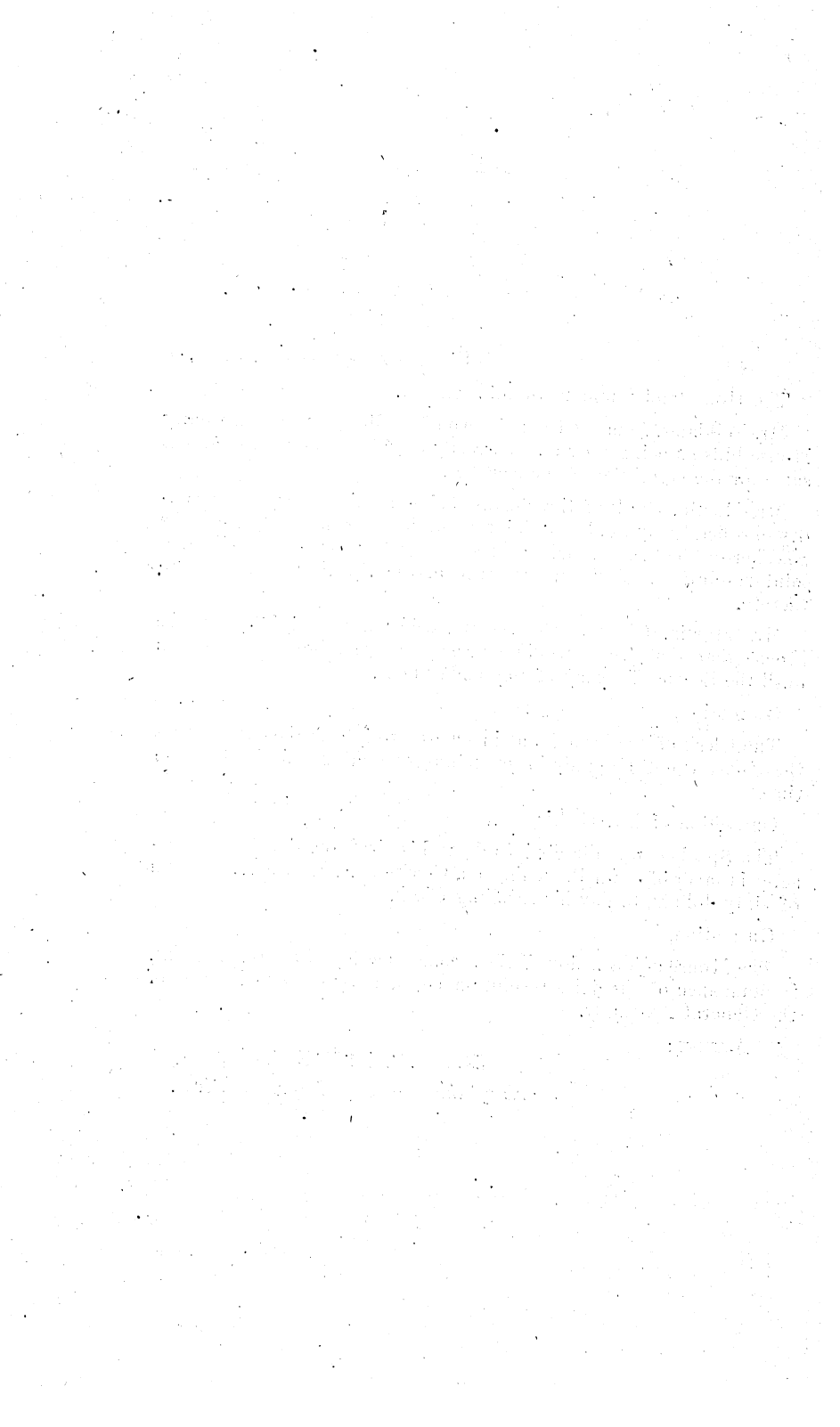
The Speaker was directed to draw his draft on the State Treasurer in favor of John B. Penington, Clerk of the House, for the sum of sixty dollars, to pay his enrolling Clerk.

On motion,

The House adjourned until the second Tuesday of September next, in pursuance of the joint resolution adopted by the two Houses of the General Assembly.

ATTEST :

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



SPECIAL SESSION.

The House of Representatives of the State of Delaware convened in special session, at Dover, on THURSDAY, July 28, 1864, at 12 o'clock, M., pursuant to the proclamation of His Excellency, William Cannon, Governor of said State.

The Speaker not being present,

On motion of Mr. Bewley,

Mr. Watson was appointed Speaker *pro tem*,

Prayer by the Chaplain.

