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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES

OF THE
STATE OF DELAWARE,

AT A
SESSION OF THE GENERAL ASSEMBLY,

COMMENCED AND HELD AT DOVER,

ON TUESDAY THE SECOND DAY OF JANUARY,

In the year of our Lord one Thousand Eight Hundred and Forty-nine.

AND OF THE
INDEPENDENCE OF THE UNITED STATES OF AMERICA,
THE SEVENTY-THIRD.

WILMINGTON, DEL.:
EVANS AND VERNON, PRINTERS.

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Delaware Historical Soc.
Oct 1922.

JOURNAL
OF THE
House of Representatives
OF THE
STATE OF DELAWARE.

At a Session of the General Assembly, convened and held at Dover, on Tuesday, the second day of January, in the year of our Lord one thousand eight hundred and forty-nine, and of the Independence of the United States of America, the seventy-third,

Messrs. Edward G. Bradford, Benjamin Caulk, Levi G. Cooch, Edward T. Bellah, James L. Miles, Thomas M. Rodney and Elias S. Naudain, of New Castle County; and

Messrs. Daniel Cummins, Edward W. Wilson, Joseph P. Comegys, Paris T. Carlisle, Henry Taylor, James Postles and John A. Collins, of Kent County; and

Messrs. Samuel D. Vaughan, William Tunnell, John Marshall, Philip C. Jones, John Martin and Nathaniel Tunnell, of Sussex County, appeared and took their seats.

The foregoing members being all present, the returns of the election for Representatives of the several counties of the State were read.

By the returns of the officers of New Castle County, appointed by law Judges of Elections, it appeared that on the second Tuesday of November last, at the several and respective places specified by law for holding the elections in and for said County, the following persons were chosen to represent the said County, in the House of Representatives of the State of Delaware, viz: Edward G. Bradford, Benjamin Caulk, Levi G. Cooch, Edward T. Bellah, James L. Miles, Thomas M. Rodney and Elias S. Naudain.

By the returns of the officers of Kent County, appointed by law Judges of Elections, it appeared that on the second Tuesday of November last, at the several and respective places specified by law for holding the elections in and for the said County, the following persons were chosen to represent the said County in the House of Representatives of the State of Delaware, viz: Daniel Cummins, Edward W. Wilson, Joseph P. Comegys, Paris T. Carlisle, Henry Taylor, James Postles and John A. Collins.

By the returns of the officers of Sussex County, appointed by law Judges of Elections, it appeared that on the second Tuesday of November last, at the several and respective places specified by law for holding the elections in and for said County, the following persons were chosen to represent the said County in the House of Representatives of the State of Delaware, viz: Samuel D. Vaughan, William Tunnell, John Marshall, Philip C. Jones, John Martin and Nathaniel Tunnell, and that Thomas Robinson of A., and William S. Hall, each received an equal number of votes.

On motion of Mr. Comegys,

The House proceeded to elect by ballot a Speaker, whereupon, Daniel Cummins, Esq. was elected.

The Speaker, after an appropriate expression of his sense of obligation for the honor conferred upon him by the House, was then qualified by the Hon. Samuel M. Harrington, associate Judge of the State of Delaware, according to the Constitution of the State, and the Act of Congress, entitled "An act to regulate the time and manner of administering certain oaths."

The members present were then in like manner duly qualified.

On motion of Mr. Comegys,

The House proceeded to ballot for a Clerk, whereupon Edward Gibbons was duly elected, sworn and took his seat at the Clerk's table.

On motion of Mr. Cooch,

The House proceeded to ballot for Sergeant-at-Arms and Door-keeper, and William W. Hudson was duly elected and qualified.

On motion of Mr. Comegys,

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

Which was done.

Mr. Lofland, Clerk of the Senate, being admitted, informed the House of the organization of the Senate, and that it was ready to receive any communication from the House.

And he withdrew.

On motion of Mr. Collins,

The House adjourned until three o'clock this afternoon.

Same Day, P. M.

The House met pursuant to adjournment.

Mr. Rodney offered the following resolution, which,

On his motion,

Was read as follows:—

Resolved, That a Committee of three on the part of the House, be appointed to act jointly with a like committee on the part of the Senate, to wait on His Excellency, the Governor, and inform him that a quorum of both Houses of the Legislature have convened and duly organized, and are ready to receive any communication he may see proper to make.

Mr. Cooch moved

That the resolution be adopted,

Which motion

Prevailed.

Whereupon,

Messrs. Rodney, Wilson and Jones were appointed said committee.

Ordered to the Senate for concurrence.

Mr. Caulk then offered the following resolution, which,

On his motion,

Was read as follows:—

Resolved, That Columbus P. Evans be allowed the privilege of a seat on the floor of the House in order to report its proceedings.

On motion of Mr. Cooch,

The resolution was

Adopted.

Mr. Wilson then offered the following resolution, which,

On his motion,

Was read as follows :—

Resolved, That the Clerk of the House of Representatives be authorized to furnish to the members of the House, one newspaper of their choice during the session.

On motion of Mr. Wilson,

The resolution was

Adopted.

Mr. Lofland, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the joint resolution appointing a committee to wait upon His Excellency, the Governor, and that Messrs. Temple and Turner had been appointed said committee on the part of the Senate.

Mr. Rodney, from the committee appointed to wait on the Governor, reported that the Committee had discharged the duty imposed upon them, and that His Excellency would make a written communication to both Houses in half an hour.

At the expiration of the time specified, Daniel M. Bates, Esquire, Secretary of State, being admitted, presented a written message from His Excellency the Governor, together with sundry papers and documents.

And he withdrew.

On motion of Mr. Cooch,

The communication from His Excellency the Governor, and the accompanying papers were read as follows :

Fellow-Citizens of the Senate,

and of the House of Representatives :

Our profound gratitude is due to the Almighty Ruler of Nations for the condition of unprecedented prosperity and happiness now presented by our beloved country. His beneficent hand has bestowed upon us all the blessings which are essential to the perfect well being of a people. And what should greatly elevate our appreciation of the Divine favor, it is displayed towards us in striking contrast with the calamities which afflict other nations. While civil war, social disorder, pestilence and famine, the usual concomitants of political revolutions, however directed to the most legitimate ends, are desolating so large a portion of Europe, we present the unexampled spectacle of a nation at peace with all the world, enjoying perfect tranquility at home, and realizing all

the benefits which can flow from the wisest system of human laws, combined with pre-eminent natural advantages.

It is gratifying to observe how fully our own State has participated in the progressive prosperity of the Country at large. Indeed, no State of the Union is likely to share more extensively in the benefits resulting from the existing policy of the Federal Government. Having a soil of easy cultivation and great natural fertility, being sparsely populated and lying within easy access of the great depots of commerce, Delaware must of necessity be an agricultural State. So long as the products of the soil constitute our principal articles of export, agriculture must be the controlling interest; the means of support and the source of prosperity to all others. The returning value of the surplus productions of a country, exported to foreign markets, constitutes the general wealth, and in exact proportion as this is augmented, are all the pursuits of industry stimulated, the wages of labor increased and comfort generally diffused. These beneficial influences have been very sensibly felt among us during the past two years, and demonstrate that a liberal commercial policy affording to our staple products an extended market and consequently enhanced prices, is to this State an object of vital interest. Through no other instrumentality can its most important resources be developed, and the State advanced to what its natural advantages indicate to be its true position in wealth and population.

Our present code of laws was framed in much wisdom, and has been long and well tried. Whether more or less perfect in the estimation of others, it is approved by our own people, and has been found upon full experience to answer the substantial purposes of good government.—Whatever amendment it might properly receive in some of its details, no change in any of its radical features would, in my opinion, be agreeable to the popular wish or warranted by sound expediency. Under these impressions I shall content myself in this communication, with suggesting a few legislative provisions which present exigencies seem to require.

Your especial attention is invited to the object of conforming the weights and measures used within the State to the standards established by the United States Government. A complete series of the United States standards has now been delivered for the use of this State, and duplicate sets have been prepared and deposited with the prothonotaries of the several counties, under the provisions of the act of February 18, 1837. These standards have been furnished without cost to the State though at no inconsiderable expense on the part of the General Government. They supply the means, long desired, of effecting a uniformity of weights and measures throughout the whole State, an object so essential to the confidence and integrity of trade. From their adoption we shall also realize the additional advantages resulting from the establishment of a uniform standard throughout the Union; advantages of no small

moment to our mercantile and agricultural classes, in view of the intimate relations in trade which they sustain with the large cities of neighboring States. Our obligations to the General Government as well as very important interests of our own, require that no pains should be spared in effecting and maintaining a strict conformity of all weights and measures with the United States standards. The act of Feb. 18, 1837, which was designed to accomplish this object, needs some revision to render it effectual. By that act the Governor is directed to appoint a commissioner in each county, whose duty it shall be once in every two years, to go through the county for which he is appointed, for the purpose of examining and testing by the county standards deposited in the prothonotary's office, all weights and measures which he shall discover or which shall be brought to him for that purpose. He is directed to seal all true weights and measures, and such as are not true according to the standards, he is to seize and retain; his compensation to be such as the Levy Court of the county may allow. Serious difficulty is encountered in the very first attempt to carry into effect the provisions of this act. The weights and measures in general use having never been adjusted to any uniform standard, an examination of them would probably exhibit a prevailing want of exact conformity to the standards which the State has adopted; and such a result imposes upon the commissioner the unpleasant necessity of seizing and retaining private property to a considerable amount without compensation to the owners, thereby subjecting himself to odium and the law to reproach. No commissioner has been found willing to persevere in the discharge of so disagreeable a duty; and more especially in view of the uncertain character of the compensation provided. Without obtruding upon your attention any suggestion of my own in the way of amendment, I leave it to your sound discretion to adopt such provisions as will best obviate the difficulties in the operation of the existing law and insure its due execution in the future.

I may here mention, that since the last session of the General Assembly there have been received for the use of the State three balances, of various sizes and most elaborate workmanship, prepared for the adjustment of the standard weights and capacity of measures. Being easily liable to injury, and so delicately adjusted as to be rendered wholly useless by the slightest deterioration, it was considered by the agent who was charged by the Government with the duty of putting them up, essential that some permanent arrangement should be immediately made for their preservation and use. Under his direction and with my approval, the Secretary of State has made the best provision for this purpose which the structure of our public buildings will admit of. As considerable expense has been unavoidably incurred, for defraying which no fund was applicable, provision will be necessary for its payment out of the public treasury. In connection with this subject per-

mit me to refer you to a communication from the superintendent of weights and measures, at Washington, herewith transmitted.

The guardianship of those who are incapable of self-protection is one of the first duties and most honorable attributes of a civil government. The State has fully discharged this obligation towards all the unfortunate classes of society except the insane—the most unfortunate of all. Formerly, in the absence of any legal provision in their favor, idiots and lunatics were confined in the public jails, as though they were objects of fear of which society should rid itself, rather than subjects of a tormenting disease, often susceptible of cure and entitled to sympathy and relief. Their removal from the companionship and treatment of felons to the county poor-houses, under acts of 1812–15, has somewhat alleviated the wretchedness of their condition, but is a provision very inadequate to their peculiar necessities. It has been well remarked that “the treatment of insanity is a science.” It requires with the best medical skill, suitable arrangements for the comfort of the patient, trained attention, judicious, persevering kindness, and moral influence. Possessing few or none of these advantages the poor-house can afford but little more than a narrow cell and grated window, where the unhappy maniac is consigned to a fate more dreadful than death, and to which death alone brings relief; hopelessly lost to his friends and a perpetual burden to society. Public sentiment is beginning to respond to the claim which these persons present to our humanity and christian principle, and will only be satisfied by some speedy and effectual measure for their relief. The subject was earnestly pressed upon the Legislature at the session of 1843; but unfortunately, as I think, it was associated with the project of establishing an insane asylum within the State. The measure was referred to a committee of gentlemen eminent for philanthropy and scientific attainment, who in an able report to the succeeding session of 1845, exhibited the present condition of the insane, the obligation of the State to protect and relieve them, and the probable cost of erecting and maintaining a public institution for that purpose. At that session the project was formally abandoned, it being deemed inexpedient, as suggested by a legislative report on the subject, in the then state of the public finances to incur the expense requisite for its execution. Deeply should I deplore this conclusion if I supposed it must debar the insane poor from the relief imperatively demanded by their necessities and our obligations. But such need not be its effect. The Insane Asylum of Pennsylvania is easily accessible, presenting advantages certainly not inferior to any which could be afforded by a like institution of our own, and to be obtained at far less expense. A provision corresponding with such as has already been made for the indigent blind and deaf and dumb, will bring the insane of our State within the influence of all that the philanthropic efforts of the age under the

Divine blessing can accomplish for their comfort and restoration. I confidently commend the subject to your humane consideration.

I submit it to you, gentlemen, whether the present provisions relating to the county assessments do not needlessly embarrass the right of suffrage. The Constitution requires that an elector shall have paid a County tax within two years which shall have been assessed more than six months before the election at which he votes. In directing the mode of assessing and collecting the taxes, it should be a cardinal object with the Legislature to afford to the humblest citizen the amplest facility for qualifying himself as an elector within the requirement of the Constitution. But it would really seem to be the policy of present laws to multiply restrictions upon the right of suffrage. The integrity and vigilance of numerous public officers—of assessors, levy court commissioners, clerks of the peace, and collectors, must concur to perfect the tax qualification. No tax can be paid after it has been returned and allowed by the Levy Court as delinquent, even though in fact the delinquency may have been the result of the collector's negligence; and as if this were not a sufficient restriction the delinquent's name is directed to be immediately stricken from the assessment list, so that he becomes absolutely debarred from paying a tax for the succeeding year, and his future right is exposed anew to all the uncertainties which may result from inattention on the part of assessors. It may be said that the citizen who properly values his right of suffrage, will see to its security by procuring himself to be assessed within the time prescribed, and by punctually paying his public dues. But such an exaction is unreasonable, and would disfranchise half of our taxable population. It is the duty of the officers charged with the assessment and collection of the taxes, to look after the taxable, and not of the taxable to find the officers, which for the most part is impracticable, since they keep no public offices; nor is there any place where they are bound to be accessible. It is, therefore, of necessity that persons depend in this matter upon the attention of the assessors and collectors, and are so generally liable to lose their qualification as electors through the neglect of those officers. Restrictions of the kind referred to may possibly obviate some inconveniences; but even if it were so, no consideration of convenience can outweigh the importance of an unembarrassed, universal right of suffrage. It should be within the power of every citizen at any time to cause himself to be assessed and to pay his tax, so that he may be exempted from all hazard of becoming disfranchised, even temporarily, through the negligence or corruption of a public officer.

The extreme necessity of some measure for the safe keeping of our public arms and accoutrements, obliges me, reluctantly, to reiterate what some of my predecessors have already urged upon this subject. Many of these arms are supposed to be irrecoverably lost, and in the present condition of the state arsenal those which remain are neither secure

from depredation, nor can they be preserved in a condition fit for use. We may indeed well hope that no emergency will ever require their use; yet prudence and our obligations to the General Government, which has furnished them at great expense, render it a duty to incur the trifling cost of their safe-keeping. In the absence of any adequate provision for this purpose, I have deemed it expedient to decline receiving the quota of public arms due to the State for the year 1848, leaving them in the better custody of the United States Government, subject to the order of this State when they may be required.

One of my predecessors also reminded the Legislature of the perishable condition of the Revolutionary papers filed in the office of the Secretary of State. These papers chiefly consist of the pay-rolls and muster-rolls of the Delaware troops while serving in the continental army during the war of the Revolution. They are much torn and defaced by frequent examination, and some are becoming illegible through age. Resort is still had to them for proof of revolutionary service in support of pension claims, for which purpose they are treated almost as essential evidence by the commissioner of pensions. I recommend that provision be made for having them transcribed in a suitable volume, so as to perpetuate, before it entirely fades away, the evidence they furnish of the participation of our fathers in the glorious struggle for American freedom. It is a duty we owe to the fame of our State, and to the memory of those who perilled their lives to obtain the liberties we enjoy.

The last General Assembly, by certain resolutions directed the Governor to appoint a commissioner to act in conjunction with like commissioners on the part of the States of Pennsylvania and Maryland, for the purpose of replacing the lost boundary stone which originally stood at the north-western corner of this State. Copies of the resolutions were immediately transmitted by me to the executive authority of Pennsylvania and Maryland, with information of my readiness on behalf of this State to carry them into effect. I have to inform you that for want of the necessary action of the Pennsylvania Legislature the object of these resolutions has not been accomplished. As it could be accomplished only by a joint commission on the part of the States interested, I have deemed it unnecessary to appoint a commissioner for Delaware, until apprised of the concurrence of the State of Pennsylvania in the proposed measure. For your further information I communicate copies of a correspondence with the late Governor of that State.

In compliance with the requests therein contained I present to you a communication from the Hon. Joseph C. Hornblower, President of the New Jersey Historical Society, requesting for the use of the library of that society copies of our laws and public documents; also a communication to the same purpose from the State Librarian of Indiana.

Notwithstanding the Legislature at its last session declined to comply with a like request on behalf of the public library of Harvard University, I cannot but hope for these applications a better reception. Our public documents do not make more than three moderate volumes biennially, and are published in great abundance for gratuitous distribution. Large numbers are now stowed away as useless lumber in the State-house cellars. To deny a few copies to the respectful application of public institutions engaged in contributing to the science and literature of the country, hardly comports with the dignity of the State and the enlightened, liberal spirit of the age,—not to speak of the obvious advantage which is lost of extending the knowledge of our laws and institutions.