Upon the call of the roll the following members answered, to wit:

Messrs. Duncan and Paxson, of New Castle County; and Messrs. Bewley, Slay, Stubbs, Watson and Williams, of Kent County, and Messrs. Allen, Horsey and Waples, of Sussex County—10.

There not being a quorum,

On motion of Mr. Williams,

The House adjourned until 3 o'clock and 30 minutes this afternoon.

SAME DAY—3.30 o'clock, P. M.

The House met pursuant to adjournment.

The roll being called, there were present,

Messrs. Allen, Bewley, Curtis, Duncan, Gemmill, Hayes, Horsey, Lattomus, Paxson, Raughley, Slay, Stubbs, Waples, Watson, Whiteby, and Williams—16.

On motion of Mr. Bewley,

Mr. Watson was appointed Speaker *pro tem*.

The Speaker presented the proclamation of His Excellency, the Governor, convening the General Assembly,

Which, was read, as follows :

PROCLAMATION.

WHEREAS the President of the United States has issued a Proclamation calling for five hundred thousand additional men for the military service, to aid in quelling the existing rebellion, and has directed "that immediately after the 5th day of September, 1864, a draft for troops to serve for one year shall be had in every town, township, ward of a city, precinct or election district, or county not so subdivided, to fill the quota which shall be assigned to it under this call, or any part thereof, which may be unfilled by volunteers, on the 5th day of September, 1864 ;"

And WHEREAS under the provisions of the Act of Congress, approved July 4th, 1864, entitled "An act further to regulate and provide for the enrolling and calling out the National Forces, and for other purposes," authority has been given to the Executive of any of the States to send recruiting agents into any of the States declared to be in rebellion, except the States of Arkansas, Tennessee and Louisiana, to recruit volunteers under any call under the provisions of the said act, who shall be credited to the State and to the respective subdivisions thereof which may procure the enlistment ;

And WHEREAS it is our duty to supply, at the earliest moment, the number of troops required from this State, and to relieve the people of the State from draft ;

And WHEREAS by an act of the General Assembly of this State, passed at Dover, February 12th, 1864, a sum not exceeding five hundred thousand dollars was appropriated for the purpose of relieving the people of this State from the operation of the draft, and there yet remains an unexpended balance of said appropriation, amounting to two hundred and fifty thousand dollars, or more, which cannot now, according to the provisions of said Act of Congress, be applied to the payment of commutation ;

Now therefore, I, WILLIAM CANNON, Governor of the State of Delaware, deeming this to be an extraordinary occasion, and by authority of the Constitution of the said State, and in order that the purpose of the General Assembly to relieve the State from draft may be effectually carried out, do hereby direct that the General Assembly of the said State convene at Dover, on THURSDAY, the 28th day of July, A. D., 1864, at 12 o'clock, M., for the purpose of making an appropriation for Bounty to persons who may be voluntarily enlisted in the military service of the United States, and credited to the quota of troops required of the said State under the aforesaid

call, and for the further purpose of providing funds for such agents as may be appointed by the Executive to recruit under the provisions of the aforesaid act.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the said State to be affixed, at
[L. S.] Dover, this twentieth day of July, in the year of Our Lord One Thousand Eight Hundred and Sixty-four, and of the Independence of the United States the eighty-ninth.

WILLIAM CANNON.

By the Governor :

SAMUEL M. HARRINGTON, Jr.,
Secretary of State.

On motion of Mr. Bewley,

The Clerk was instructed to inform the Senate that the House had convened in pursuance of the proclamation of His Excellency, the Governor, and was ready to proceed to business.

Mr. Pratt, Clerk of the Senate, *pro tem.*, being admitted, informed the House that the Senate had convened, in pursuance of the proclamation of His Excellency, the Governor, and was ready to receive any communication the House might see proper to make.

On motion of Mr. Duncan,

A committee of two on the part of the House, to act jointly with a similar committee on the part of the Senate, was appointed to wait on His Excellency, the Governor, and inform him of the convening of the General Assembly,

Whereupon,

Messrs. Duncan and Williams were appointed said committee.

Mr. Pratt, Clerk *pro tem.* of the Senate, being admitted, informed the House that the Senate had appointed a committee of two on the part of the Senate, to act with the committee of the House, to wait on His Excellency, the Governor, and inform him of the convening of the General Assembly, and that it was ready to receive any communication he might have to make.

Mr. Duncan, from the committee appointed to wait on the Governor, reported that the committee had, in the absence of the Governor, waited on the Secretary of State, and that the Secretary, on behalf of the Governor, would deliver a communication to the House in five minutes.

Samuel M. Harrington, Jr., Esq., Secretary of State, being admitted, presented a communication from His Excellency, the Governor, together with an order of the War Department,

Which,

On motion of Mr. Gemmill,

Were read, as follows :

MESSAGE.

STATE OF DELAWARE, EXECUTIVE DEPARTMENT, }
DOVER, July 28, 1864. }

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

On the eighteenth day of July last, the President of the United States issued a proclamation calling for five hundred thousand additional men for the military service, to aid in quelling the existing rebellion, and directed that "immediately after the fifth day of September, 1864, a draft for troops to serve for one year shall be had in every town, township, ward of a city, precinct or election district, or county not so subdivided, to fill the quota which shall be assigned to it or any part thereof which may be unfilled by volunteers on the 5th day of September, 1864."

The number of troops required under this call, from the State of Delaware, is two thousand four hundred and forty-five (2,445,) which will be subdivided among the different sub-districts. The quota of each district will be reduced by any excess it may now have over all calls heretofore made, or increased by its deficiency on such calls, as the case may be.

The duty of furnishing to the National Government the number of men required, and of relieving the people of this State from the operation of the draft, and the necessity of legislative action for this purpose, constitute the "extraordinary occasion" upon which you have been convened.

With a single suggestion I purpose to leave to the General Assembly (where it properly belongs) the devising of such means and the adoption of such action as will fully meet the present emergency.

By the act of Congress, approved July 4, 1864, entitled "An act further to regulate and provide for calling out the national forces, and for other purposes," the payment by drafted men of commutation money in lieu of rendering personal service is no longer permitted. Drafted men, therefore, if properly enrolled and not physically disabled must hereafter serve in person or by substitute. It becomes a matter of great importance and interest to those whose circumstances do not permit them either to perform military duty or to procure substitutes, that the quota of the State be filled without delay. It is still more important that an early response be made to the call of the Government, in order that its purpose to maintain its authority and preserve its existence may be effectually and speedily accomplished.

By the act of Congress already alluded to, authority has been given to the Executive of any of the States to send recruiting agents into any of the States declared to be in rebellion, except the States of Arkansas, Tennessee and Louisiana, to recruit volunteers under

any call under the provisions of the said act, who will be credited to the State and to the respective subdivisions thereof which may procure the enlistment.

In order that the Executive of this State may be able to conduct recruiting under the provisions of this act and to compete with other States recruiting in like manner, it is necessary that the General Assembly should make an appropriation of money for this purpose. With reference, therefore, not only to persons who may be thus recruited, but also to any other persons who may hereafter be accredited to this State, I earnestly recommend that the General Assembly enact a law and make an appropriation for the payment of a specified bounty to all persons, without distinction of color or condition, who may voluntarily enlist in the military service of the United States and be duly accredited to the State of Delaware.

I would also call the attention of the General Assembly to the fact that the act passed at Dover, February 12, 1864, entitled "An act for the relief of persons subject to military duty, whereby a sum not exceeding Five Hundred Thousand Dollars (\$500,000) was appropriated as bounty to those white persons who might voluntarily enlist in the aforesaid service and be duly accredited to this State between the Twelfth day of February, 1864, and the First day of March, 1864, and for the part payment until September, 1864, of commutation of such drafted white persons as upon examination by the Surgeon of the Board of Enrollment were found to be physically capable of performing military duty, cannot be operative to relieve the people of the State from draft, for the reason already stated, to wit: the abolishment of what is usually called the "Commutation clause."

The amount paid for bounty under that act was, as I am informed by the Commissioners, Forty-Seven Thousand Dollars (\$47,000); and for two-thirds of the commutation of nine hundred and twelve drafted persons, One Hundred and Eighty-two Thousand Four Hundred Dollars, (\$182,400,) leaving an unexpended balance of said appropriation of Two Hundred and Seventy Thousand Six Hundred Dollars, (\$270,600) which balance, (or a larger sum if deemed necessary) might, by the action of the General Assembly, be now applied to relieving the people of the State from draft in the only legal method, to wit: by filling the quota required of the State. If so applied in the payment of bounties, as I have herein recommended, and for expenses of agents to recruit under the provisions of the aforesaid act of Congress of July 4, 1864, there is no apparent reason why, with energy on the part of agents, the quota of the State may not be filled.

I herewith transmit, for your information, an official copy of General Order No. 227, of the War Department, entitled "Regulations for recruiting in rebel States for loyal States."

I also transmit a statement showing the account of this State with the War Department for troops.