I am requested to call attention to a communication heretofore presented from M. Alexander Vattemare, soliciting the co-operation of this State in his system of International Exchanges. An accompanying printed report on the subject contains “a developement of the plan, showing the mode in which the operations of exchange are conducted, its expenses, the sources upon which it relies for revenue, and the advantages to be expected from its full realization.” The grand object of the scheme, as set forth by its distinguished projector is “to give to the intellectual treasures of the civilized world the same dissemination and equalization which commerce has already given to its material ones; to place at the disposal of every nation all the sources of intellectual culture and of refinement of taste which are possessed by the most favored of its fellows; and to accomplish this desirable object by means which shall open, foster and cement relations of amity and good fellowship between the parties concerned.” To the promotion of this object, certainly not an unimportant one, M. Vattemare has devoted many years of untiring exertion, sacrificing his time and fortune, without any other remuneration than that which flows from the exercise of the most enlarged philanthropy. His scheme has gained the sympathy and co-operation of the most gifted minds of both Continents. Congress, by a recent act, has adopted the system of International Exchanges, and to facilitate its operations has exempted from the payment of duties, all books and other articles imported under it, whether for the use of the Federal or State Governments. A like cordial support has been yielded to it by many of the States of the Union, including New York, Massachusetts, Maine, Vermont, New Jersey, Pennsylvania, Maryland and Virginia. The high appreciation of the system thus manifested, the importance of its object, and the disinterested spirit of its author concur to claim for it your courteous attention. It is well worthy your consideration whether this State should not embrace the opportunity now presented of participating in advantages of such acknowledged value.

I present for your consideration the accompanying memorial of the National Medical Convention, held at Philadelphia, in May, 1847, so-

liciting from the Government of this State, in common with those of the other States, the adoption of measures for a general registration of births, marriages and deaths; also, a written proposal by Messrs. Smith and Wistar, map publishers of Philadelphia, to publish a new and complete map of the State, made from original and accurate surveys, and showing not only the Towns and Streams, but also all Roads, Schools, Churches, Mills, &c., provided the State shall become a subscriber, at the publication price, for such a number of copies as will afford a sufficient patronage to warrant the undertaking.

I transmit for the information of the Legislature, a copy of a report made to me by James C. Mansfield, Martin W. Bates and Daniel Corbit, Esquires, agreeably to an Act of the General Assembly appointing them commissioners to carry into effect on the part of the State, a certain arrangement between the "Philadelphia, Wilmington and Baltimore Railroad Company" and its creditors. It appears from the Report, that the arrangement referred to has been fully completed.

It became my duty during the past year to offer on behalf of the State, by a proclamation under the great seal, a reward of one hundred dollars for the apprehension and conviction of a person, at the time unknown, charged with the commission of a capital crime of the most atrocious character. From accompanying papers it will be perceived that the offender, Perry Bailey, negro, was apprehended by Mr. David L. Moody: that he has been duly tried and convicted, and is now under sentence of death. It therefore devolves upon the Legislature to make the necessary appropriation for payment of the reward.

There are deposited in the State library, subject to the disposal of the Legislature, eighteen specimens of the finest wools of Europe, received from the United States Commissioner of Patents. These wools are designed to serve as standards for wool growers in the State. They were carefully selected under the direction of the Patent Office from the most valuable fleeces in Silesia, Saxony, and other parts of Europe, and are considered superior to any before brought to this country.

By request, I lay before you, copies of resolutions passed by the Legislatures of several of the States on various subjects; also, a communication from John D. Russ, Esq., Corresponding Secretary of the New York Prison Association, soliciting the purchase of copies of the Report of that Association and one from the State Department of Louisiana, recommending to the several States a system for collecting the minute statistics of the country. I also transmit a schedule of books and documents received for the use of the State since the last session and deposited in the State library.

In taking leave of you, gentlemen, I cannot forbear expressing my deep sense of the solemn responsibilities which you are called to assume. Interests of great magnitude and number are confided to your control, and must be materially effected for good or ill by your determinations.

I may not err in saying that you hold the most important functions created by the Constitution. However essential the judicial and executive departments of government are to the political organization, their province is only to administer and carry into effect your enactments, so far as those enactments are in harmony with the paramount authority of the Constitution. But what shall be the character of our laws and their influence upon the well being of society, depends exclusively upon you. Coming fresh from the people, whose common welfare it is your sole concern to advance, familiar with their wishes and various necessities, you bring to the high duties assigned you the most important qualifications, as also, I doubt not, the most sincere anxiety, to discharge them with fidelity and success. May the Spirit of all Wisdom preside over your deliberations and direct them to results which shall promote the lasting prosperity and happiness of your constituents.

WILLIAM THARP.

Dover, January 2, 1849.

COMMUNICATION

FROM THE SUPERINTENDENT OF WEIGHTS AND MEASURES.

OFFICE OF WEIGHTS AND MEASURES,

WASHINGTON, ——— }

To his Excellency

The Governor of the State of Delaware :

SIR :—I have the honor to inform you that three balances, one large, one medium size, one small, being those intended for the adjustment of standard weights and capacity measures, to be furnished to your State, under act of Congress, are now ready for delivery, and would respectfully ask your directions as to the time and place of delivery, and as to the person who may be duly authorized by you to receive them. The largest balance is contained, with its appendages, in five boxes about 5½ feet long, and from 3½ feet to 10 inches wide, and 20 to 10 inches deep. It will require a space of about 6 by 8 feet to set it up properly, and should be placed upon a firm foundation on a ground floor or partition built of brick or other masonry. I append a drawing of a small building, which would be appropriate for the preservation and use of the standards of weights and measures, which have been, or are to be distributed to your State, and would respectfully recommend that such a one might be provided for these elaborate and costly standards. They should at least be preserved in a fire proof building, and placed upon a very firm floor.—When you are prepared to receive the balance, which is now ready for

delivery to you, a person will be sent to set it up and to explain its construction and use to the agent in whose charge you may place it. It would be desirable that a scientific gentleman, connected with some institution of learning in your State, should have the charge of the standards of weights and measures, and of the balances, and that they should only be used under his direction for the adjustment or verification of county or other standards.

By an answer addressed to me at this office, you will oblige

Your's, very respectfully,

A. D. BACHE,
Superintendent of Weights and Measures.

CORRESPONDENCE

Relating to the North Western Boundary Stone.

EXECUTIVE DEPARTMENT,

DOVER, Feb. 16, 1847. }

SIR :—I have the honor to transmit herewith to your Excellency, a copy of certain Resolutions adopted by the General Assembly of Delaware, relative to fixing a Boundary Stone at the place where the several States of Pennsylvania, Maryland and Delaware join each other.

The Legislature of Maryland, as you are no doubt apprized, have adopted Resolutions to the same effect. Upon learning of the concurrence of Pennsylvania, I shall without delay appoint a Commissioner on the part of this State to act in conjunction with like Commissioners from Pennsylvania and Maryland, in carrying the proposed measure into effect.

I have the honor to be,

With great respect,

Your obedient servant,

(Signed,)

WILLIAM THARP.

His Excellency,

FRANCIS R. SHUNK,

Governor of Pennsylvania.

A true copy from the original on file in my office.

D. M. BATES,

Secretary of State.

January 1, 1849.

EXECUTIVE DEPARTMENT,
DOVER, June 26, 1847. }

His Excellency,

FRANCIS R. SHUNK,

Governor of Pennsylvania.

SIR :—At the late session of the General Assembly of the State of Delaware, Resolutions were adopted providing for a Joint Commission on the part of Pennsylvania, Maryland and Delaware, for the purpose of fixing a Boundary Stone at the place where those States join each other. By these Resolutions I was directed to forward to your Excellency a copy of them with the information that this State was prepared to carry them into effect. With this direction I complied immediately ; and not having heard from your Excellency on the subject, I deem it proper respectfully to inquire whether the State of Pennsylvania is prepared to unite in a Commission for the proposed object.

The Resolutions are published on the 226th page of the Pamphlet Laws of this State for the present year, three copies of which were yesterday transmitted to your address, by the Secretary of State.

I have the honor to be,

With great respect,

Your obedient servant,

(Signed,)

WILLIAM THARP.

A true copy from the original on file in my office.

D. M. BATES,

January 1, 1849.

Secretary of State.

EXECUTIVE DEPARTMENT,
DOVER, February 16, 1847. }

SIR :—I have the honor herewith to transmit to your Excellency a copy of certain Resolutions adopted by the General Assembly of this State relative to fixing a Boundary Stone at the place where the several States of Pennsylvania, Maryland and Delaware join each other.

Upon being apprized of the concurrence of the State of Pennsylvania, I shall without delay appoint a Commissioner on the part of Delaware

to act in conjunction with like commissioners on the part of Pennsylvania and Maryland in carrying the proposed measure into effect.

I have the honor to be,

With great respect,

Your obedient servant,

(Signed,)

WILLIAM THARP.

His Excellency,

THOMAS G. PRATT,

Governor of Maryland.

A true copy from the original on file in my office.

D. M. BATES,

Secretary of State.

January 1, 1849.

SECRETARY'S OFFICE,

HARRISBURG, July 27, 1847. }

His Excellency,

WILLIAM THARP,

Governor of Delaware,

SIR:—In consequence of the absence of Governor Shunk for some weeks, and his being confined by sickness to his room for the last two weeks, your communication of the 26th ult., has remained unanswered. I am requested by him to inform you, that on the 31st of March 1846, he transmitted by Message to the Senate and House of Representatives of this State, duplicate copies of sundry Resolutions adopted by the General Assembly of Maryland relative to the removal or destruction of the first Boundary Stone of Mason's and Dixon's line, which should stand at the North Eastern corner of the State of Maryland, at the point where the States of Maryland, Pennsylvania and Delaware join each other. The Legislature of this State, however, adjourned without having taken any action on the subject. The Governor hopes, however, that at the next Session of the Legislature, the measures proper to carry into execution the views of Maryland and Delaware will be adopted.

I have the honor to be, sir,

Your obedient servant,

(Signed)

J. MILLER,

Secretary of Commonwealth.

A true copy from the original on file in my office.

D. M. BATES,

Secretary of State.

January 1, 1849.

Communication from Joseph C. Hornblower, President of New Jersey Historical Society.

NEW JERSEY HISTORICAL SOCIETY, }
NEWARK, May 15th, 1848. }

SIR :—At a meeting of the New Jersey Historical Society, it was made my duty as President of the Association to apply to the Legislatures of the different States, through their Executives, for such action as might place at the disposal of the Society, to be deposited in its library, such published public documents as they might be at liberty to present ; and I would now respectfully introduce the subject to your notice, and solicit for it your attention.

This Society is a public institution, organized under an act of incorporation received from the Legislature of the State, and, for the length of time it has existed, it has made greater progress than is usually realized—has secured for itself a prominent position among kindred associations of the country—is now in a prosperous condition, and its field of usefulness is one possessing much interest for the people generally throughout the Union. Measures have recently been adopted for the permanent establishment and increase of its library, and a desire is felt to secure for it the laws and public documents of all the States, so far as they may be obtained. The Legislature of New Jersey has ever responded cordially to such applications, and the Society in consequence conceives that it can with greater confidence solicit the adoption of measures of reciprocity by the Legislatures of her sister States.

Confident that such interchange of official papers must conduce to a closer union, and diffuse a better and more perfect knowledge of the progress and resources of the different portions of the country, I would earnestly request your influence in furtherance of the project, so far as you may deem its exercise consistent with the interests of your State.

Instructions will be sent to you how packages for the Society may be forwarded, on my being advised that they are ready ; and the publications of the Society, as they appear, will be gratefully transmitted in return, on receiving the necessary directions.

Very respectfully, your's,

JOS. C. HONBLOWER.
President N. J. Hist. Soc.

To the Governor of the State of Delaware.

Communication from John B. Dillon, State Librarian of Indiana, requesting copies of State Documents.

INDIANAPOLIS, June 8, 1848.

To his Excellency

The Governor of Delaware:

SIR :—The undersigned, State Librarian, for the State of Indiana, is

required by law to collect and preserve duplicate copies of the Legislative Messages of the Governors of the several States, and, also, the Reports of the Heads of Departments, and of the Committees of Ways and Means of the respective State Governments.

You, sir, will greatly increase the interest and the value of our State Library, by causing these Documents of your State, to be forwarded, by mail, addressed to the Governor of Indiana.

With great respect,

JOHN B. DILLON.

SCHEDULE

*Of Books and Public Documents received at the Executive Department,
since the last Biennial Session of the General Assembly.*

| | | | | |
|----|--------|---|----|-------|
| 38 | copies | Laws of the U. States, 1st Session, 29th Congress, | 38 | vols. |
| 38 | " | " " 2d Session, 29th Congress, | 38 | " |
| 38 | " | " " 1st Session, 30th Congress, | 38 | " |
| 3 | " | 7th Vol. Senate Doc's. 1st Session, 28th Congress, | 3 | " |
| 3 | " | Executive Documents, vols. 1, 2, 3, 4, Part 1, 4, Part 2, 2d Session, 28th Congress, | 15 | " |
| 3 | " | Senate Documents, vols. 1, 2, 3, 7, 8, 9, 10, Part 1, 10, Part 2, 11, 2d Session, 28th Congress, | 27 | " |
| 3 | " | Reports of Committees, " " | 3 | " |
| 3 | " | Senate Journal, " " | 3 | " |
| 3 | " | House Journal, " " | 3 | " |
| 3 | " | Executive Doc's., 8 vols. 1st Session, 29th Congress, | 24 | " |
| 3 | " | Senate " 9 vols. " " | 27 | " |
| 3 | " | Reports of Committees 4 " " " | 12 | " |
| 3 | " | Senate Journal, " " | 3 | " |
| 3 | " | House Journal, " " | 3 | " |
| 3 | " | Executive Doc's., 4 vols. 2d Session, " " | 12 | " |
| 3 | " | Senate " 3 " " " | 9 | " |
| 3 | " | Reports of Committees, " " | 3 | " |
| 3 | " | Senate Journal, " " | 3 | " |
| 6 | " | House Journal, " " | 6 | " |
| 3 | " | Laws of Maine, 1846, | 3 | " |
| 2 | " | " " 1847, | 2 | " |
| 3 | " | " New Hampshire, 1847, | 3 | " |
| 3 | " | " " June 1848, | 3 | " |
| 1 | " | " Vermont, 1847. | 1 | " |

| | | | | | |
|---|--------|---|---|---|-------|
| 3 | copies | " | Laws of Massachusetts, 1848, | 3 | vols. |
| 2 | " | " | Rhode Island, since January 1, 1846, | 2 | " |
| 3 | " | " | Connecticut, 1847, 2 vols. | 6 | " |
| 3 | " | " | " 1848, " | 6 | " |
| 3 | " | " | New York, 70th Session, 1847, 2 vols. | 6 | " |
| 3 | " | " | " 71st Session, 1848, | 3 | " |
| 3 | " | " | New Jersey, 1847, | 3 | " |
| 3 | " | " | " 1848, | 3 | " |
| 1 | " | " | Pennsylvania, 1848, | 1 | " |
| 1 | " | " | Virginia, 1847-8, | 1 | " |
| 1 | " | " | North Carolina, 1847, | 1 | " |
| 1 | " | " | South Carolina, 1846, | 1 | " |
| 2 | " | " | " 1848, | 2 | " |
| 1 | " | " | Georgia, 1847, | 1 | " |
| 1 | " | " | Florida, 1846-7, | 1 | " |
| 1 | " | " | " 1848, | 1 | " |
| 1 | " | " | Mississippi, 1848, | 1 | " |
| 1 | " | " | Louisiana, 1845, | 1 | " |
| 3 | " | " | " 1847, | 3 | " |
| 3 | " | " | Arkansas, 1846, | 3 | " |
| 2 | " | " | Tennessee, 1848, | 2 | " |
| 2 | " | " | Kentucky, 1847-8, | 2 | " |
| 1 | " | " | Ohio, 1846-7, | 1 | " |
| 1 | " | " | " 1848, | 1 | " |
| 2 | " | " | Indiana, 1847, | 2 | " |
| 2 | " | " | " 1848, | 2 | " |
| 3 | " | " | Illinois, 1847, | 3 | " |
| 2 | " | " | Michigan, 1847, | 2 | " |
| 1 | " | " | " 1848, | 1 | " |
| 3 | " | " | Missouri, 1847, | 3 | " |
| 2 | " | " | Iowa, 1847, | 2 | " |
| 2 | " | " | " 1848, | 2 | " |
| 1 | " | " | Texas, 1846, | 1 | " |
| 2 | " | " | " 1848, | 2 | " |
| 1 | " | " | Cohuela and Texas from 1824 to 1836, | 2 | " |
| 4 | " | " | Wisconsin, 1848, | 4 | " |
| 1 | " | " | School Laws of Pennsylvania, 1848, | 1 | " |
| 1 | " | " | Legislative Journals of New Jersey, 1847, | 2 | " |
| 1 | " | " | " South Carolina, 1847, | 2 | " |
| 1 | " | " | " Iowa, 1848, | 2 | " |
| 1 | " | " | " Kentucky, 1847-8, | 2 | " |
| 1 | " | " | Legislative Reports of " 1847-8, | 1 | " |
| 1 | " | " | " Illinois, 1847, | 1 | " |
| 1 | " | " | Legislative Documents of Virginia, 1847, | 1 | " |
| 1 | " | " | " 1848, | 1 | " |