I recommend that the General Assembly adopt some provisions to prevent persons unauthorized by the proper Department of the United States Government, or by the Executive of this State, from recruiting within the limits of this State.

I further recommend that the General Assembly adopt a resolution of thanks to the noble men who promptly and cheerfully responded to the call for troops during the recent emergency.

WILLIAM CANNON.

[GENERAL ORDERS, NO. 227.]

REGULATIONS FOR RECRUITING IN REBEL STATES FOR LOYAL STATES.

WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE, }
WASHINGTON, July 9, 1864. }

The following regulations are established to carry out Section 3, of the act approved July 4, 1864, "further to regulate and provide for the enrolling and calling out the national forces."

"SEC. 3. *And be it further enacted*, That it shall be lawful for the executive of any of the States to send recruiting agents into any of the States declared to be in rebellion, except the States of Arkansas, Tennessee, and Louisiana, to recruit volunteers under any call under the provisions of this act, who shall be credited to the State, and to the respective subdivisions thereof, which may procure the enlistment."

1. In order that recruiting agents may be afforded proper facilities by United States authorities, they must have a letter of appointment from the State Executive, a certified copy of which must be filed with the Provost Marshal General, and the commanding officer of the rendezvous established for the district in which they are to recruit. The particular field of a State in which each agent is to operate, should be specified in the letter of appointment. To avoid confusion, the number of agents should not be large. Experience has shown that these agents should not be paid for each recruit, but, that they should have a fixed compensation for their services, otherwise fraudulent practices may be resorted to for the pecuniary benefit of the agent, to the great prejudice of the State, and the military service.

2. It shall be the duty of the recruiting agents, before entering upon their duties, to report in person, through the commanding officer of the rendezvous herein designated for the States in which they are to operate, to the commanding officer of the military dis-

trict, department, or army, in order that they may have a proper pass and protection. All recruiting agents will be subject to the rules and articles of war.

3. It shall be the duty of the commanding officer of the army, department, or district, in which recruiting agents operate, and of commanding officers of rendezvous; to order back to his State (or arrest and hold for trial, as he may deem best) any recruiting agent who shall commit frauds upon the Government, or recruits, or shall violate the instructions issued to govern this recruitment, or be guilty of any offence against military law. Recruiting agents will be held responsible for the conduct of all persons who act under their authority or direction.

4. No man shall be recruited who is already in the military service, as soldier, teamster, laborer, guide, &c., &c., or who is so employed by the military authorities as to be of importance to military operations.

5. Recruits procured in accordance with the act quoted, must be delivered by the recruiting agents at one of the following named rendezvous, viz:—

Camp Casey, Washington, D. C., for N. E. Virginia.

" ———, near Fort Monroe, Va., for S. E. Virginia.

" ———, Newbern, N. C., for North Carolina.

" ———, Hilton Head, S. C., for South Carolina and Florida.

" ———, Vicksburg, Miss., for Mississippi.

" ———, Nashville, Tenn., for Georgia and Alabama.

When received at the rendezvous, it shall be the duty of the United States officers there to have the recruits promptly examined; and if accepted, to have them immediately mustered into the United States service, properly provided for, and sent to the regiments for which they may have been enlisted or assigned. A certified copy of the muster-in roll shall be given to the recruiting agent whenever at least ten recruits shall be mustered.

The aforesaid rendezvous are regarded as military posts, and will be conducted as such, under the immediate orders of the War Department, as issued through the Adjutant General's Office; but Department and Army commanders are desired to exercise a supervision over them, as coming within the limits of their Departments, and to make any reports to this office concerning them which may be deemed advisable.

6. If it is desired to put any of the volunteer recruits obtained under this act into service as substitutes before or after draft, they must be sent, without expense to the Government, by the recruiting agent to the district in which the principal is enrolled, and there be mustered in by the Provost Marshal, who will issue the proper substitution papers.

7. It is made the duty of commanding officers to afford to recruiting agents all such facilities as they can provide, without detriment to the public service, and to prevent recruiting by unauthorized parties.

By order of the Secretary of War:

E. D. TOWNSEND,

Assistant Adjutant General.

THE STATE OF DELAWARE IN ACCOUNT WITH THE UNITED STATES FOR TROOPS.

DEBTOR.

To quota under calls of 1861.....	3145
“ “ 2d July, 1862.....	1720
“ “ 300,000 nine months' men, 1,720, reduced to 3 years standard.....	430
“ “ February, 1864, 500,000.....	2463
“ “ 14th March, 1864, 200,000.....	985
Total.....	8743

CREDITOR.