| | | | |
|----|--------|---|---------|
| 1 | copies | United States Statutes at large, | 8 vols. |
| 2 | " | Revised Statutes of New Jersey, 1846, | 2 " |
| 1 | " | " Michigan, 1846, | 1 " |
| 1 | " | Revised Code of Mississippi, 1848, | 1 " |
| 1 | " | Thompson's Digest of the Laws of Florida, | 1 " |
| 1 | " | Hotchkiss' Statute Law of Georgia, | 1 " |
| 1 | " | Cobb's Analysis of Statutes of Georgia and Forms, | 1 " |
| 1 | " | Journal of the Convention of Wisconsin, 1846, | 1 " |
| 1 | " | " " " 1847-8, | 1 " |
| 1 | " | 25th vol. Maine Reports, | 1 " |
| 1 | " | 13th " New Hampshire Reports, | 1 " |
| 2 | " | 9th and 10th vols. Metcalfe's (Mass.) Reports, | 4 " |
| 1 | " | 18th vol. Vermont Reports, | 1 " |
| 1 | " | 17th and 18th vols. Connecticut Reports, | 2 " |
| 1 | " | 1st, 2d and 3d Denio's (N. Y.) Reports, | 3 " |
| 1 | " | 6th and 7th Hill's (N. Y.) Reports, | 2 " |
| 2 | " | 3d Green's Chancery Reports, (N. J.) | 2 " |
| 3 | " | 1st Spencer's (N. J.) Reports, Part 3d, | 3 " |
| 1 | " | 4th Iredell's Equity Reports, (N. C.) | 1 " |
| 1 | " | 6th and 7th Iredell's (N. C.) Reports, | 2 " |
| 1 | " | 2d Richardson's (S. C.) Reports, | 1 " |
| 2 | " | 3d " " " | 2 " |
| 2 | " | 2d Richardson's Equity Reports, (S. C.) | 2 " |
| 1 | " | 1st Strobhart's (S. C.) Reports, | 1 " |
| 2 | " | 1st Strobhart's Equity Reports, (S. C.) | 2 " |
| 1 | " | 1st Florida Supreme Court Reports, No. 2, | 1 " |
| 1 | " | 1st and 2d Kelly's (Ga.) Reports, | 2 " |
| 1 | " | 9th and 10th Alabama Reports, | 2 " |
| 1 | " | 7th and 10th Smede & Marshall's (Miss.) Reports, | 2 " |
| 2 | " | 8th " " " | 1 " |
| 1 | " | 1st and 2d English's (Ark.) Reports, | 2 " |
| 1 | " | 6th and 7th Humphrey's (Tenn.) Reports, | 2 " |
| 1 | " | 7th Benj. Monroe's (Ky.) Reports, | 1 " |
| 1 | " | 15th and 16th Ohio Reports, | 2 " |
| 1 | " | 17th Blackford's (Ia.) Reports, | 1 " |
| 1 | " | 2d, 3d and 4th Gillman's (Ill.) Reports, | 3 " |
| 1 | " | 1st Douglass (Mich.) Reports, | 1 " |
| 1 | " | 10th Missouri Reports, | 1 " |
| 1 | " | 1st Morris' (Iowa) Reports, | 1 " |
| 1 | " | Gilchrist's Digest of New Hampshire Reports, | 1 " |
| 1 | " | Stevens' History of Georgia, | 1 " |
| 1 | " | 6th and 7th vols. of Wilkes' Narrative of the Exploring Expedition, | 2 " |
| 30 | " | " Hickey's Constitution of the United States," | 30 " |
| 1 | " | Army Register for 1848, | 1 " |
| 1 | " | Message of Governor of Kentucky to the Legislature of 1846 | |

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|---|--------|--|---|--------|
| 1 | copies | Message of Governor of Ohio | " | 1847-8 |
| 1 | " | Special Message of " " | " | " |
| 1 | " | Message and Documents of Gov. of Va. | " | " |
| 1 | " | Message of Governor of Louisiana | " | 1848 |
| 1 | " | Annual Report of the Auditor of Kentucky | | 1846 |
| 1 | " | " " " Ohio | " | " |
| 1 | " | " " " Michigan | " | " |
| 1 | " | 17th Annual Report of Trustees and Vistors of Common Schools to the City Council of Cincinnati | | |
| 1 | " | 28th Annual Report of Controllers of Public Schools in Philadelphia | | 1846 |
| 1 | " | 29th Annual Report of Controllers of Public Schools in Philadelphia | | 1847 |
| 1 | " | 30th Annual Report of Controllers of Public Schools in Philadelphia | | 1848 |
| 1 | " | Annual Report of Commissioners of Common Schools in New Hampshire | | 1848 |
| 1 | " | Annual Report of Regents of the University of N. Y. | | 1847 |
| 1 | " | " " " " " | " | 1848 |
| 1 | " | " " of Penna. Ins. for Deaf and Dumb | | 1847 |
| 1 | " | 15th Annual Report of Penna. Ins. for the Blind | | 1848 |
| 1 | " | 19th " " of House of Refuge, Philada. | | 1846 |
| 2 | " | 20th " " " " " | " | 1848 |
| 1 | " | Annual Report of Eastern Asylum at Williamsburg Va. | | 1846 |
| 1 | " | 3d Annual Report of Prison Association of N. York | | 1847 |
| 1 | " | 23d " " Discipline Society | | 1848 |
| 1 | " | 18th " " of Eastern Penitentiary, Penna. | | 1846 |
| 1 | " | 19th " " " " " | " | 1848 |
| 1 | " | " " " of Western " " | " | 1846 |
| 1 | " | " " of Directors of Maryland Penitentiary | | 1846 |
| 1 | " | Report of Commissioners on Practice and Pleading in N. Y., | | |
| 1 | " | Memorial to Congress in behalf of the Indigent Insane, by Miss D. L. Dix, | | |
| 1 | " | Memorial from the Kentucky Historical Society in relation to a Geological Survey of Kentucky, | | |
| 1 | " | "Pennsylvania System of Prison Dicipline triumphant in France," | | |
| 1 | " | Pennsylvania Journal of Prison Discipline ; vol. 1st in 4 numbers ; vol. 2d in 4 numbers ; and 1st and 2d Nos. of vol. 3d, | | |
| 1 | " | New Constitution of Illinois, | | |
| | | Map of Georgia, | | |
| | | " Missouri, | | |
| | | Geological Map of Massachusetts. | | |

Dover, January 2d, 1849.

WILLIAM THARP.

To His Excellency,

WILLIAM THARP,

Governor of Delaware,

SIR :—The following Resolutions were adopted by the National Medical Convention held at Philadelphia in the month of May last.

“*Resolved*, That it is expedient for this Convention to recommend to, and urge upon, the various State Governments, the adoption of measures for procuring a Registration of the Births, Marriages, and Deaths, occurring in their several populations.

“*Resolved*, That the paper hereto annexed be adopted as the voice of the Convention, be printed, signed by its Officers, and transmitted, under their direction, to all the State Governments of the Union.”

In compliance with the second of the above Resolutions, I have the honor to transmit to you the enclosed Memorial.

Your very obedient servant,

ALFRED STILLE, Sec.

Philadelphia, Dec, 27th, 1847.

Memorial of the National Medical Convention held in Philadelphia, in May, 1847.

The United States National Medical Convention, assembled in the City of Philadelphia in May, 1847, desirous of the promotion of the true and vital interests of the people of their common Country, in all their varied locations, circumstances and conditions, do respectfully recommend to the Governments of the several States of the Union, the adoption of measures for a GENERAL REGISTRATION OF THE BIRTHS, MARRIAGES, AND DEATHS, which may occur within their respective borders.

No effort need here be expended in elucidation of the more ordinary purposes for which such a Registration should be universally adopted, such as proofs of lineage, rights of dower, and bequests of property.—The importance of these cannot but be perceived on the least reflection.

But there are reasons more profound and far reaching, results more important to the welfare and glory of man, obtainable by this measure, which not only justify, but demand its early adoption, and thorough consummation.

There are two facts to be noticed in this connection, which may not be denied :—

First, Upon the circumstances connected with the three important eras of existence, birth, marriage and death, are dependent, to a very great extent, the physical, moral and civil condition of the human family.

Second. A knowledge of these circumstances is necessary for a full comprehension of important means for the certain advancement of the population of States, in prosperity and civilization.

To the political economist and vital statist the laws which regulate and control the lives and destinies of the people of the present, cannot be a subject of indifference;—to the legislator and statesman, ignorance of them is a bar to the full appreciation of their responsibility to the people of the future. The *philosophy of increase of population* is intimately connected with, and dependent upon, the proposed measure, and can be properly learned only from its facts and deductions. In countries longer settled than ours, this science has come to be one of profound importance to those who are called to legislate for the future as well as for the present. For example:—The population of England has increased, as the census prove—and the excess of births over deaths leaves beyond a doubt—in a geometrical progression for forty years, and at a rate by which, if continued, it will double every forty-nine years. Whether the means of subsistence keep pace with that increase, or whether the density of population will, ere long, be too great for its area, are important questions to be decided by their own statesmen.

An increase of population has, however, nothing in it irresistible or inexorable; *it consists in nothing but an increase of the births over the deaths*—and will be suspended if the births cease to maintain the same ratio to the population; and the births may always be reduced rapidly, by retarding the period and the number of marriages, without taking into consideration the increase by immigration. Circumstanced as this country is now, with its millions of unreclaimed acres, its exhaustless resources of subsistence and wealth, in its mountains and valleys, in its mines, rivers and forests, it would be judicious to invite, even with the vast immigration to be expected, rather than discourage, an increase of a native population, by encouraging early marriages, provided that thereby immorality or misery in any form, will not advance with them.

But before we can make any recommendations on this subject, or before we can even intelligently discuss it, we must have a knowledge of the facts as they are. By commencing a Registration now, our successors will be furnished with the necessary material in time for any exigency that may arise.

Conclusive evidence is furnished to us of the value of a well-digested system of Registration for the improvement of the people in their moral and physical condition, and in the length of their lives. From the facts obtained thereby, are deducible the rules and inferences of health, and the sources of disease and premature mortality—many of which need but be known to be avoided. Coincident with improvements in the health and condition of individuals, are increase of years, and advancement in private and public morals, and in the strength and virtue of the State.

Among the first communities to establish a system of Registration of Births, Marriages and Deaths, was Geneva, where it was begun as early as 1549, and has since been continued with great care. The registers are there viewed as pre-appointed evidences of civil rights, and it appears that human life has wonderfully improved since they were kept. The mean duration of life increased more than *five times* from 1550 to 1833 ; with the increase of population, and more prolonged duration of life, *happiness also increased* ; though with advanced prosperity, marriages became fewer and later, and thus the number of births was reduced, a greater number of infants born were preserved, and the number of adults—with whom lies the true greatness of the State—became larger. Towards the close of the 17th century, the probable duration of life was not 20 years—at the close of the 18th century it attained to 32 years—and now it has arrived to 45 years ; while the real productive power of the population has increased in a much greater proportion than the increase in its actual number, and, *Geneva has arrived at a high state of civilization.*

These results, so glorious for individuals, for the community, and for humanity, are derived from the better knowledge and understanding of the science of life and health, the data for which are furnished by the statistics of the Registers.

The information obtained by the Natural History surveys which have been made of many of the States of the Union, is directly interesting only to a very small number ;—while the facts and inferences deducible from a sanatory survey and registration, interest and benefit, directly, the great mass of the people, for all are interested in their personal condition. Thus are produced in them more expanded views of the worth of life, and the necessity for its preservation ; a more thorough appreciation of the importance of purity in the principal sources of its continuance, air and food ; more attention to the comforts of dwellings and clothing, more refined sensibilities, greater energy, and a better regulated state of public and private morals. These results *have been obtained in Geneva.*

In Prussia these measures are attended to in a mode deserving the highest commendation. Every fact relating to the health, lives and condition of the population, is there collected with great care by a central officer at Berlin, and published for the benefit of the people. The most beneficent results have accrued from the admirably arranged statistical returns made for several years past in England. Of more than one large town, but of Liverpool especially, it was ascertained that the mortality was great, and the average age at death of the population low, whereas before, the inhabitants had boasted of their salubrity and longevity. The registration has, to them, truly proved the means of increase of health and years, after removing from their eyes the scales which blinded them to their own destruction.

In many of the European States besides those mentioned, facts in connection with this subject are registered and collated, in the most scientific and systematic manner, and, to use the language of a distinguished American statistician, "whatever we Americans may say to the contrary, the average longevity, in many places, where these measures have been in operation, appears greater than with us." Indeed we have no little reason to apprehend that unless something is done to arrest the progress and pressure of the causes of premature mortality in this country, we shall be in danger of possessing only a very young and immature population. The average age of deaths in many of our large cities, as far as returns enable it to be shown, is under 20 years; a fact which can only be due to the unfavorable physical circumstances of the people, and their ignorance of the true means of living and avoiding disease.

The registers of the ancient Romans, which were preserved with great care, and recorded the births, sexes, periods of puberty, manhood, age at death, etc., kept by order of Domitius Ulpianus, prime minister of Alexander Severus, afford us the means of ascertaining the mean duration of life in Rome nearly 2000 years ago, and comparing this with the results of estimates made at the present day in places where similar records are kept, we are thus enabled to establish the gratifying fact of the great extension of the average period of human life in various cities and countries.

Of the results obtainable by the suggested measure, in connection with the census returns now regularly made in each of the United States, not the least important and desirable are *tables exhibiting the probabilities or expectation of life*.

By this simple and elegant method, the mean duration of life, uncertain as it appears to be, and as it is, with reference to individuals, can be determined with the greatest accuracy in nations, and in still smaller communities. This is important not merely in reference to the payments of life annuities, and the business of life insurance, whose great value is but just beginning to be felt in this country, but it is of inestimable interest as determining to individuals their probabilities of living in their different classes, occupations, locations, and habits. "As it might be expected from the similarity of the human organization, that all classes of men would, *ceteris paribus*, live, on an average, the same number of years, it becomes important to ascertain whether this be the case, and if it be not, to determine to what extent life is shortened in unfavorable circumstances. The Life Table answers this purpose, and is as indispensable in sanitary inquiries as the barometer or thermometer, and other instruments, in physical research. Upon applying it to any number of well-selected cases, the influence of any external cause, or combination of causes, can be analysed; while without its aid, and extended observation and calculation, we are liable to be misled at

every step by vague opinions, well concocted stories, or interested statements, in estimating the relative duration of life; which can no more be made out by conjecture, than the relative diameters of the sun, moon, and planets of our system." *Fifth Annual Report of the Registrar-General in England.*

If these things are so, and of their truth there cannot remain the shadow of a doubt, it is plain that with this measure are entwined the highest earthly interests of humanity, and it belongs to the legislators of the New World, the guardians and custodians of the interests and glory of the American Republic, to consider well ere they longer postpone the adoption of a measure so essential thereto. "A comparison of the duration of successive generations in England, France, Prussia, Austria, Russia, America, and other States, would throw much light on the physical condition of their respective populations, and suggest to scientific and benevolent individuals in every country, and to the governments, many ways of diminishing the sufferings, and meliorating the health and condition of the people; for the longer life of a nation denotes more than it does in an individual,—a happier life—a life more exempt from sickness and infirmity—a life of greater energy and industry—of greater experience and wisdom. By these comparisons, a noble national emulation might be excited, and rival nations would read of sickness diminished, deformity banished, life saved—of victories over death and the grave,—with as much enthusiasm as of victories over each other's armies in the field; and the triumph of one would not be the humiliation of the other, for in this contention none would lose territory, or honor, or blood, but all would gain strength." (*Idem.*)

JONATHAN KNIGHT, M. D., Conn., *President.*

ALEXANDER H. STEVENS, M. D., N. Y.

GEORGE B. WOOD, M. D., Pa.,

A. H. BUCHANAN, M. D., Tenn.,

JOHN HARRISON, M. D., La.,

RICHARD D. ARNOLD, M. D., Ga.,

ALFRED STILLE, M. D., Pa.,

F. CAMPBELL STEWART, M. D., N. Y.,

Vice Presidents.

Secretaries.

15 MINOR STREET,
Philadelphia, 12 mo. 23d, 1848.

The undersigned, Map Publishers, respectfully ask leave to offer for the consideration of the Executive and Legislature, a plan for the construction of a new and complete Map of the State of Delaware.

They have recently had prepared and published, at great expense, a Map of New Castle from original measurements and surveys throughout the County. The Map is on a large Scale, and has been found extremely correct and accurate in all its details.

Possessing these materials we have been much solicited to prepare a Map of the State in the same manner; but the heavy outlay required for so extensive a system of surveys, and for the engraving, would not be warranted without the patronage of the State.

We are therefore induced to apply for the necessary aid by an appropriation, to subscribe at the publication price of five dollars per copy, for a sufficient number of copies to supply the Executive and Judiciary Departments, the members of the Legislature, and the Public Schools each with a copy, and also to send copies to Washington and to each of the different States, as is usual in publications of this kind.

Were this extent of patronage amounting to four hundred copies supplied, we should be able in the course of a year or eighteen months, to publish a complete Map of the State, entirely from original measurements, aided by the very accurate Coast Surveys.

Every Road to be laid down from actual measurement, and bearings, the locations of the Schools, Places of Worship, Taverns, Mills, &c., to be correctly marked and the boundaries of the School Districts accurately laid down.

The whole to be handsomely engraved, on a scale of two miles to the inch, and colored and mounted, forming a Map of four and a half feet long, by three feet wide.

We subscribe ourselves,
With great respect,

SMITH & WISTAR.

To WILLIAM THARP,

Governor of the State of Delaware.

Report of the Commissioners under the Act of February 4th, 1847, to carry into effect an arrangement between the Philadelphia, Wilmington and Baltimore Rail Road Company and its Creditors.