By men furnished under calls of 1861.....	1763
“ “ “ 2d July, 1862.....	2325
“ “ “ for 300,000 nine months' men 1,799, reduced to 3 years standard.....	450
“ Recruits for all arms to January 1, 1864.....	292
“ Colored troops to January 1, 1864.....	304
“ Enlistments from May 26, to Dec. 31, 1863.....	931
“ “ “ 1st to 31st January, 1864.....	200
“ “ “ 1st to 29th February, “.....	269
“ “ “ 1st to 31st March, “.....	78
“ “ “ 1st to 30th April, “.....	48
“ Draft of 1863.....	845
“ Re-enlistments to April 15, 1864.....	404
“ Enlistments from 1st to 31st May, 1864.....	20
“ Deficiency, July 1, 1864.....	814

8743

DEBTOR.

1864. July 1, Deficiency.....	814
“ “ 18, quota for 500,000.....	2445
	3259

CREDITOR.

1864. By draft of May and June, 1864, up to 20th July, 1864, as follows:	
Held to service,.....	68
Furnished substitutes,.....	18
Paid commutation,	923
Deficiency, July 20,.....	2250
Total.....	3259

NOTE.—The deficiency of July 20, 1864, (2,250) is subject to further credits, as follows: All persons substituted since that date; persons already drafted who may yet procure substitutes, pay commutation, or be held to service, and all enlistments from Delaware in the navy since April 1, 1861.

Mr. Pratt, Clerk of the Senate, *pro tem.*, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in a joint resolution referring the Governor's Message to a joint committee of the House and Senate, and that the Senate had appointed on said committee Messrs. Saulsbury, Belville and Hitch.

On motion of Mr. Bewley,

The Joint Resolution of the Senate, just received,

Was read.

And,

On his further motion,

Concurred in,

And Messrs. Williams, Bewley, Allen, Gemmill, and Paxson were appointed said committee on the part of the House.

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

On motion,

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

FRIDAY, July 29, 1864—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion,

The House adjourned until 8 o'clock and 30 minutes on Monday evening next.

MONDAY, August 1, 1864—8.30 o'clock, P. M.

The House met pursuant to adjournment.

The roll being called, there were present,

Messrs. Fisher, Horsey, Raughley, Slay, Waples, Watson, Williams, and Mr. Speaker—8.

There not being a quorum,

On motion,

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

TUESDAY, August 2, 1864—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

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

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

On motion of Mr. Bewley,

The House adjourned until 3 o'clock and 30 minutes this afternoon.

SAME DAY—3.30 o'clock, P. M.

The House met pursuant to adjournment.

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

"An act to amend the act entitled 'An act appointing commissioners of the Great and Beach Marshes,' passed at Dover, February 11th, 1864."

Mr. Gemmill offered a joint resolution of thanks to the loyal and patriotic women of Delaware,

Which,

On his motion,

Was read.

Mr. Gemmill moved,

That the joint resolution be adopted.

Mr. Bewley moved,

That the consideration thereof be postponed until 11 o'clock to-morrow morning.

On the question, "Shall the consideration of the joint resolution be postponed until 11 o'clock to-morrow morning?"

Mr. Gemmill called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Allen, Bewley, Fisher, Gootee, Horsey, Raughley, Scribner, Slay, Waples, Williams, and Mr. Speaker—11.

Nays—Messrs. Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, Stubbs, Watson, and Whitby—9.

So the question was decided in the affirmative,
And the consideration of the joint resolution postponed.

Mr. Bewley moved,

That the House do now adjourn until 10 o'clock and 30 minutes to-morrow morning.

Mr. Paxson moved,

To amend the motion by striking out 10 o'clock and 30 minutes and inserting 7 o'clock and 30 minutes.

The question being on the motion of Mr. Bewley to adjourn until 10 o'clock and 30 minutes to-morrow morning,

Mr. Bewley called for the yeas and nays,

Which, being taken, were as follows :

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

Nays—Messrs. Curtis, Duncan, Gemmill, Hayes, Lattomus, Paxson, and Whitby—7.

So the question was decided in the affirmative,

And the House adjourned until 10 o'clock and 30 minutes to-morrow morning.

WEDNESDAY, August 3, 1864—10.30 o'clock, A. M.

The House met pursuant to adjournment.

Mr. Waples, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Watson,

Obtained leave to introduce a bill entitled,

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

Which,

On motion of Mr. Waples,

Was read.

Mr. Allen offered a joint resolution of inquiry in relation to the enlistment of negroes in this State into the service of the United States,

Which,

On his motion,

Was read and

Adopted.