To His Excellency,

WILLIAM THARP,

Governor of the State of Delaware:

The undersigned, by an Act of the General Assembly of the State of Delaware, entitled "A Supplement to the Act entitled 'An Act to secure the money lent by this State to the Philadelphia, Wilmington

and Baltimore Rail Road Company," (passed at Dover, Feb. 4th, 1847,) appointed Commissioners for and in behalf of said State to surrender and deliver up to said Company the Certificate or Certificates issued by said Company under their Corporate Seal for the sum of eighty thousand seven hundred and ninety-three dollars and eighty-three cents then held by said State, as evidence in part of the indebtedness of said Company to said State, on certain conditions in said Act specified, in obedience to said Act hereby certify to your Excellency as follows:

That on entering upon the duties of their said Commission the State Treasurer, delivered to the undersigned a single Certificate issued by said Company under its Corporate Seal, bearing date the 15th day of July, A. D. 1843, and certifying the indebtedness of said Company to the State of Delaware, in the said sum of eighty thousand seven hundred and ninety-three dollars and eighty-three cents, payable on the first day of April, A. D. 1856, with interest payable half yearly, on the first days of April and October, at the rate of six per centum per annum, at the Office of the Company at Philadelphia, which Certificate the undersigned have in due form surrendered and delivered to said Company, at the same time receiving from the Company a new Certificate for the same amount, payable on the first day of July, A. D. 1860, executed in like manner, with interest payable half yearly on the first days of January and July until the principal be paid, and convertible into the Stock of said Company at the option of the holder. That the payment of the said Certificate with other Certificates of indebtedness of the said Company amounting together to the sum of two million one hundred and sixty-one thousand seven hundred and seventy-six dollars five cents, is further secured by the Mortgage of all the works and property of the Company in due form executed to Charles Henry Fisher, John A. Brown and J. I. Cohen, Trustees for the holders of said Certificates; and also by another mortgage in due form granting, assigning, transferring and mortgaging to the same Trustees, upon the same trusts, all the estate, right, title and interest of the said Rail Road Company, at law or in equity, in and to the Shares of the Capital Stock of the New Castle and Frenchtown Turnpike and Rail Road Company, to which said Mortgages, respectively recorded as hereinafter mentioned, the undersigned for greater certainty and further particulars, respectfully refer.

That before the undersigned surrendered the said Certificate they had satisfactory proof that a certain Mortgage executed by the said Rail Road Company on the 26th day of May, A. D. 1842, to secure the debt or sum of one hundred and eighty-two thousand five hundred pounds sterling had been duly satisfied and the Certificates or Bonds issued by said Company to the several holders of the debt secured by said last mentioned Mortgage duly cancelled. Also, that all the Certificates held by creditors other than the State of Delaware under the Mortgage of the 21st of May 1842, had been surrendered and given up. Also, that all the float-

ing debt of the Company had been discharged or by the holders thereof converted into new Stock. Also, that the Deed or Mortgage executed by the said Company in compliance with the first Section of the Act entitled "An Act to secure the money lent by this State to the Philadelphia, Wilmington and Baltimore Rail Road Company" had been discharged by the surrender of all the Certificates of indebtedness to secure which said Mortgage was given, and a new one taken covering the same property and executed for the same object and purpose as aforesaid. And also, that both the new Mortgages executed by the Company as aforesaid had been duly recorded in every County through which the road runs in the respective States of Delaware, Maryland and Pennsylvania.

In the judgment of the undersigned therefore, the arrangement contemplated by the Act under which they were appointed Commissioners as aforesaid, has been substantially completed.

All which is respectfully submitted to your Excellency,

(Signed,)

JAMES C. MANSFIELD,
MARTIN W. BATES,
DANIEL CORBIT,

Commissioners of the State of Delaware.

The foregoing is a true copy of the original on file in my office.

DANIEL M. BATES,
Secretary of State.

NEW ORLEANS, August 20, 1848.

SIR:—The enclosed Circular from the State Department of Louisiana, is commended to the other States of the Union, in the hope of eliciting a general co-operation in obtaining the minute Statistics of the country.

Will you be pleased to have the matter brought forward officially.

Respectfully,

J. D. B. DE BOW.

To Hon. Secretary State of Delaware.

Direct to "State Department."

STATISTICAL COLLECTIONS OF THE SEVERAL STATES.

It is impossible to know as minutely as the purposes of trade and

legislation require, all the Statistics of the States of this Union, from the reports of the General Government, however perfect they may be. The home trade can seldom appear in the figures of government, as it is too far removed to collect with facility all the minor details of the movements of States and Cities, which make a part of, and influence the commerce of the country. Each State should in fact have its own department of Statistics, and it would be very easy from all the reports to make up a general summary at Washington every year.

In this view we take pleasure in calling attention to the initiatory movement made in Louisiana, for the establishment of a *Bureau of Statistics*, and publish, for the information of all, and in the hope of getting returns from some, the Circular of the Department.

BUREAU OF STATISTICS—DEPARTMENT OF STATE,

New Orleans, 1st July, 1848. }

SIR :—A Bureau of Statistics having been established, and the undersigned entrusted with its charge, he begs to invite from citizens in every section of the State, such information as they can impart in regard to its present condition and past history.

The appended queries will give an idea of the character of the facts required, and will be suggestive of others. The plan of the Bureau contemplates *every kind of information concerning the State*, and it will be in the power of most persons to communicate something, upon one or more of the heads. It is of very great importance that the report, contemplated to the next legislature, be *complete*.

The aid of the members of the legislature, editors, public officers, citizens, &c., in all the parishes, is invoked, and will be most gratefully acknowledged.

Donations of old files of newspapers, records, &c., to be deposited in the Bureau, will be thankfully received and acknowledged.

J. D. B. DE BOW.

- I. Time of *settlement* of your parish or town; dates of oldest land grants; number and condition of first settlers; whence emigrating; other facts relating to settlement and history.
- II. *Indian names* in your vicinity; what tribes originally; what relics or monuments of them; if Indians still, in what condition?
- III. *Biography*, anecdotes, &c., of individuals distinguished in your vicinity in the past for ingenuity, enterprise, literature, talents, civil or military, &c.
- IV. *Topographical description* of your parish, mountains, rivers, ponds, animals, quadrupeds, birds, fishes, reptiles, insects, &c., vegetable growths, rocks, minerals, sand clays, chalk, flint, marble, pit coal, pig-

- ments, medicinal and poisonous substances, elevation above the sea, nature of surface, forests, or undergrowth, what wells and quality of well water, nature of coasts, does the water make inroads, mineral springs, caves, etc.
- V. *Agricultural description* of parish; former and present state of cultivation; changes taking place; introduction of cotton, sugar, rice, indigo, tobacco, grains, fruits, vines, &c. &c.; present products; lands occupied and unoccupied, and character of soils; value of lands; state of improvement; value of agricultural products; horses, cattle, mules, hogs, and whence supplied; profits of agriculture, prices of products: new estates opening; improvements suggested in cultivation, and new growths; improvements in communication, roads, bridges, canals, &c.; kind and quantity of timber, fuel, &c.; state of the roads, summer and winter; kinds of enclosures, and of what timber; manures; natural and artificial pastures; agricultural implements used; fruit trees, vines, and orchards; modes of transportation; extent of internal navigation; levees, &c.; modes of cultivating and manufacturing sugar in use.
- VI. Instances of *longevity* and *fecundity*; observations on diseases in your section; locations, healthful or otherwise; statistics of diseases; deaths; summer seats, &c.
- VII. *Population* of your parish; increase and progress, distinguishing white and black; Spanish, French, American, or German origin; foreigners; classes of population; number in towns; growth of towns and villages, etc.; condition, employment, ages; comparative value of free and slave labor; comparative tables of increase; marriages, births, &c.; meteorological tables of temperature, weather, rains, &c.
- VIII. *Education and Religion*—Advantages of schools, colleges, libraries enjoyed; proportion educated at home and abroad; expense of education; school returns; churches or chapels in parish, when and by whom erected; how supplied with clergy; how supported and attended; oldest interments; church vaults, &c.
- IX. *Products in Manufactures and the Arts*—Kinds of manufactures in parish; persons employed; kind of power; capital; wages; per centum profit; raw material; sugar and cotton machinery and improvements; kind and value; manufacturing sites, &c.
- X. *Commercial Statistics*—Value of the imports and exports of Louisiana with each of the other States of the Union, as far as any approximation may be made, or data given; growth and condition of towns; increase in towns, &c.
- XI. *General Statistics*—Embracing banking, railroads, insurances, navigation, inter-communication; learned and Scientific societies; crime, pauperism, charities, public and benevolent institutions; militia, newspapers, &c.; application of parish taxes; expenses of roads, levees,

&c. ; number of suits decided in different courts ; expenses and perfection of justice ; number of parish officers, lawyers, physicians, &c.

XII. Date, extent, consequences, and other circumstances of droughts, freshets, whirlwinds, storms, lightnings, hurricanes, or other remarkable physical events, in your section from remote periods ; other meteorological phenomena ; changes in climate, &c.

XIII. Literary productions emanating from your neighborhood ; your associations, if any ; what manuscripts, public or private records, letters, journals, &c., or rare old books, interesting in their relation to the history of Louisiana, are possessed by individuals within your knowledge. State any other matters of interest.

LIST

Of the remaining papers, &c., accompanying the Governor's Message.

Communication from the Prison Association of New York, requesting that a copy of the forthcoming Report of the Association be presented to the Legislature.

M. ALEXANDRE VATTEMARE'S Report on the subject of International Exchanges.

Resolutions of the Legislatures of Maine, Vermont, Rhode Island, Connecticut, Maryland, Georgia, Alabama, Tennessee and Ohio, relative to Mr. Whitney's project of a rail-road to the Pacific.

Resolutions of the Legislatures of Vermont, Rhode Island, Connecticut, Virginia, Alabama, Texas, Mississippi, Missouri and Ohio, respecting the Mexican War, Slavery, the Tariff, &c., &c., &c.

Exemplification of certain mortgages from the Philadelphia, Wilmington, and Baltimore Rail Road Company, to Charles Henry Fisher and others.

Address of the National Medical Convention, held in Philadelphia, May, 1847, recommending the adoption of a general Registration of Births, Marriages, and Deaths.

Mr. Cooch offered the following Resolution, which

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On his motion

Was read, as follows :

Resolved, That the Clerk of the House of Representatives be instructed to have five hundred copies of the Governor's Message printed for the use of the House.

On motion of Mr. Cooch,

The Resolution was

Adopted.

Mr. Caulk offered the following Resolution, which,

On his motion,

Was read as follows:—

Resolved, That a Committee of three members be appointed to wait upon His Excellency the Governor, and invite him to take a seat on the floor of the Representative Hall, at pleasure during the present session ; and also to wait on the Secretary of State, and members of the Judiciary of this State who may be present during the session, and extend to them a similar invitation.

On motion of Mr. Caulk,

The Resolution was

Adopted.

Whereupon,

Messrs. Caulk, W. Tunnell and Collins, were appointed said Committee.

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

WEDNESDAY, January 3d, 10 o'clock, A. M.

The House met pursuant to adjournment.

Mr. Comegys presented a petition from William O. Redden, Clerk of the Peace for Sussex County, praying for an act to regulate the fees of the Clerks of the Peace of the State: which,

On his motion,

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

Whereupon,

Messrs. Comegys, Rodney, and Marshall were appointed said Committee.

Mr. Bradford presented a petition from David C. Wilson and others praying for an act to Incorporate the "Franklin Manufacturing Company" of Wilmington; which,

On his motion,

Was read and referred to a Committee of three with leave to report by Bill or otherwise.

Whereupon,

Messrs. E. G. Bradford, Carlisle, and Jones were appointed said Committee.

Mr. Rodney presented a petition from James N. Sutton and others praying for an act creating an additional Justice of the Peace for New Castle County, to reside in the town of St. Georges; which,

On his motion,

Was read and referred to a Committee of three with leave to report by Bill or otherwise.

Whereupon,

Messrs. Rodney, Collins, and Vaughan were appointed said Committee.

Mr. Marshall moved that a Committee of three be appointed to draft Rules for the House.

Which motion

Prevailed.

Whereupon,

Messrs. Marshall, Wilson, and Cooch were appointed said Committee.

Mr. Taylor offered the following Resolution, which,

On his motion,

Was read as follows:—

Resolved, That a Committee of five be appointed to constitute a Committee of Claims on the part of the House.

Which Resolution,

On motion of Mr. Taylor was

Adopted.

Whereupon,

Messrs. Taylor, Nathaniel Tunnell, Bellah, Collins, and Naudain were appointed said Committee.

Mr. Lofland, Clerk of the Senate, being admitted, presented a Resolution of the Senate, for the appointment of a Joint Committee to settle with the State Treasurer, in which the concurrence of the House was asked:—Messrs. Temple and Fiddeman having been appointed on said Committee on the part of the Senate.

And he withdrew.

On motion of Mr. Comegys,

The Resolution was read as follows:

IN SENATE, January 3d, 1849.

Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That a Committee of two members on the part of the Senate, and three members on the part of the House of Representatives, be appointed to examine the accounts of the State Treasurer, count the cash on hand, and make a report to the General Assembly on or before the 20th inst.

Extract from Journal,

J. R. LOFLAND, Clerk of the Senate.

For concurrence.

On motion of Mr. Comegys,

The Resolution was

Adopted.

Whereupon,

Messrs. Marshall, Postles, and Miles, were appointed said Committee on the part of the House.

Ordered, That the Senate be informed thereof.

The House then adjourned until 3 o'clock this afternoon.

Same Day, 3 o'clock, P. M.

The House met pursuant to adjournment.

The following Resolution was offered by Mr. Coech, and

On his motion,

Read as follows:—

Resolved, That the Clerk of the House be, and he is hereby directed to furnish the House with two copies of each of the newspapers of this State.

On motion of Mr. Naudain,

The Resolution was

Adopted.

Mr. Rodney, from the Committee to whom was referred the petition of James N. Sutton and others, reported a bill entitled "an Act allowing an additional Justice of the Peace in New Castle County," which

On his motion,

Was read.

Mr. Bradford presented a petition from Thomas M. Rodney praying for an act to locate fifty acres of unappropriated wild marsh, which

On his motion,

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

Whereupon,

Messrs. Bradford, Carlisle, and Vaughan, were appointed said Committee.

Mr. Collins presented a petition from C. C. Windsor and others, praying for an act to incorporate the Hebron Lodge, No. 14, of Seaford, which,

On his motion,

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

Whereupon,

Messrs. Collins, Caulk and Martin, were appointed said Committee.

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

THURSDAY, January 4th, 1849.

The House met pursuant to adjournment.

Mr. Bellah presented a petition from Benjamin Chandler and others, praying for an alteration of the Road Laws, which,

On his motion,

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

Whereupon,

Messrs. Bellah, Postles, and William Tunnell, were appointed said Committee.

Mr. Marshall from the Committee appointed to draft rules for the regulation of the House, reported the following Rules and Regulations, which,

On his motion,

Were read and adopted as follows, to wit :

Rules for the government of the House of Representatives.

1. The regular hours of meeting of the House shall be 10 o'clock A. M., and 3 o'clock P. M., unless otherwise ordered by the House.

2. Every member shall be in his place at the time to which the House stands adjourned.

3. Every day before the House proceeds to business, the Clerk shall call the names of the members in alphabetical order, and shall read the journal of the preceding day ; which may be corrected by the House.

4. All motions or Resolutions (except the reading of bills, the daily adjournment of the House, or any motion to refer any subject, or to postpone the same) shall, if requested by the Speaker or any member, be reduced to writing by the mover, and if seconded, shall be repeated to the House by the Speaker, before a decision or a debate thereon ; and a motion or Resolution may be withdrawn by the mover, with the approbation of the member who seconded the same.

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

6. The unfinished business in which the House was engaged at the time of the last adjournment, shall have the preference in the order of the Day.

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

8. Every motion, either in the House or in Committee of the Whole, except a motion to adjourn, shall be entered on the Journal with the name of the mover.

9. One day's notice at least, shall be given of an intended motion for leave to bring in a bill.

10. No member shall be interrupted when speaking, but by a call to order by the Speaker, or by a member, through the Speaker; nor shall any member speak to any matter or thing more than three times without leave from the House, except in Committee of the Whole.

11. Every bill shall receive three several readings, no two of which shall be on the same day, except by special order of the House.

12. Before any petition or memorial addressed to this House shall be received and read at the Clerk's table, whether the same be introduced by the Speaker or a member, a brief statement of its contents shall be verbally made by the introducer.

13. All bills shall be amended at the second reading, and no amendments shall afterwards be made so as materially to alter or change their meaning or nature.

14. No question which has been decided shall be reconsidered, but on a motion made and seconded by a member in the majority on the original question, except when there was one majority on the original question; in that case the seconder may be in the minority.

15. No member shall be referred to by name in debate.

16. Questions of order either before the House or in Committee of the Whole, shall, in the first place be determined by the Speaker or Chairman, from whose decision an appeal may be made to the House or Committee, on the request of a member; but no debate shall be allowed thereon until the appeal is taken.

17. The rules of proceeding in the House, shall, as far as may be applicable, be observed in Committee of the Whole.

18. All Committees, unless the House shall otherwise direct, shall be appointed by the Speaker.

19. The names of the members shall be arranged by the Clerk in alphabetical order, which order shall be preserved.

20. The Speaker or Chairman shall put every question, and if necessary for a fair decision, may of his own accord, or at the request of a member, require those in the affirmative to rise, and reverse the question.

21. Any question shall be taken by the ayes and nays, if requested by the Speaker or a member.

22. All messages from the House to the Senate shall be conveyed by the Clerk or a member, as the Speaker may direct.

23. Messages to the House shall not be admitted while the House is voting on a question.

24. No member shall absent himself from the House during the Session, without leave thereof.

Mr. Caulk, from the Committee appointed to wait upon his Excellency, the Governor, the Secretary of State, and the Judiciary, inviting them to seats upon the floor of the House, reported that the Committee had discharged the duty assigned them.

Mr. Comegys presented a petition from Mary Ann Caldwell, praying to be divorced from her husband Andrew Caldwell, which,

On his motion,

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

Whereupon,

Messrs. Comegys, Wilson, and Nathaniel Tunnell were appointed said Committee.

Mr. Rodney moved,

That a Committee on elections be appointed, to consist of five members.

Which motion

Prevailed.

Whereupon,

Messrs. Rodney, Bradford, Collins, Jones and Martin, were appointed said Committee.

Mr. Miles moved

That a Committee on enrollment be appointed, to consist of four members.

Which motion

Prevailed.

Whereupon,

Messrs. Miles, Caulk, Carlisle and William Tunnell were appointed said Committee.

Mr. Rodney presented a petition from John Matthews praying to be admitted to a seat as a member of the House of Representatives from Sussex County, in the place of Samuel D. Vaughan ; which,

On his motion,

Was read and referred to the Committee on Elections.

Mr. Rodney also presented a petition from William S. Hall of Sussex County, claiming a seat in the House of Representatives, which,

On his motion,

Was read and referred to the Committee on Elections.

Mr. Bradford then offered the following Resolution, which,

On his motion,

Was read and adopted as follows, to wit :

Resolved, That the Committee on elections be and are hereby authorized to employ a Clerk to aid them in the performance of the duties devolving upon them.

The House then adjourned until 3 o'clock this afternoon.

Same Day, 3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Cooch moved,

That a committee on unfinished business be appointed, to consist of three members.

Which motion

Prevailed.

Whereupon,

Messrs. Cooch, Naudain, and Jones, were appointed said Committee.

Mr. Rodney then moved,

That William S. Hall be allowed to withdraw his petition from before the House, with a view to its amendment.

Which motion,

Prevailed.

Mr. Caulk moved,

That a committee on accounts be appointed, to consist of three members.

Which motion

Prevailed.

Whereupon,

Messrs. Caulk, Collins and Vaughan were appointed said Committee.

Mr. Marshall offered the following Resolution, which,

On his motion,

Was read and adopted as follows, to wit :

Resolved, That the portion of the Governor's Message relating to the safe keeping of our public arms and accoutrements, be referred to a Committee of three with leave to report by bill, or otherwise.

Whereupon,

Messrs. Marshall, Postles, and Naudain were appointed said Committee.

Mr. Bradford offered the following Resolution, which,

On his motion,

Was read as follows :

Resolved, That the Committee on Elections be authorized to send for persons and papers in reference to the contested election from the county of Sussex of John Matthews and Samuel D. Vaughan, and also in reference to the claim made by William S. Hall to the vacant seat from the County of Sussex.

Mr. Bradford moved,

That the Resolution be adopted,

Which motion

Prevailed.

Mr. Collins offered the following Resolution, which,

On his motion,

Was read as follows :—

Resolved, That the State Librarian furnish to each member of this House, a copy of the Digest, eighth and ninth volumes of the Laws of this State, and the Acts of Assembly since the publication of the ninth volume.

Mr. Collins moved,

That the Resolution be adopted,

Which motion

Prevailed.

On motion of Mr. Rodney,

The bill entitled "An Act allowing an additional Justice of the Peace in New Castle County" was read a second time.

Mr. Comegys presented a petition from Warner M. Cowgill praying for permission to locate a quantity of vacant salt marsh, which,

On his motion,

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

Whereupon,

Messrs. Comegys, Bellah, and Martin, were appointed said Committee.

Mr. Rodney presented a petition from William S. Hall of Sussex County, claiming a seat in the House of Representatives, which,

On his motion,

Was read, and referred to the Committee on Elections.

Mr. Collins, Chairman of the Committee to whom was referred the petition of C. C. Windsor and others, praying for An Act to incorporate Hebron Lodge, No. 14, of Seaford, Delaware, reported a Bill entitled "An Act to incorporate Hebron Lodge, No. 14, of the Independent Order of Odd Fellows, at Seaford, Delaware;" which,

On his motion,

Was read.

Mr. Comegys presented a petition from Francis Register praying for an act authorizing him to locate certain vacant lands in St. Jones' neck; which,

On his motion,

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

Whereupon,

Messrs. Comegys, Calk and Marshall were appointed said Committee.

Mr. Bradford, Chairman of the Committee to whom was referred the

petition of David C. Wilson and others, praying for an act to incorporate the Franklin Manufacturing Company, reported a Bill entitled "An act to incorporate the Franklin Manufacturing Company"; which,

On his motion,

Was read.

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

FRIDAY, January 5th, 10 o'clock, A. M.

The House met pursuant to adjournment.

Mr. Comegys presented a petition from James L. Heverin praying for an act authorizing him to locate certain vacant salt marsh in St. Jones' Neck, which,

On his motion,

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

Whereupon,

Messrs. Comegys, Miles, and Nathaniel Tunnell were appointed said Committee.

Mr. Miles gave notice, that on Monday next he would ask leave to introduce a bill entitled "An act to amend the Act extending the jurisdiction of Justices of the Peace to one hundred dollars."

Mr. Caulk gave notice that on Monday next he would ask leave to introduce a bill entitled "A further additional supplement to 'An act to extend the time for recording of Deeds.'"

On motion of Mr. Rodney,

The bill entitled "An act allowing an additional Justice of the Peace in New Castle County, was read a third time by paragraphs,

And the question being on the final passage of the bill, the yeas and nays were called for,

Which being taken were, as follows:

Yeas.—Messrs. Bradford, Bellah, Carlisle, Caulk, Collins, Comegys,

Jones, Marshall, Martin, Miles, Naudain, Postles, Rodney, Taylor, Nath. Tunnell, William Tunnell, Vaughan, Wilson, and Mr. Speaker—19.

Nays.—0.

So the bill

Passed the House.

Ordered to the Senate for concurrence.

Mr. Taylor offered the following Resolution, which,

On his motion,

Was read as follows:—

Resolved, That the Rev. Edward G. Asay be invited to act as Chaplain to the House of Representatives during the present session.

Mr. Bradford moved,

That the Resolution be adopted,

Which motion

Prevailed.

Mr. Comegys, Chairman of the Committee to whom was referred the petition of Warner M. Cowgill praying for an act authorizing him to locate certain vacant marsh lands, reported a bill entitled "An act to enable Warner M. Cowgill to locate certain vacant salt marsh, situate in Kent County and to complete his title to the same;" which,

On motion of Mr. Comegys,

Was read.

Mr. Comegys, Chairman of the Committee to whom was referred the petition of Francis Register to locate certain vacant land in St. Jones' Neck, reported a bill entitled, "An act to enable Francis Register to locate certain vacant land situate in Dover Hundred in Kent County, and to complete his title to the same;" which,

On his motion of Mr. Comegys,

Was read.

The House then adjourned until Monday next at 3 o'clock, P. M.

MONDAY, *January 8th*, 3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Bradford presented a petition from Benjamin Holt praying for an act authorizing the conveyance of certain real estate, which,

On his motion,

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

Whereupon,

Messrs. Bradford, Postles, and Jones were appointed said Committee.

Mr. Miles moved

That so much of the Governor's Message as relates to the guardianship of the Insane, be referred to a Committee of three with leave to report by bill or otherwise ;

Which motion

Prevailed.

Whereupon,

Messrs. Miles, Cooch, and Nathaniel Tunnell were appointed said Committee.

Mr. Wilson offered the following Resolution, which

On his motion

Was read, as follows :

Resolved, That the portion of the Governor's Message relating to the Correspondence of Messrs. Smith and Wistar, Map Publishers of Philadelphia, be referred to a committee of three, with leave to report by bill or otherwise.

Mr. Wilson then moved that the Resolution be adopted,

Which motion

Prevailed.

Whereupon,

Messrs. Wilson, Caulk, and William Tunnell, were appointed said Committee.

Mr. Caulk asked, and

On motion of Mr. Miles,

Obtained leave to introduce a bill entitled "A further additional supplement to an act entitled 'An act to extend the time for recording of Deeds.'"

On motion of Mr. Caulk,

The bill was read.

Mr. Wilson presented a petition from the Kent County Mutual Insurance Company, praying for a new charter, which,

On his motion,

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

Whereupon,

Messrs. Wilson, Marshall, and Bellah were appointed said Committee.

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

TUESDAY, Jan. 9th, 10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer was offered by the Rev. Mr. Asay, Chaplain to the House.

Mr. Comegys, Chairman of the Committee to whom was referred the petition of William O. Redden, asked, and

On motion of Mr. Carlisle,

Obtained further time in which to report.

Mr. Comegys from the Committee to whom was referred the petition of James L. Heverin, reported a bill entitled, "An act to enable James L. Heverin to locate certain vacant salt marsh situate in Dover Hundred in Kent County, and to complete his title to the same;" which,

On his motion,

Was read.

Mr. Caulk asked, and

On motion of Mr. Rodney,

Obtained leave to introduce a bill entitled "An act to compel certain testimony in cases of contested elections," which,

On motion of Mr. Caulk,

Was read.

On motion of Mr. Comegys,

The bill entitled "An act to enable Warner M. Cowgill to locate certain vacant salt marsh situate in Kent County, and to complete his title to the same,

Was read a second time.

On motion of Mr. Caulk,

The bill entitled "An act to compel certain testimony in cases of contested elections,"

Was read a second time by special order of the House.

On motion of Mr. Collins,

The bill entitled "An act to incorporate Hebron Lodge, No. 14, of the Independent Order of Odd Fellows at Seaford, Delaware,

Was read a second time.

Mr. Lofland, 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 proposing an amendment to the Constitution of this State."

And he withdrew.

On motion of Mr. Comegys,

The bill was read.

Mr. Bradford presented a petition from David C. Swain for an act authorizing him to sell certain real estate, which,

On his motion,

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

Whereupon,

Messrs. Bradford, Taylor, and Vaughan, were appointed said Committee.

Mr. Miles presented a petition from William Elmer for an act authorizing him to sell certain real estate, which,

On his motion,

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

Whereupon,

Messrs. Miles, Postles and Martin, were appointed said Committee.

Mr. Bradford presented a petition from Nicholas Barlow, for an act vesting in him the title to certain real estate, which,

On his motion,

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

Whereupon,

Messrs. Bradford Wilson and Jones, were appointed said Committee.

Mr. Bellah, from the Committee to whom was referred the petition of Benjamin Chandler and others, asked, and

On motion of Mr. Carlisle,

Obtained further time in which to report.

Mr. Wilson, Chairman of the Committee to whom was referred the petition of the Kent County Mutual Insurance Company, reported a bill entitled "An act to incorporate the Kent County Mutual Insurance Company, which,

On his motion,

Was read.

Mr. Taylor presented a petition from John D. Eubanks for an act authorizing him to locate certain vacant lands, which,

On his motion,

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

Whereupon,

Messrs. Taylor, Naudain, and Marshall were appointed said Committee.

On motion of Mr. Caulk,

The bill entitled "An act to compel certain testimony in cases of contested elections," was read by special order of the House, a third time by paragraphs, and the question being on the final passage of the bill, the yeas and nays, were ordered, and taken as follows :

Yeas.—Messrs. Bellah, Carlisle, Caulk, Collins, Cooch, Jones, Martin, Miles, Naudain, Postles, Rodney, Taylor, William Tunnell, Wilson, and Mr. Speaker.—15.

Nays.—Messrs. Marshall, Nathaniel Tunnell and Vaughan.—3.

No the bill

Passed the House.

Ordered to the Senate for concurrence.

The House then adjourned until 3 o'clock this afternoon.

Same Day, 3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Marshall presented a petition from John W. Walker and William M. Hickman, for a law authorizing them to build a wharf from the shore opposite the Town of Lewes, into the Delaware Bay, which,

On his motion,

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

Whereupon,

Messrs. Marshall, Collins and Caulk were appointed said Committee.

Mr. Miles presented a petition from the Directors of the Bank of Delaware for the renewal of their charter, which,

On his motion,

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

Whereupon,

Messrs. Braford, Comegys and Marshall were appointed said Committee.

Mr. Marshall, from the Committee to whom was referred that portion of the Governor's Message relative to the safe keeping of the public arms and accoutrements, asked, and

On motion of Mr. Comegys,

Obtained further time in which to report.

Mr. Miles then offered the the following Resolutions, which,

On his motion,

Were read as follows:—

Resolved, That a committee of five members be appointed to enquire into the expediency of a law authorizing a special election to be held in accordance with the provisions of the Constitution for the purpose of ascertaining the sense of the people of this State in relation to calling a Convention to alter the Constitution.

Resolved, That the said Committee are instructed, if in their opinion it be deemed expedient, to report a bill providing for the holding of such election.

On motion of Mr. Miles,

The Resolutions were

Adopted.

Whereupon,

Messrs. Miles, Cooch, Carlisle, Wilson, and Jones were appointed said Committee.

On motion of Mr. Wilson,

The bill entitled "An act to incorporate the Kent County Mutual Insurance Company" was, by special order of the House, read a second time.

In pursuance of notice, Mr. Miles asked, and

On motion of Mr. Caulk,

Obtained leave to introduce a bill, entitled "An act to amend the Act entitled An act extending the jurisdiction of Justices of the Peace to one hundred dollars," which,

On motion of Mr. Miles,

Was read.

Mr. Comegys chairman of the Committee, to whom was referred the petition of Mary Ann Caldwell, reported a bill entitled "An act to divorce Mary Ann Caldwell and Andrew Caldwell from the bonds of matrimony," which,

On his motion,

Was read.

Mr. Lofland, Clerk of the Senate being admitted, informed the House that the Senate had concurred in the bill entitled "An act to compel certain testimony in cases of contested elections."

Also, that the Senate had concurred in the bill entitled "An act allowing an additional Justice of the Peace in New Castle County."

And he withdrew.

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

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WEDNESDAY, January 10th, 1849.

The House met pursuant to adjournment.

Prayer was offered by the Rev. Mr. Asay, Chaplain to the House.

On motion of Mr. Cooch,

The bill entitled "An act proposing an amendment to the Constitution of this State," was read a second time.

Mr. Cooch offered the following amendment, which,

On his motion,

Was read as follows :—

Amend by striking out all after the word "Act" on the seventh line of the Second Section, reading as follows :—"in the Delaware Journal, and in the Delaware Gazette, two newspapers published in the City of Wilmington in ;" and insert the words, "in two or more newspapers of."

Mr. Cooch moved,

That the amendment be adopted,

Which motion,

Prevailed.

On motion of Mr. Comegys,

The bill entitled "An act to divorce Mary Ann Caldwell and Andrew Caldwell from the bonds of matrimony," was read a second time

On motion of Mr. Comegys,

The bill entitled "An act to enable James L. Heverin to locate certain vacant salt marsh situate in Dover Hundred, in Kent County, and to complete his title to the same," was read a second time.

Mr. Comegys moved,

To amend the bill by striking out the word "Taylors" in the eighth line of the first Section, and inserting in lieu thereof, the word "Cat-tail"

Which motion,

Prevailed.

Mr. Cooch, chairman of the Committee on unfinished business, asked, and

On motion of Mr. Comegys,

Obtained further time in which to report.

On motion of Mr. Collins,

The bill entitled "An act to incorporate Hebron Lodge, No. 14 of the Independent Order of Odd Fellows," at Seaford, Delaware, was read a third time by paragraphs, and the question being on the final passage of the bill, the yeas and nays were ordered, which being taken were as follows :

Yeas.—Messrs. Bellah, Carlisle, Caulk, Collins, Comègys, Cooch, Jones, Marshall, Martin, Miles, Naudain, Postles, Taylor, Nathaniel Tunnell, William Tunnell, Vaughan, Wilson, and Mr. Speaker—18.

Nays.—0.

So the bill

Passed the House.

Ordered to the Senate for concurrence.

Mr. Miles from the Committee of Enrollment reported the following bills as correctly enrolled, viz :—

“An act to compel certain testimony in cases of contested elections.”

“An act allowing an additional Justice of the Peace in New Castle County.”

Mr. Marshall presented a petition from William Robertson praying for a divorce from his wife, Isabella Robertson, which,

On his motion,

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

Whereupon,

Messrs. Marshall, Carlisle and Miles, were appointed said Committee.

The House then adjourned until 3 o'clock this afternoon.

Same Day, 3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Comègys from the Committee to whom was referred the petition of the Directors of the Bank of Delaware, reported a bill entitled “A further additional supplement to the Act entitled An act to incorporate a Bank in the Borough of Wilmington in this State ;” which,

On his motion,

Was read.

On motion of Mr. Caulk,

The bill entitled “A further additional Supplement to an act entitled An act to extend the time for recording of Deeds,” was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Marshall, Chairman of the Committee to whom was referred the petition of Messrs. Walker and Hickman, reported a bill entitled "An act to authorise the building a wharf at Lewestown; which,

On his motion,

Was read.

Mr. Miles, Chairman of the Committee to whom was referred the petition of William Elmer, reported a bill entitled "An act authorizing William Elmer, Guardian of William Elmer, Jr., Margaret K. Elmer, Macomb K. Elmer, and Henry W. Elmer, minors, to sell and convey the interest of said minors in certain real estate in New Castle County."

On motion of Mr. Miles,

The bill was read.

Mr. Taylor presented a petition from Daniel C. Godwin, praying for an act authorising him to erect a bridge over a certain canal on Murderkill Creek; which,

On his motion,

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

Whereupon,

Messrs. Taylor, Bellah, and Nathaniel Tunnell were appointed said Committee.

On motion of Mr. Miles,

The bill entitled "An Act extending the jurisdiction of Justices of the Peace to one hundred dollars," was read a second time.

Mr. Lofland, 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 regulate the time and manner of administering certain oaths."

And he withdrew.

On motion of Mr. Comegys,

The bill was read.

On motion of Mr. Comegys,

The bill entitled "An act to enable Warner M. Cowgill to locate certain vacant salt marsh, situate in Kent County and to complete his title to the same," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

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

THURSDAY, *January 11th, 10 o'clock, A. M.*

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Rodney, Chairman of the Committee on elections, reported that the returns from the different Counties were correct, and the certificates of the same were in proper form and duly certified, by which it appeared, that

Messrs. Edward G. Bradford, Benjamin Caulk, Levi G. Cooch, Edward T. Bellah, James L. Miles, Thomas M. Rodney and Elias S. Naudain of New Castle County, and

Messrs. Daniel Cummins, Edward W. Wilson, Joseph P. Comegys, Paris T. Carlisle, Henry Taylor, James Postles, and John A. Collins of Kent County, and

Messrs. Samuel D. Vaughan, William Tunnell, John Marshall, Philip C. Jones, Nathaniel Tunnell, and Dr. John Martin of Sussex County,

Were chosen to represent the said Counties respectively in the House of Representatives of the State of Delaware, and that Thomas Robinson of A, and William S. Hall received an equal number of votes, each, as Representative from Sussex County.