Ordered to the Senate for concurrence.

Mr. Gemmill moved,

That the Joint Resolution of thanks to the loyal and patriotic women of Delaware,

Be taken up for consideration.

Mr. Gemmill moved,

That the joint resolution be adopted.

Mr. Allen moved,

That the further consideration of the joint resolution be postponed until the second Tuesday of September next.

On the question, "Shall the Joint Resolution be postponed until the second Tuesday of September next?"

Mr. Gemmill called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Allen, Fisher, Horsey, Raughley, Scribner, and Waples—6.

Nays—Messrs. Curtis, Duncan, Gemmill, Hayes, Paxson, Stubbs, Watson, Whitby, and Mr. Speaker—9.

So the question was decided in the negative,

And the motion was

Lost.

The question recurring on the motion of Mr. Gemmill to adopt the resolution,

Mr. Williams moved,

To postpone the consideration thereof until next Tuesday, at 10 o'clock and 30 minutes, A. M.

On the question, "Shall the consideration of the joint resolution be postponed until next Tuesday, at 10 o'clock and 30 minutes, A. M.?"

Mr. Gemmill called for the yeas and nays,

Which, being taken, were as follows :

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

Nays—Messrs. Curtis, Duncan, Gemmill, Hayes, Paxson, Stubbs, Watson, and Whitby—8.

So the question was decided in the negative,

And the motion was

Lost.

The question again recurring on the motion of Mr. Gemmill to adopt the resolution,

Mr. Duncan called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Curtis, Duncan, Gemmill, Hayes, Paxson, Watson, and Whitby—7.

Nays—Messrs. Allen, Fisher, Horsey, Raughley, Scribner, Stubbs, Waples, Williams, and Mr. Speaker—9.

So the question was decided in the negative,

And the motion was

Lost.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House Joint Resolution of inquiry in relation to the enlistment of negroes in this State into the service of the United States, and returned the same to the House.

Mr. Williams offered a joint resolution adjourning the two Houses of the General Assembly over until Tuesday morning, the 9th inst., at 10 o'clock, A. M.,

Which,

On his motion,

Was read, and

Adopted.

Ordered to the Senate for concurrence.

Mr. Martin, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House joint resolution adjourning the two Houses of the General Assembly over until Tuesday morning, the 9th inst., at 10 o'clock, A. M., and returned the same to the House.

On motion,

The House adjourned until Tuesday, the 9th inst., at 10 o'clock, A. M., in pursuance of the joint resolution.

TUESDAY, August 9, 1864—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Waples,

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

Was read a second time by its title.

And,

On his further motion,

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

When,

Further on his motion,

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

Passed the House.

Ordered to the Senate for concurrence.

Mr. Duncan presented the account of Henry Eckel with the House of Representatives,

Which,

On his motion,

Was read and referred to the Committee on Accounts.

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

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

Mr. Allen offered a joint resolution appointing Zadoek L. Butler to take charge of the Legislative chambers.

Which,

On his motion,

Was read and

Adopted.

Ordered to the Senate for concurrence.

On motion,

The House adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The Senate met pursuant to adjournment.

Samuel M. Harrington, Jr., Esq., Secretary of State, being admitted, presented a communication from his Excellency, the Governor, in response to the joint resolution of the two Houses of the 3d instant.

On motion of Mr. Allen,

The communication from His Excellency,

Was read, as follows :

ENLISTMENT OF COLORED TROOPS.

STATE OF DELAWARE, EXECUTIVE DEPARTMENT, }
DOVER, August 9, 1864. }

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

The resolution of the General Assembly, passed August 3d, 1864, "requests the Governor to furnish to the General Assembly, at his earliest convenience, all the information in his possession in relation to the enlistment of negroes from this State into the military service of the United States. What proportion of them were slaves and what free. Whether such enlistments were made by officers acting under authority of the United States or by authority of this State. If under authority of the United States, whether it was at the solicitation of the State authorities or any individual of the State ; and, also, whether all negroes so enlisted have been accredited to the State and districts where they resided at the time of enlistment."

While I am unable to ascertain how information upon the subject inquired of in the above resolution can possibly aid in deciding whether bounties shall be offered and other necessary measures taken

to fill the present quota of this State, yet appreciating the lively interest now taken by the General Assembly in enlistments of colored troops in the army of the United States, I take pleasure in communicating all the information in my possession.