Mr. Collins presented a petition from C. S. Layton and others for an act to increase the number of Trustees of the Georgetown Academy, which,

On his motion,

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

Whereupon,

Messrs. Collins Caulk, and Vaughan were appointed said Committee.

On motion of Mr. Comegys,

The bill entitled "An act to divorce Mary Ann Caldwell, and Andrew Caldwell from the bonds of matrimony, was read a third time by paragraphs, and *Passed the House.*

Ordered to the Senate for concurrence.

Mr. Bradford, Chairman of the Committee to whom was referred the petition of Benjamin Holt, reported a bill entitled "An act for the relief of Benjamin Holt;" which,

On his motion,

Was read.

Mr. Bradford presented a petition from Isaac Doughten for an act authorizing him to sell certain real estate, which,

On his motion,

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

Whereupon,

Messrs. Bradford, Postles, and Marshall, were appointed said Committee.

Mr. Wilson offered the following Resolution, which,

On his motion,

Was read as follows:—

Resolved, That a committee of three be appointed to enquire into the expediency of reporting a bill proposing to amend the Constitution, abolishing Lotteries, and preventing in future the sale of Lottery tickets in this State.

On motion of Mr. Wilson,

The Resolution was

Adopted.

Whereupon,

Messrs. Wilson, Cooch, and William Tunnell were appointed said Committees

Mr. Miles, Chairman of the Committee to whom was referred the Resolutions of the House, upon the subject of a special election for a Convention to alter the Constitution of the State, reported a bill entitled "An act providing for holding a special election to ascertain the sense of the people of the State of Delaware in relation to calling a Convention to alter the Constitution of the said State."

On motion of Mr. Miles,

The bill was read.

Mr. Lofland, Clerk of the Senate, being admitted, presented sundry enrolled bills which had received the signature of the Speaker of the Senate.

And he withdrew.

On motion of Mr. Carlisle,

The bill entitled "An act to regulate the time and manner of administering certain oaths," was read a second time.

Mr. Marshall, Chairman of the Committee to whom was referred the petition of William Roburtson, reported a bill entitled "An act to divorce William Roburtson and his wife Isabella Roburtson from the bonds of matrimony;" which,

On his motion,

Was read.

On motion of Mr. Marshall,

The bill entitled "An act to authorize the building a wharf at Lewestown," was read a second time.

The House then adjourned until 3 o'clock this afternoon.

Same Day, 3 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Comegys,

The bill entitled "A further additional supplement to the Act entitled An act to incorporate a Bank in the Borough of Wilmington in this State," was read a second time.

Mr. Caulk moved,

That the further consideration of the bill be postponed, and that it be made the special order of the day on Tuesday next.

Which motion

Prevailed.

H

On motion of Mr. Miles,

The bill entitled "An act authorizing William Elmer, guardian of William Elmer jr., Margaret K. Elmer, Macomb K. Elmer and Henry W. Elmer minors, to sell and convey the interest of said minors in certain real estate in New Castle County," was read a second time.

On motion of Mr. Comegys,

The bill entitled "An act to enable James L. Heverin to locate certain vacant salt marsh situate in Dover Hundred, in Kent Count, and to complete his title to the same," was read a third time by paragraphs; and *Passed the House.*

Ordered to the Senate.

On motion of Mr. Miles,

The bill entitled "An act to amend the Act extending the jurisdiction of Justices of the Peace to one hundred dollars," was read a third time by paragraphs; and *Passed the House.*

Ordered to the Senate.

Mr. Marshall gave notice, that he would ask leave to-morrow, to introduce a bill entitled "An act to prevent encroachments in the Bay and river Delaware, within the limits of the State."

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

FRIDAY, January 12th, 10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Bradford presented a petition from the Rev. Corry Chambers and others, praying for an act changing the name of the "American Literary, Scientific and Military Institute," to that of the "Delaware University," which,

On his motion,

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

Whereupon,

Messrs. Bradford, Taylor and Nathaniel Tunnell were appointed said Committee.

Mr. Bradford also presented a claim from Messrs. Johnson and Chandler for public printing, which,

On his motion,

Was referred to the Committee of Claims.

Mr. Miles presented a petition from Charles Canby and others, praying for the abolition of Slavery in this State, which,

On his motion,

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

Whereupon,

Messrs. Miles, Cooch, Carlisle, Collins and Martin, were appointed said Committee.

Mr. Miles then moved,

That the Committee have until the 25th instant in which to report.

Which motion

Prevailed.

Mr. Wilson presented a petition from Henry W. McIlvaine and others for authority to open a certain road, which,

On his motion,

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

Whereupon,

Messrs. Wilson, Caulk and Marshall, were appointed said Committee.

Mr. Collins offered the following Resolution, which,

On his motion,

Was read and adopted as follows, to wit :

Resolved, That the Clerk of this House give notice in writing to Isabella Roburtson of the application of William Roburtson for a divorce, and that such notice be directed to the nearest Post-Office to her place of residence.

Mr. Miles, from the Committee to whom was referred that portion of the Governor's message relative to the Guardianship of the Insane, asked, and

On motion of Mr. Carlisle,

Obtained further time in which to report.

Mr. Wilson, from the committee to whom was referred that portion of the Governor's message relating to the publication of a map of the State, asked, and

On motion of Mr. Comegys,

Obtained further time in which to report.

On motion of Mr. Marshall,

The bill entitled "An act to authorize the building a wharf at Lewestown," was taken up for consideration.

Mr. Marshall offered the following amendment, which,

On his motion,

Was read and adopted as follows, to wit :—

"SECTION 4.—*And be it enacted*, That it shall not be lawful for any other person to erect a wharf within sixty yards of the wharf hereby authorized to be made."

The bill was then read a third time by paragraphs, when,

On motion of Mr. Marshall,

The title was amended by inserting the words "from the Bay shore opposite;" with which amendment, the bill *Passed the House.*

Ordered to the Senate for concurrence.

On motion of Mr. Wilson,

The bill entitled "An act to incorporate the Kent County Mutual Insurance Company" was read a third time by paragraphs, and the question being on the final passage of the bill, the yeas and nays were ordered; which being taken were as follows :—

Yeas.—Messrs. Bradford, Bellah, Carlisle, Caulk, Collins, Comegys, Cooch, Jones, Marshall, Martin, Miles, Postles, Taylor, Nathaniel Tunnell, William Tunnell, Vaughan, Wilson, and Mr. Speaker—18.

Nays.—0.

So the bill

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Miles,

The bill entitled "An act authorizing William Elmer, Guardain of

William Elmer jr., Margaret K. Elmer, Macomb K. Elmer, and Henry W. Elmer, minors, to sell and convey the interest of said minors in certain real estate in New Castle County," was read a third time by paragraphs, and *Passed the House.*

Ordered to the Senate for concurrence.

On motion of Mr. Bradford,

The bill entitled "An act for the relief of Benjamin Holt," was read a second time.

The House then adjourned until 3 o'clock this afternoon.

Same Day, 3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Cooch from the Committee on unfinished business, presented the following report, which,

On his motion,

Was read as follows :—

The Committee on unfinished business beg leave to report that they find as unfinished business, on the files of the House, a resolution directing the Secretary of State to distribute copies of the Geological and Mineralogical Survey of this State :—the Committee recommend [that the resolution be indefinitely postponed.

On motion of Mr. Cooch,

The Report was

Adopted.

Mr. Cooch presented a memorial from Samuel Bailey, praying the Legislature to impose certain restrictions upon the Bank of Delaware, which,

On his motion,

Was read.

Mr. Marshall asked, and

On motion of Mr. Vaughan,

Obtained leave to introduce a bill, entitled "An act to prevent encroachments in the River Delaware within the limits of this State."

On motion of Mr. Marshall,

The bill was read.

On motion of Mr. Carlisle,

The bill entitled "An act proposing an amendment to the Constitution of this State," was read a third time by paragraphs, and the question being on the final passage of the bill, the yeas and nays were ordered, which being taken were as follows:—

Yeas.—Messrs. Bradford, Bellah, Carlisle, Caulk, Collins, Comegys, Cooch, Jones, Marshall, Martin, Miles, Postles, Rodney, Taylor, Nath. Tunnell, William Tunnell, Vaughan, Wilson, and Mr. Speaker.—19.

Nays.—0.

So the bill

Passed the House,

Ordered to the Senate.

On motion of Mr. Miles,

The bill entitled "An act providing for holding a special election to ascertain the sense of the people of the State of Delaware in relation to calling a Convention to alter the Constitution of the said State," was read a second time.

On motion of Mr. Bradford,

The bill entitled "An act for the relief of Benjamin Holt," was by special order, read a third time by paragraphs and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Collins, Chairman of the Committee to whom was referred the petition of C. S. Layton and others, reported a bill entitled "A supplement to the Act entitled 'An act to incorporate the Trustees of the Georgetown Academy in Georgetown, Sussex County.'"

On motion of Mr. Collins,

The bill was read.

Mr. Bradford, Chairman of the Committee to whom was referred the petition of David C. Swain, reported a bill entitled "An act authorizing David C. Swain, Guardian of Robert B. Swain, a minor, to sell and convey the interest of the said minor in certain real estate in New Castle County."

On motion of Mr. Bradford,

The bill was read.

Mr. Lofland, 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 granting five acres of land to the Dona Steamboat Company."

Also, that the Senate had passed and requested the concurrence of the House in a bill entitled "An act providing for the holding of a special election, for the purpose of ascertaining whether a majority of the voters of this State desire a Convention, to amend the Constitution of the State."

Also, that the Senate had concurred in the passage of the bill entitled "An act to incorporate Hebron Lodge, No. 14, of the Independent Order of Odd Fellows, at Seaford, Delaware."

And he withdrew.

On motion of Mr. Comegys,

The bills presented for concurrence were read.

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

SATURDAY, January 13th, 10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Comegys offered the the following Resolution, which,

On his motion,

Was read and adopted as follows:—

Resolved, That the use of the Hall of the House of Representatives for the evening of the 30th inst., be granted to the Order of Odd Fellows of Dover, for the purpose of a celebration.

Mr. Taylor, from the Committee to whom was referred the petition of John D. Eubanks, asked, and

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

On motion of Mr. Carlisle,
The bill entitled "An act to incorporate the Franklin Manufacturing Company," was read a second time.

Mr. Carlisle moved,
To amend the bill by inserting in the blank, the words "second Tuesday in January :"

Which motion, *Prevailed.*

Mr. Wilson, Chairman of the Committee to whom was referred the petition of Henry W. McIlvaine and others, reported a bill entitled "A supplement to the Act for making a causeway and erecting a bridge over St. Jones' Creek at a place called Barker's Landing," which,

On his motion,
Was read.

On motion of Mr. Carlisle,
The bill entitled "An act to regulate the time and manner of administering certain oaths," was read a third time by paragraphs, and
Passed the House.

Ordered to be returned to the Senate.

Mr. Wilson, from the Committee to whom was referred the petition of Nicholas Barlow, asked, and

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

Mr. Bellah presented a petition from John Elliot and others, for a renewal of the Supplements to the Act incorporating the Cherry Island Marsh Company; which,

On his motion,
Was read, and referred to a committee of three, with leave to report by Bill or otherwise.

Whereupon,
Messrs. Bellah, Postles, and Marshall, were appointed said Committee.

The House then adjourned until 3 o'clock on Monday afternoon.

MONDAY, January 15th, 3 o'clock, P. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Comegys presented a petition from C. H. Heverin and O. L. Heverin for an act authorizing them to locate certain vacant land which,

On his motion,

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

Whereupon,

Messrs. Comegys, Miles and William Tunnell were appointed said Committee.

Mr. Comegys also presented a communication from Francis Register in relation to his petition, which,

On motion of Mr. Comegys,

Was read.

Mr. Comegys then moved,

That Francis Register be permitted to withdraw his petition.

Which motion,

Prevailed.

On motion of Mr. Comegys,

The bill entitled "An act to enable Francis Register to locate certain vacant land situated in Dover Hundred in Kent County and to complete his title to the same," was taken up for consideration and read.

Mr. Comegys moved,

That the Bill be indefinitely postponed.

Which motion

Prevailed.

Mr. Lofland, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of the bill entitled "An act to enable James L. Heverin to locate certain vacant salt marsh situate in Dover Hundred, in Kent County, and to complete his title to the same."

Also, that the Senate had concurred in the passage of the bill entitled "A further additional supplement to an act entitled 'An act to extend the time for recording of deeds.'"

Also, that the Senate had concurred in the passage of the bill entitled

"An act to amend the Act entitled 'An act extending the jurisdiction of Justices of the Peace to one hundred dollars.'"

Also, that the Senate had concurred in the passage of the Bill entitled "An act to divorce Mary Ann Caldwell and Andrew Caldwell from the bonds of matrimony."

Also, that the Senate had concurred in the passage of the Bill entitled "An act proposing an amendment to the Constitution of this State."

Also, that the Senate had passed and requested the concurrence of the House in a bill entitled "An act to authorize John G. Black to employ his slaves in the State of Maryland and in the State of Delaware."

And he withdrew.

On motion of Mr. Comegys,

The bills presented for concurrence were read.

Mr. Miles, Chairman of the Committee of enrollment, reported the bill entitled "An act to incorporate Hebron Lodge No. 14, of the Independent Order of Odd Fellows, at Seaford, Delaware," as being correctly enrolled.

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

TUESDAY, Jan. 16th, 10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Marshall presented a petition from Isabella Roburtson, praying to be divorced from her husband William Roburtson, which,

On his motion,

Was read and laid upon the table.

Mr. Bellah, from the Committee to whom was referred the petition of Benjamin Chandler and others, asked, and

On motion of Mr. Miles,

Obtained further time in which to report.

Mr. Taylor presented a petition from J. P. Lofland and others, praying that the application of John D. Eubanks for certain marsh lands, be dismissed : which,

On his motion,

Was read and referred to the Committee on Eubanks' petition.

Mr. Miles presented a petition from Thomas C. Plumly and others, praying for a repeal of the Act which requires that all taverns within the limits of the city of Wilmington, be first recommended for license by the City Council, before obtaining the same ; which,

On his motion,

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

Whereupon,

Messrs. Miles, Carlisle, and Nathaniel Tunnell were appointed said Committee.

On motion of Mr. Marshall,

The bill entitled " An act to divorce William Roburtson and his wife Isabella Roburtson from the bonds of matrimony," was read a second time.

Mr. Rodney presented a petition from T. Challenger and others, for a law requiring County Treasurers to deposit the public funds, in the Farmers' Bank, which,

On his motion,

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

Whereupon,

Messrs. Rodney, Taylor, and Vaughan were appointed said Committee.

Mr. Bradford presented a petition from John H. Price, Administrator of Edmund Canby, dec'd., praying for an act authorizing him to convey a certain tract of land ; which,

On his motion,

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

Whereupon,

Messrs. Bradford, Comegys and Marshall were appointed said Committee.

Mr. Bellah, from the Committee to whom was referred the petition of John Elliot and others, reported a bill entitled "An act to revive, re-enact

and re-establish an act passed on the 31st day of January, A. D. 1825, entitled 'A supplement to the Act entitled an act to incorporate the Cherry Island Marsh Company,' and also on act passed on the 18th day of January A. D. 1843, entitled 'A supplement to an act entitled an act to incorporate the Cherry Island Marsh Company,' and to confirm the acts and proceeding of the said Company under, and by virtue thereof."

On motion of Mr. Bellah,

The bill was read.

The bill entitled "A further additional supplement to the Act entitled 'An act to incorporate a bank in the borough of Wilmington, in this State,' being the special order of the day, was taken up for consideration; when,

On motion of Mr. Cooch,

The further consideration of the Bill was postponed until Thursday next.

Mr. Bradford, from the Committee to whom was referred the petition of the Rev. Corry Chambers and others, reported it inexpedient to grant the prayer of the Petitioner; which report,

On motion of Mr. Miles,

Was

Adopted.

Mr. Miles, from the Committee of enrollment, reported the following bills as being correctly enrolled; to wit:—

"An act to amend the Act entitled 'An act extending the jurisdiction of Justices of the Peace to one hundred dollars.'"

Also "An act to enable James L. Heverin to locate certain vacant salt marsh situate in Dover Hundred in Kent County, and to complete his title to the same."

Mr. Bradford, from the Committee to whom was referred the petition of Isaac Doughten, asked, and

On motion of Mr. Miles,

Obtained further time in which to report.

Mr. Caulk, from the Committee of enrollment reported the following bills as correctly enrolled, to wit:—

"An act to divorce Mary Ann Caldwell and Andrew Caldwell from the bonds of matrimony."

"A further additional supplement to an act entitled An act to extend the time for recording of Deeds,"

The House then adjourned until 3 o'clock this afternoon.

Same Day, 3 o'clock P. M.

The House met pursuant to adjournment.

Mr. Comegys from the Committee to whom was referred the petition of Charles H. and Outten L. Heverin, reported a bill entitled "An act to enable Charles H. Heverin and Outten L. Heverin to locate certain vacant lands in Dover Hundred in Kent County, and to complete their title to the same;" which,

On motion of Mr. Comegys,

Was read.

Mr. Collins offered the following Resolution, which,

On his motion,

Was read as follows:—

Resolved, by the House of Representatives of the State of Delaware, by and with the concurrence of the Senate, That ————, be and he is hereby appointed Auditor of Accounts.

Mr. Collins also offered the following Resolution, which,

On his motion,

Was read as follows:—

Resolved, by the House of Representatives of the State of Delaware, by and with the concurrence of the Senate, That ————, be and he is hereby appointed State Treasurer.

Mr. Collins then moved,

That the foregoing Resolutions lie upon the table until Thursday next, which motion *Prevailed.*

Mr. Comegys presented a petition from John Denny and others praying for the formation of an additional School District 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. Comegys, Postles and William Tunnell were appointed said Committee.

Mr. Wilson presented a petition from James Battle for a divorce from his wife Mary Jane Battle, which,

On his motion,

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

Whereupon,

Messrs. Wilson, Bellah and Vaughan, were appointed said Committee.

On motion of Mr. Bradford,

The bill entitled "An act to incorporate the Franklin Manufacturing Company," was read a third time by paragraphs, and the question being on the final passage of the bill, the yeas and nays were ordered, which being taken were as follows:—

Yeas.—Messrs. Bradford, Bellah, Caulk, Collins, Comegys, Cooch, Jones, Marshall, Martin, Miles, Postles, Rodney, Taylor, N. Tunnell, W. Tunnell, Vaughan, Wilson and Mr. Speaker:—18.

Nays.—0.

So the bill

Passed the House.

Ordered to the Senate for concurrence.

Mr. Taylor presented a remonstrance from James H. Boone and others against the construction of a bridge over the canal on Murderkill Creek, which,

On his motion,

Was read and referred to the Committee on that subject.

On motion of Mr. Marshall,

The bill entitled "An act to prevent encroachments in the river Delaware within the limits of this State," was read a second time.

Mr. Marshall offered the following amendment, which,

On his motion,

Was read, as follows:

Amend the bill by striking out all after the enacting clause, and inserting the following in lieu thereof, viz:—

"That if any person or persons whomsoever, shall, from and after the

passage of this act, cast into the tideway of the Bay or River Delaware, within the limits of this State, any ballast, cinders, ashes, or any heavy article whatever, from any ship, steamboat, or other vessel, or from any wharf, he or they so offending, for every such offence shall forfeit and pay a fine of one hundred dollars, to be recovered with costs before any Justice of the Peace of this State by any person who will sue for the same, one moiety thereof to be paid to the State Treasurer for the use of the State, and the other to the person or persons who sue for the same. Provided that nothing in this Act contained, shall apply to any such ballast, cinders or heavy article cast into such tideway at any point below the upper end of Bombay Hook Island unless the same shall be so cast within three miles of the Delaware Breakwater, or one half mile of the mouth of any navigable stream between that work and the upper end of said Island."

Mr. Marshall then moved

That the amendment be adopted.

Which motion

Prevailed.

Mr. Bradford gave notice that he would to-morrow ask leave to introduce a bill entitled "A supplement to the act entitled an act concerning defects in legal proceedings."

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

WEDNESDAY, January 17th, 10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Rodney presented a petition from Joseph Cleaver and others, praying for an act chartering a bank at Delaware City, which,

On his motion,

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

Whereupon,

Messrs. Rodney, Comegys and Marshall were appointed said Committee.

Mr. Miles, from the Committee to whom was referred the petition of Thomas C. Plumly and others, reported a bill entitled "A further additional supplement to the Act entitled an act regulating Inn-holders,

Tavern keepers, and other public house keepers within this government, and empowering the Justices to settle the rates of liquor," which,

On motion of Mr. Miles,

Was read.

Mr. Caulk presented a petition from John D. Dilworth and others, for an act to incorporate the "Farmers' Mutual Fire Insurance Company" of New Castle County; which,

On his motion,

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

Whereupon,

Messrs. Caulk, Wilson, and N. Tunnell were appointed said Committee.

Mr. Rodney, from the Committee to whom was referred the petition of T. Challenger and others, reported the following resolution, which,

On his motion,

Was read as follows:

Resolved, by the Senate and House of Representatives of the State of Delaware in General Assembly met; That all moneys belonging to the several Counties of the State, hereafter received by the respective Treasurers of the same, shall be deposited in the Farmers' Bank of the State of Delaware, or either of the branches thereof, by the said County Treasurers or their agents, to the credit of the Counties respectively to which the same may belong, and that the same shall remain and continue in the said Bank, or its branches, until drawn therefrom by checks of the said County Treasurers respectively, given in payment of appropriations made by law, or in the transfer of the said moneys from one County Treasurer to his successor in office.

Mr. Comegys moved,

That the Resolution be laid upon the table for further consideration.

Which motion *Prevailed.*

Mr. Bradford, in pursuance of notice previously given, asked, and

On motion of Mr. Comegys,

Obtained leave to introduce a bill entitled "A supplement to the Act entitled 'An act concerning defects in legal proceedings,'"

On motion of Mr. Bradford,

The bill was read.

On motion of Mr. Comegys,

The bill entitled "An act to enable Charles H. Heverin, and Outten L. Heverin to locate certain vacant land in Dover Hundred, in Kent County, and to complete their title to the same," was read a second time.

On motion of Mr. Bradford,

The bill entitled "An act authorizing David C. Swain, Guardian of Robert B. Swain, a minor, to sell and convey the interest of the said minor in certain real estate in New Castle County," was read a second time.

On motion of Mr. Marshall,

The bill entitled "An act to divorce William Roburtson, and his wife Isabella Roburtson, from the bonds of matrimony," was read a third time by paragraphs, and the question being on the final passage of the bill, the yeas and nays were ordered, which being taken were as follows:

Yeas.—Messrs. Collins, Cooch, Jones, Marshall, Martin, Rodney, Taylor, N. Tunnell, W. Tunnell, Vaughan, Wilson, and Mr. Speaker —12.

Nays.—Messrs. Bradford, Bellah, Caulk, Comegys, Miles and Fostles. —6.

So the bill

Passed the House.

Ordered to the Senate.

Mr. Martin presented a petition from Edward Wooten and others, praying for an act authorizing the vacating of certain streets in the Borough of Georgetown, which,

On his motion,

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

Whereupon,

Messrs. Martin, Collins and Bellah were appointed said Committee.

The House then adjourned until 3 o'clock this afternoon.

Same Day, 3 o'clock, P. M.

The House met pursuant to adjournment, and adjourned again until 10 o'clock to-morrow morning.

THURSDAY, *January 18th, 10 o'clock, A. M.*

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Marshall,

The bill entitled "An act to prevent encroachments in the River Delaware within the limits of this State," was read a third time by paragraphs and *Passed the House.*

Ordered to the Senate for concurrence.

Mr. Caulk presented a petition from John B. Belville and others, praying for a law equalizing taxes, which,

On his motion,

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

Whereupon,

Messrs. Caulk, Comegys, and N. Tunnell were appointed said Committee.

Mr. Comegys presented a remonstrance from Matthew Rench and others, against increasing the number of Trustees of the Georgetown Academy; which,

On his motion,

Was read.

Mr. Comegys presented a petition from sundry citizens of Georgetown, for vacating a certain alley in that Borough, which,

On his motion,

Was read and referred to the Committee upon E. Wooten's petition.

On motion of Mr. Collins,

The Resolution for electing an Auditor of Accounts, was taken up for consideration.

Mr. Collins moved,

That the House now proceed to ballot for an Auditor of Accounts,

Which motion

Prevailed.

Whereupon Hiram W. M'Colley having received 12 votes, and Thos. W. Records 6 votes,

On motion of Mr. Collins,

The blank in the Resolution was filled by the name of Hiram W. M'Colley, and the Resolution *Adopted.*

Ordered to the Senate for concurrence.

On motion of Mr. Cooch,

The Resolution for electing a State Treasurer was then taken up for consideration, and the House proceeded to ballot for the same, in which ballot Jacob Farris received 12 votes, and Samuel Barr 6 votes; whereupon,

On motion of Mr. Cooch,

The name of Jacob Farris was inserted in the blank, and the Resolution *Adopted.*

Ordered to the Senate for concurrence.

Mr. Collins presented a petition from Margaret Anderson, praying a divorce from her husband Jenifer S. Anderson, which,

On his motion,

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

Whereupon,

Messrs. Collins, Miles, and Vaughan were appointed said Committee.

Mr. Comegys presented a petition from Nathaniel Connaway praying that certain money paid by the petitioner upon a patent for lands, be refunded; which,

On motion of Mr. Comegys,

Was read and referred to the Committee of Claims.

Mr. Wilson from the Committee to whom was referred the Resolution relative to the prohibition of lotteries in this State, asked, and

On motion of Mr. Comegys,

Obtained further time in which to report.

The House then adjourned until 3 o'clock this afternoon.

Same Day, 3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Rodney from the Committee to whom was referred the petition

of Joseph Cleaver and others, for the chartering of a Bank at Delaware City, reported a bill entitled "An act to incorporate a Bank in Delaware City under the name of the Delaware City Bank;" which,

On motion of Mr. Rodney,

Was read.

Mr. Comegys presented a petition from Andrew Green and John C. Reed, for a supplement to the act incorporating the Merediths' Branch Company, which,

On his motion,

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

Whereupon,

Messrs. Comegys, Bellah and Marshall were appointed said Committee.

Mr. Lofland, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of the bill entitled "An act to incorporate the Kent County Mutual Insurance Company."

Also, that the Senate had concurred in the passage of the bill entitled "An act authorizing William Elmer, Guardian of William Elmer, jr., Margaret K. Elmer, Macomb K. Elmer, and Henry W. Elmer, minors, to sell and convey the interest of the said minors in certain real estate in New Castle County."

Also, that the Senate had concurred in the passage of the bill entitled "An act to authorize the building a wharf from the Bay shore opposite Lewestown."

Also, that the Senate had concurred in the passage of the bill entitled "An act to incorporate the Franklin Manufacturing Company."

Also, that the Senate had passed and requested the concurrence of the House in a bill entitled "A supplement to the Act incorporating the Smyrna, Leipsic, and Philadelphia Steamboat Company."

Also, that the Senate had passed and requested the concurrence of the House in a bill entitled "An act giving Justices of the Peace in this State jurisdiction in all cases of replevin wherein the value of the property claimed does not exceed fifty dollars."

Also, that the Senate had passed and requested the concurrence of the House in a bill entitled "An act to authorize and empower Rachael Cannon, Administratrix of Charles B. Cannon, deceased, formerly of North West Fork Hundred, Sussex County, and State of Delaware, to

make and execute a deed of conveyance to William Cannon, of a certain piece of land therein mentioned."

Also, that the Senate had instructed him to return sundry enrolled bills which had received the signature of the Speaker of the Senate.

And he withdrew.

On motion of Mr. Cooch,

The bill entitled "A further additional supplement to the Act entitled 'An act to incorporate a Bank in the Borough of Wilmington in this State,'" was taken up for consideration.

Mr. Cooch then offered the following amendment, which,

On his motion,

Was read as follows :—

Amend the bill by adding the following at the close of the first section, to wit :—

"Upon this express condition nevertheless ; that the President, Directors, and Company of the said Bank, shall, as a consideration for the passage of this act, pay to the State Treasurer for the use of the State, within — from the first day of February next, four thousand dollars, and also that they shall pay to the same officer for the same use, semi-annually hereafter on the first day of July and January, a tax of one fourth of one per centum per annum, upon all and every portion of the surplus or contingent fund of the said Bank, exceeding twenty-five per cent of the capital of said Bank of one hundred and ten thousand dollars :—the gross amount of such surplus to be ascertained by the certificate of the Cashier of said Bank to be annually made to the said State Treasurer during the month of December in every year during the continuance of the charter of the said Bank ; which certificate shall be accompanied by the oath or affirmation of the said cashier made before a Notary Public that the same is correct and true."

Mr. Cooch moved,

That the amendment be adopted.

Whereupon,

Mr. Bradford moved,

To amend the amendment by striking out the words "shall as a consideration for the passage of this Act, pay to the State Treasurer for the use of the State, within — from the first day of February next, four thousand dollars, and also that they"—

And also, by striking out the words "the same officer for the same

use" and inserting in lieu thereof the words "the State Treasurer for the use of the State."

On which motion, the yeas and nays being ordered, were as follows :

Yeas.—Messrs. Bradford, Bellah, Marshall, Rodney, N. Tunnell and Vaughan—6.

Nays.—Messrs. Caulk, Collins, Comegys, Cooch, Jones, Martin, Postles, Taylor, W. Tunnell, Wilson and Mr. Speaker—11.

So the motion was

Lost.

Mr. Comegys moved,

To amend, by striking out the words "four thousand" where they occur, and inserting the words "two thousand five hundred" in lieu thereof.

On which motion, the yeas and nays being ordered, were as follows :

Yeas.—Messrs. Bradford, Bellah, Collins, Comegys, Jones, Marshall, Martin, Rodney, Taylor, N. Tunnell, W. Tunnell, Vaughan and Mr. Speaker—13.

Nays.—Messrs. Caulk, Cooch, Postles, and Wilson—4.

So the amendment was

Adopted.

Mr. Comegys moved,

To amend further, by striking out the words "within —— from the first day of February next," and inserting in lieu thereof the words "on or before the first day of July next."

Which motion,

Prevailed.

On motion of Mr. Comegys,

The amendment as amended was then

Adopted.

Mr. Bradford then offered the following amendment, which,

On his motion,

Was read as follows :—

Amend the bill by inserting at the close of the first section the following proviso, viz :—

"Provided that the President and Directors of the said Bank, shall on or before the first day of the said month of July next, certify to the Governor of this State under the seal of the corporation, that this supplement has been submitted to a meeting of the Stockholders of the said Bank, regularly convened for the purpose, and been accepted and

approved by the said Stockholders ; but if such acceptance shall not be so certified, this act shall be void."

On motion of Mr. Bradford,

The amendment was

Adopted.

Mr. Bradford then moved,

Further to amend the bill, by adding the following, as section second, viz :—

" And be it further enacted that the said corporation shall not take more than at the rate of one per centum for every sixty days upon its loans and discounts."

Which motion

Prevailed.

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

FRIDAY, 10 o'clock, A. M., January 19th, 1849.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Caulk presented a petition from Daniel Corbit and others, praying for an act reducing the number of Directors in the Cantwell's Bridge Steam Navigation Company, which,

On his motion,

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

Whereupon,

Messrs. Caulk, Postles, and W. Tunnell were appointed said Committee.

Mr. Martin, from the Committee to whom was referred the petition of E. Wooten and others, reported a bill 'entitled "An act to vacate part of a street and part of certain lanes in the village of Georgetown, in Sussex County;" which,

On motion of Mr. Martin,

Was read.

On motion of Mr. Comegys,

The bill from the Senate for concurrence, entitled "A supplement to the Act incorporating the Smyrna, Leipsic, and Philadelphia Steam Boat Company," was read.

On motion of Mr. Bradford,

The bill entitled "A further additional supplement to the Act entitled 'An act to incorporate a Bank in the Borough of Wilmington in this State,'" was read a third time by paragraphs, and the question being on the final passage of the bill, the yeas and nays were ordered; which being taken were as follows:

Yeas.—Messrs. Bradford, Bellah, Caulk, Collins, Comegys, Cooch, Jones, Marshall, Martin, Postles, Rodney, Taylor, N. Tunnell, W. Tunnell, Vaughan, Wilson, and Mr. Speaker—17.

Nays.—0.

So the bill

Passed the House.

Ordered to the the Senate for concurrence.

Mr. Taylor, from the Committee to whom was referred the petition of John D. Eubanks, reported it inexpedient to grant the prayer of the Petitioner, which report was concurred in by the House.

Mr. Comegys presented a remonstrance from Sally N. Dickinson, against the opening of a certain road in Kent County, which,

On his motion,

Was read.

On motion of Mr. Collins,

The bill from the Senate for concurrence, entitled "An act giving Justices of the Peace in this State jurisdiction in all cases of replevin wherein the value of the property claimed does not exceed fifty dollars," was read.

Mr. Bradford presented a petition from Charles F. Day and others, for an act to incorporate the Franklin Building Association of Wilmington, which,

On his motion,

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

Whereupon,

Messrs. Bradford, Taylor, and Vaughan were appointed said Committee.

On motion of Mr. Comegys,

The bill entitled "An act to enable Charles H. Heverin and Outten L. Heverin to locate certain vacant land in Dover Hundred, in Kent County, and to complete their title to the same," was read a third time by paragraphs, and *Passed the House.*

Ordered to the Senate for concurrence.

Mr. Bradford, from the Committee to whom was referred the petition of John H. Price, reported a bill entitled "An act for the relief of John Righter," which,

On his motion,

Was read.

Mr. Comegys presented a claim from David L. Moody (Constable) against the State, which,

On his motion,

Was referred to the Committee of Claims.

Mr. Martin presented a petition from William C. Joseph and others, for the creation of an additional School District, which,

On his motion,

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

Whereupon,

Messrs. Marshall, W. Tunnell and Cooch were appointed said Committee.

On motion of Mr. Bellah,

The bill entitled "An act to revive, re-enact and re-establish an act passed on the thirty-first of January, 1825, entitled 'A supplement to the Act entitled An act to incorporate the Cherry Island Marsh Company,' and also an act passed on the 18th of January, 1843, entitled 'A supplement to an act entitled An act to incorporate the Cherry Island Marsh Company,' and to confirm the acts and proceedings of said Company under and by virtue thereof;" was read a second time.

On motion of Mr. Tunnell,

The bill entitled "A further additional supplement to the Act entitled an act for regulating Inn-holders, Tavern-keepers, and other public house keepers within this government and empowering the Justices to settle the rates of liquor," was read a second time.

The House then adjourned until 3 o'clock this afternoon.

Same Day, 3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Taylor, from the Committee to whom was referred the petition of Daniel C. Godwin, reported it inexpedient to grant the prayer of the Petitioner; in which report the House concurred.

On motion of Mr. Collins,

The bill entitled "A supplement to the Act entitled 'An act to incorporate the Trustees of the Georgetown Academy in Georgetown, Sussex County,'" was read a second time.