The authority by which such enlistments have been made in the State of Delaware will be found in certain orders of the President of the United States, and of the Executive of this State, copies of which are herewith transmitted. These orders had my unqualified approbation. Expressing my own views, it is not within my province to say what are the views of the other authorities of the State upon the subject. The General Assembly has not expressed itself officially in regard to the matter, and I am therefore at a loss to inform you whether the action referred to meets their approbation. I can, however, safely say that the authority was not granted upon their solicitation. While I am not aware that any particular individuals in the State solicited the authority aforesaid, it is not within my recollection that any truly loyal citizen has not approved such authority, or the enlistments made in pursuance thereof, nor have I heard any citizen, whether loyal or disloyal, object to the said colored troops being credited to the quota of troops required of this State.

With reference to the other inquiries contained in the resolution of the General Assembly, to wit: "What proportion of the enlisted negroes were slaves and what free; and, also, whether all negroes so enlisted have been accredited to the State and district where they resided at the time of enlistment," I beg leave to inform the General Assembly that it is not the duty of the Executive, or of any State officer, to keep official records of this character except to faithfully see that the State receives all the credits to which she is properly entitled. This duty has been carefully performed by the Executive, who, at the commencement of this special session of the General Assembly, submitted the account of the State with the United States for troops. This statement is now before the General Assembly and invites their criticism. While I believe that every soldier that ought to be credited to Delaware has been included in the said account, yet if it is within the knowledge of the General Assembly that any, whether white or colored troops, have not been so credited, I will take great pleasure in immediately securing from the proper department of the General Government any such further credit. I am very sure that had the General Assembly adopted my recommendation, made to them at their adjourned session in January last, and provided proper bounties, many colored persons would have enlisted in this State and been credited to our quota who were attracted to other States by the bounties offered. The unfriendly legislation towards this class of our people and the refusal to give them bounty, have deprived us of many credits, and now impose a heavier burden upon our white citizens.

For any information respecting the subdivision of the quota of the State or the sub-district to which any persons have been credited, or

to the character, personal description, or date of muster of any enlisted persons, I beg leave to refer the General Assembly to the Provost Marshal of this State. It is not in my power officially to inform the General Assembly how many of the enlisted negroes were free and how many were slaves; nor have I either the right to decide or the facts upon which to decide their condition, as to freedom or slavery. Every one of them was presumed to be free at the date of their enlistments, unless it can be shown to a commission already appointed to determine the question that at the time of enlistment they were held to service under the law of this State. Their present condition in the army of the Union, whatever it may have been previous to enlistment, is that of freemen. The number of slaves enlisted will be disclosed to the aforesaid commission and ascertained by them when applications for compensation are made.

I will further add, for the information of the General Assembly, that at the request of the Executive of this State, Messrs. Manaen Gum, Albert Curry and Thomas B. Coursey have been appointed the commission already referred to, to value any slave enlisted by virtue of the aforesaid order. This commission will soon be in session at Georgetown. Upon claim made and title proved before them, every loyal person will receive full and fair compensation. But there is no just reason why persons who have withheld their voice, vote, influence and weight of character from a support of the vital measures which the Government has adopted to preserve its existence and to suppress a wicked and causeless rebellion, and who have been in sympathy with traitors in arms against the Government, should receive such compensation.

I would also add, for the information of the General Assembly, that in view of the fact of the near approach of the time to make a draft, immediate action to fill the quota of the State is indispensable. The people of the State, who know that, with proper State aid given in time, they can readily fill the quota and discharge their obligations to the Government, are growing restless at the delay on the part of those, their public servants, who alone have the power to make the necessary provision. It is in view of these facts that I urge upon the General Assembly immediate action in the premises.

WILLIAM CANNON.

WAR DEPARTMENT, ADJUTANT GENERAL'S OFFICE, }
WASHINGTON, D. C. Oct. 3d, 1863. }

[GENERAL ORDERS, No. 329.]

WHEREAS the exigencies of the war require that colored troops should be recruited in the States of Maryland, Missouri and Tennessee, it is ordered by the President,

That the Chief of the Bureau for organizing Colored Troops shall establish recruiting stations at convenient places within said States, and give public notice thereof, and be governed by the following regulations:

1st. None but able-bodied persons shall be enlisted.

2d. The State and County in which the enlistments are made shall be credited with the recruits enlisted.

3d. All persons enlisted into the military service shall forever thereafter be FREE.

4th. Free persons, and slaves with the written consent of their owners, and slaves belonging to those who have been engaged in, or given aid and comfort to the rebellion, may be now enlisted; the owners who have not been engaged in, or given aid to the rebellion, being entitled to receive compensation as hereinafter provided.

5th. If within thirty days from the date of opening enlistments, notice thereof and of the recruiting stations being published, a sufficient number of the description of persons aforesaid to meet the exigencies of the service should not be enlisted, then enlistments may be made of slaves without requiring consent of their owners, but they may receive compensation as herein provided for owners offering their slaves for enlistment.

6th. Any citizen of said States who shall offer his or her slave for enlistment into the military service, shall, if such slave be accepted, receive from the recruiting officer a certificate thereof, and become entitled to compensation for the service or labor of said slave, not exceeding the sum of three hundred dollars, upon filing a valid deed of manumission and of release, and making satisfactory proof of title. And the recruiting officer shall furnish to any claimant a descriptive list of any person enlisted and claimed under oath to be his or her slave, and allow any one claiming under oath that his or her slave has been enlisted without his or her consent the privilege of inspecting the enlisted men for the purpose of identification.

7th. A board of three persons shall be appointed by the President to whom the rolls and recruiting lists shall be furnished for public information, and on demand exhibited to any person claiming that his or her slave has been enlisted against his or her will.

8th. If any person shall, within ten days after the filing of said rolls, make a claim for the service of any person so enlisted, the board shall proceed to examine the proof of title, and, if valid, shall award just compensation, not exceeding three hundred dollars, for each slave enlisted belonging to the claimant, and upon the claimant filing a valid deed of manumission and release of service, the board shall give the claimant a certificate of the sum awarded which, on presentation, shall be paid by the Chief of the Bureau.

9th. All enlistments of colored troops in the State of Maryland, otherwise than in accordance with these regulations, are forbidden.

10th. No person who is or has been engaged in the rebellion against the Government of the United States, or who in any way has

given or shall give aid or comfort to the enemies of the Government, shall be permitted to present any claim or receive compensation for the labor or service of any slave, and all claimants shall file with their claims an oath of allegiance to the Government of the United States. By order of the President,

(Signed,)

E. D. TOWNSEND,

Assistant Adjutant General.

WAR DEPARTMENT, WASHINGTON CITY, }
October 26th, 1863. }

ORDERED, That the provisions of General Order, No. 329, in relation to the enlistment of colored troops be and they are hereby extended to the State of Delaware.

Recruiting stations will be established, and recruiting conducted under the direction of the Governor of Delaware, subject to the order of this Department.

By order of the President,

(Signed,)

E. D. TOWNSEND,

Assistant Adjutant General.

STATE OF DELAWARE, EXECUTIVE DEPARTMENT, }
DOVER, December 4, 1863. }

In conformity with the above order, and to carry the same into effect, recruiting stations are hereby established at the following places, to wit:

At Wilmington, in New Castle County.

At Smyrna, in Kent County.

At Milford, in Kent County.

At Georgetown, in Sussex County.

Enlistments will hereafter be opened and recruiting officers designated to conduct the same.

By order of his Excellency

WILLIAM CANNON,

Governor of Delaware.

SAMUEL M. HARRINGTON, Jr.,

Secretary of State.

STATE OF DELAWARE, EXECUTIVE DEPARTMENT, }
DOVER, December 11, 1864. }

In conformity with General Orders, No. 329, War Department, enlistments of colored troops within the State of Delaware, are this day opened.

Major Lorin Burritt is hereby designated as a recruiting officer to conduct the said enlistments.

* * * * *

By order of His Excellency,

WILLIAM CANNON,

Governor of Delaware.

SAMUEL M. HARRINGTON, Jr.,

Secretary of State.

On motion of Mr. Williams,

The communication just read was referred to the committee raised on the Message of the Governor at the assembling of this special session.

The Speaker presented the petition of sundry citizens of Wilmington, praying the General Assembly to pass an act appropriating five hundred thousand dollars to relieve the people of this State from the draft, or authorizing the City Council of Wilmington to borrow and appropriate one hundred and fifty thousand dollars for the relief of persons liable to draft in the City of Wilmington.

Which,

Was read.

And,

On motion of Mr. Bailey,

Referred to the Committee on the Message of the Governor.

On motion,

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

WEDNESDAY, August 10, 1864.—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Waples in pursuance of previous notice,

Asked,

And,

On motion of Mr. Fisher,

Obtained leave to introduce a bill entitled,

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

Which,

On motion of Mr. Waples,

Was read.

And,

On the further motion of Mr. Waples,

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

And the bill was so read.

Mr. Duncan, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Fisher,

Obtained leave to introduce a bill entitled,

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

Which,

On motion of Mr. Duncan,

Was read.

Mr. Duncan presented sundry documents in favor of the passage of the bill just read,

Which,