Mr. Collins moved,

To amend the bill by filling the blank with the names of John D. Rodney, Caleb S. Layton and William O. Redden.

Which motion

Prevailed.

Mr. Bellah presented a petition from George Read Riddle and others, on behalf of the City Council of Wilmington, praying for an act authorizing the Levy Court of New Castle County, to purchase the Bridge over the Christiana at Wilmington; which,

On his motion,

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

Whereupon,

Messrs. Bellah, Postles and Marshall were appointed said Committee.

On motion of Mr. W. Tunnell,

The Senate bill, for concurrence, entitled "An act to authorize and empower Rachel Cannon, Administratrix of Charles B. Cannon, dec'd., formerly of North West Fork Hundred, Sussex County and State of Delaware, to make and execute a deed of conveyance to William Cannon, of a certain piece of land therein mentioned," was read.

Mr. Martin presented a petition from Benjamin Ellengsworth to locate a certain piece of land 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. Martin, Wilson, and Caulk were appointed said Committee.

Mr. Caulk presented a petition from Wm. J. Hurlock and others, for the establishment of a standard weight for corn and other grains; which,

On his motion,

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

Whereupon,

Messrs. Caulk, Comegys, and N. Tunnell were appointed said Committee.

On motion of Mr. Bradford,

The bill entitled "An act authorizing David C. Swain, Guardian of Robert B. Swain, a minor, to sell and convey the interest of the said minor, in certain real estate in New Castle County," was taken up for consideration.

Mr. Bradford offered the following amendment, which,

On his motion,

Was read as follows:—

Amend the preamble by striking out all after the word "Guardian" in the fifth line, and insert the following:—

"Of his brother Robert B. Swain, a lunatic, and that the said Robert B. Swain, as one of the heirs of William A. Swain, deceased, late of New Castle County in the State of Delaware, is entitled to the one seventh part of a tract of land situated in Christiana Hundred in the County of New Castle and State of Delaware, containing about forty-four acres. And whereas the other heirs of the said William A. Swain, are about conveying and assuring unto one Joseph Scott of the city of Wilmington, in the County and State last aforesaid, their respective interests in the said described property of the said William A. Swain, deceased, and that therefore it would be greatly for the benefit of the said Robert B. Swain if his interest in the said land and premises could be sold and conveyed at the same time, as it would otherwise not only greatly depreciate in value, but most probably be rendered entirely worthless;" therefore,—

Mr. Bradford moved,

That the amendment be adopted. .

Which motion

Prevailed.

Mr. Bradford then offered the following additional amendment, which,

On his motion,

Was read as follows:—

Strike out all after the enacting clause and insert the following, viz:—

“That it shall and may be lawful for David C. Swain the Guardian of Robert B. Swain, a lunatic, and he is hereby authorized and empowered to sell either at public or private sale the interest of the said Robert B. Swain in the tract of land and premises described in the preamble of this Act; and after the said sale shall have been so made, the said David C. Swain as Guardian of the said Robert B. Swain is hereby authorized, empowered and directed, to make, sign, seal and deliver to the purchaser of the said interest of Robert B. Swain, and acknowledge in due form of law, a good and sufficient deed of conveyance, which said deed of conveyance shall be as valid and effectual for conveying and assuring unto such purchaser, his heirs and assigns, all the estate, right, title, interest, property, claim and demand whatsoever of the said Robert B. Swain of, in, and to the before described real property, as fully and to all intents and purposes, as though the said lunatic was of sound mind, and had himself executed such deed.”

Mr. Bradford then moved,

That the amendment be adopted.

Which motion,

Prevailed.

Mr. Bradford presented a petition from Thomas J. Mahaffy and others, praying for an alteration of the mode of levying the lamp tax in the city of Wilmington, which,

On his motion,

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

Whereupon,

Messrs. Bradford, Collins and Marshall were appointed said Committee.

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

SATURDAY, 10 o'clock, A. M., January 20th, 1849.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Bellah, from the Committee to whom was referred the petition of George Read Riddle and others, on behalf of the City Council of Wilmington, reported a bill entitled "An act to authorize and empower the Levy Court of New Castle County to purchase or condemn the Wilmington Bridge," which,

On motion of Mr. Bellah,

Was read.

Mr. Marshall, from the Committee appointed to settle with the State Treasurer, presented the following report, which,

On his motion,

Was read as follows:—

The Committee appointed to act jointly with a committee of the Senate in the examination of the accounts of James Buckmaster, Treasurer, and Trustee of the School Fund, in the settlement with said officer, make the following report:—

That on the 17th day of January 1849, the State Treasurer settled with Abraham Staats, Auditor of Accounts, at which time there was due from him to the State the sum of - - - - - \$3,931 02

That on the same day the Trustee of the School Fund, settled with Abraham Staats, Auditor of Accounts, at which time there was due from him to said fund, - - - - - \$14,130 77

| | | | | | | |
|-----------------------------------|---|---|---|---|------------|------------|
| Due District in New Castle County | - | - | - | - | 14 cts. | |
| Due " Kent | " | | | | \$1,019 09 | |
| Due " Sussex | " | - | - | - | 2,115 83 | |
| | | | | | | \$3,135 06 |

| | | |
|---------------------------|--|-------------|
| Total due of School Fund, | | \$17,265 83 |
| " State, | | 3,931 02 |

| | | | | | | |
|-------|---|---|---|---|---|-------------|
| Total | - | - | - | - | - | \$21,196 83 |
|-------|---|---|---|---|---|-------------|

The Committee further report, that the Books are neatly kept, and in good order. And they find the sum of \$21,196 83, deposited to the credit of the State Treasurer, in the Farmers' Bank at Dover.

On motion of Mr. Marshall,

The report was

Adopted.

Mr. Miles, from the same Committee, presented the report of the Auditor of Accounts, which,

On his motion,

Was laid upon the Clerk's table.

Mr. Comegys presented a petition from H. Todd, praying for the enactment of a law authorizing the Orphans' Court to dispose of property in certain cases, which,

On his motion,

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

Whereupon,

Messrs. Comegys, Cooch and Vaughan were appointed said Committee.

On motion of Mr. Caulk,

The bill entitled "An act to authorize John G. Black to employ his slaves in the State of Maryland and in the State of Delaware," was read a second time.

On motion of Mr. Marshall,

The bill entitled "A supplement to the Act entitled an act to incorporate the Trustees of the Georgetown Academy in Georgetown, Sussex County," was taken up for consideration.

Mr. Marshall moved,

To amend the bill by striking out the name of Caleb S. Layton, and inserting in lieu thereof the name of Laban L. Lyons: on which motion the yeas and nays being called, were as follows:—

Yeas.—Messrs. Jones, Marshall, Martin, N. Tunnell, W. Tunnell, and Vaughan—6.

Nays.—Messrs. Bradford, Bellah, Caulk, Collins, Comegys, Cooch, Miles, Rodney, Taylor, Wilson, and Mr. Speaker—11.

So the motion was

Lost.

On motion of Mr. Collins,

The bill was then read a third time by paragraphs, and the question being on the final passage of the bill, the yeas and nays were ordered; which being taken were as follows:—

Yeas.—Messrs. Bradford, Bellah, Caulk, Collins, Comegys, Cooch, Miles, Rodney, Taylor, Wilson and Mr. Speaker—11.

Nays.—Messrs. Jones, Marshall, Martin, N. Tunnell, W. Tunnell, and Vaughan—6.

So the bill

Passed the House.

Ordered to the Senate.

Mr. Miles gave notice, that he would ask leave on Monday next to introduce a bill entitled "A supplement to the Act entitled 'An act fixing the standard of Weights and Measures, and regulating the same within this State.'"

Mr. Rodney also gave notice that he would ask leave on Monday next to introduce a bill entitled "An act to amend the Act entitled 'An act directing the manner of appointing in this State, electors of President and Vice President of the United States.'"

On motion of Mr. Bradford,

The bill entitled "A supplement to the Act entitled 'An act concerning defects in legal proceedings,'" was read a second time.

Mr. N. Tunnell presented a petition from Wm. S. Hall and others, for a law authorizing the construction of a certain canal 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. N. Tunnell, Marshall and Miles were appointed said Committee.

Mr. Comegys offered the following Resolution, which,

On his motion,

Was read as follows:—

Resolved, That the use of the Hall of the House of Representatives, for the evening of the first day of February next, be granted to the Superintendent and Teachers of the Sabbath School of the Methodist Episcopal Church of Dover, for the purpose of a celebration.

On motion of Mr. Comegys,

The Resolution was

Adopted.

Mr. Wilson, from the Committee to whom was referred that portion of the Governor's Message relative to the publication of a map of the State, reported a bill entitled "An act to procure a map of this State," which,

On motion of Mr. Wilson,

Was read.

Mr. Miles, from the Committee to whom was referred that portion of

the Governor's Message relative to the Guardianship of the insane, asked, and

On motion of Mr. Caulk,

Obtained further time in which to report.

The House then adjourned until 10 o'clock on Monday morning.

MONDAY, *January 22d*, 10 o'clock, *A. M.*

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Comegys presented a remonstrance from J. S. Layton and C. B. Sipple, against the closing of a certain lane in Georgetown; which,

On his motion,

Was read.

Mr. Comegys moved,

That the bill already reported upon the subject, be re-committed, together with the remonstrance.

Which motion

Prevailed.

Mr. Cooch presented a memorial from George Read Riddle and others, on behalf of the City Council of Wilmington, praying for the vacating of a certain lane within the limits of said city; which,

On his motion,

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

Whereupon,

Messrs. Cooch, Bellah, and Bradford were appointed said Committee.

Mr. Comegys presented a petition from George Read Riddle and others, on behalf of the City Council of Wilmington, praying for an act authorizing the City Council to increase the city debt; which,

On motion of Mr. Comegys,

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

Whereupon,

Messrs. Comegys, Bellah and Marshall were appointed said Committee.

Mr. Miles asked, and

On motion of Mr. Rodney,

Obtained leave to introduce a bill entitled "A supplement to the Act entitled 'An act fixing the standard of Weights and Measures, and regulating the same within this State.'" "

On motion of Mr. Miles,

The bill was read.

Mr. Bradford, from the Committee to whom was referred the petition of Thomas J. Mahaffy and others, reported a bill entitled "A further supplement to the Act entitled 'An act to alter and re-establish the charter of the Borough of Wilmington;'" which,

On his motion,

Was read.

On motion of Bellah,

The bill entitled, "An act to revive, re-enact, and re-establish An act passed on the thirty-first of January 1825, entitled 'A supplement to the Act entitled An act to incorporate the Cherry Island Marsh Company,' and also An act passed on the 18th of January 1843 entitled 'A supplement to An act entitled An act to incorporate the Cherry Island Marsh Company,' and to confirm the acts and proceeding of the said Company under and by virtue thereof;" was read a third time by paragraphs, and

Passed the House.

Ordered to the the Senate for concurrence.

Mr. Wilson, from the Committee to whom was referred the petition of James Battle, reported a bill entitled "An act to divorce James Battle and Mary Jane Battle," which,

On his motion,

Was read.

Mr. Bradford presented a remonstrance from Merrit Canby and others, against authorizing the City Council of Wilmington to increase the city debt; which,

On motion of Mr. Bradford,

Was read and referred to the Committee upon that subject.

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Mr. Caulk, from the Committee to whom was referred the petition of John D. Dilworth and others, reported a bill entitled "An act to incorporate the Farmers' Mutual Fire Insurance Company, of St. Georges and Appoquinimink Hundreds in New Castle County," which,

On motion of Mr. Caulk,

Was read.

On motion of Mr. Rodney,

The bill entitled "An act to incorporate a Bank in Delaware City under the name of the Delaware City Bank," was read a second time.

On motion of Mr. Bellah,

The bill entitled "An act to authorize and empower the Levy Court of New Castle County to purchase or condemn the Wilmington Bridge," was read a second time.

On motion of Mr. Bradford,

The bill entitled "An act for the relief of John Righter," was read a second time.

On motion of Mr. Comegys,

The bill entitled "A supplement to the Act incorporating the Smyrna, Leipsic, and Philadelphia Steam Boat Company," was read a second time.

The House then adjourned until 3 o'clock this afternoon.

Same Day, 3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Miles, from the Committee of enrollment reported the following bills as being correctly enrolled, to wit:

"An act authorizing William Elmer, Guardian of William Elmer, jr., Margaret K. Elmer, Macomb K. Elmer, and Henry W. Elmer, minors, to sell and convey the interest of the said minors in certain real estate in New Castle County."

"An act to incorporate the Franklin Manufacturing Company."

On motion of Mr. W. Tunnell,

The bill entitled "An act to authorize and empower Rachel Cannon, Administratrix of Charles B. Cannon, dec'd., formerly of North West Fork Hundred, Sussex County and State of Delaware, to make and execute a deed of conveyance to William Cannon of a certain piece of land therein mentioned;" was read a second time.

Mr. Wilson presented a petition from Wilson L. Cannon and others, praying for a law authorizing the construction of a certain Bridge in Kent County; which,

On motion of Mr. Wilson,

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

Whereupon,

Messrs. Wilson, Comegys, and Marshall were appointed said Committee.

Mr. Caulk, from the Committee of enrollment reported the following bill as being correctly enrolled, to wit:—

"An act to authorize the building a wharf from the bay shore opposite Lewestown."

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

TUESDAY, Jan. 23d, 10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Bradford presented a remonstrance from sundry citizens of Wilmington, against a law authorizing the Council to increase the city debt; which,

On his motion,

Was referred to the Committee on that subject.

Mr. Miles, from the Committee to whom was referred the petition of Charles Canby and others, presented the following report, which,

On his motion,

Was read as follows:—

"The Committee appointed on the 12th inst., on the petition of Charles Canby and others, relative to the abolition of slavery in the State of Delaware, beg leave respectfully to report, that they deem it inexpedient to legislate upon the subject at this time."

Mr. Miles moved,

That the report be adopted; on which motion the yeas and nays being called were as follows:—

Yeas.—Messrs. Bradford, Bellah, Caulk, Collins, Cooch, Jones, Marshall, Martin, Miles, Naudain, Postles, Rodney, Taylor, N. Tunnell, W. Tunnell, Vaughan, Wilson, and Mr. Speaker—18.

Nays.—0.

So the report was

Adopted.

Mr. Marshall presented a remonstrance from sundry citizens of Sussex County against a division of certain School Districts in said County, which,

On his motion,

Was read and referred to the Committee on that subject.

Mr. Caulk, from the Committee to whom was referred the petition of Daniel Corbit and others, reported a bill entitled "A supplement to the Act entitled 'An act to incorporate the Cantwells' Bridge Steam Navigation Company,'" which,

On his motion,

Was read.

On motion of Mr. Wilson,

The bill entitled "An act to procure a map of this State," was read a second time.

On motion of Mr. Bradford,

The bill entitled "An act authorizing David C. Swain, Guardian of Robert B. Swain, a minor, to sell and convey the interest of the said minor in certain real estate in New Castle County," was read a third time by paragraphs.

Mr. Bradford moved,

To amend the title of the bill, by striking out the word "minor" where it occurs, and inserting in lie thereof the word "lunatic."

Which motion

Prevailed.

The question then being taken on its final passage, the Bill

Passed the House.

Ordered to the Senate.

On motion of Mr. Caulk,

The bill entitled "An act to incorporate the Farmers' Mutual Fire Insurance Company of St. Georges and Appoquinimink Hundreds, in New Castle County," was read a second time.

The Speaker laid upon the Clerk's table sundry Resolutions adopted by the Farmers' Convention, held at Dover on the 17th inst.

On motion of Mr. Bradford,

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

On motion of Mr. W. Tunnell,

The bill entitled "An act to authorize and empower Rachel Cannon, Administratrix of Charles B. Cannon, dec'd., formerly of North West Fork Hundred, Sussex County and State of Delaware to make and execute a deed of conveyance to William Cannon of a certain piece of land therein mentioned," was read a third time by paragraphs and

Passed the House.

Ordered to the Senate.

On motion of Mr. Wilson,

The bill entitled "An act to divorce James Battle and Mary Jane Battle," was read a second time.

Mr. Miles presented a petition from J. W. Duncan and others, for an act to incorporate a Mutual Insurance Company in Wilmington; which,

On his motion,

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

Whereupon,

Messrs. Miles, Wilson and N. Tunnell were appointed said Committee.

The House then adjourned until 3 o'clock this afternoon.

Same Day, 3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Cooch, from the Committee to whom was referred the petition of George Read Riddle and others on the part of the City Council of Wilmington, for the closing of Love lane, reported a bill entitled "A further supplement to the Act entitled 'An additional supplement to the Act to alter and re-establish the charter of the Borough of Wilmington,'" which,

On motion of Mr. Cooch,

Was read.

Mr. Bellah presented a memorial from the Committee on behalf of the City Council of Wilmington, in reply to the remonstrance of certain citizens thereof, which,

On his motion,

Was read and referred to the Committee on the petition for authority to increase the city debt.

Mr. Rodney asked, and

On motion of Mr. Caulk,

Obtained leave to introduce a bill entitled "An act to amend the Act directing the manner of appointing in this State electors of President and Vice President of the United States," which,

On motion of Mr. Rodney,

Was read.

Mr. Miles presented a petition from the Delaware Fire Insurance Company for an act granting to said Company the power of Mutual Insurance; which,

On motion of Mr. Miles,

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

Whereupon,

Messrs. Miles, Naudain, and W. Tunnell were appointed said Committee.

Mr. Miles asked, and

On motion of Mr. Wilson,

Obtained leave to withdraw the bill entitled "A supplement to the Act entitled 'An act fixing the standard of Weights and Measures, and regulating the same within the State.'"

Mr. Caulk offered the following Resolution, which,

On his motion,

Was read as follows ;

Resolved, That the use of the Hall of the House of Representatives be granted to Mr. Dyer on Thursday evening next, for the purpose of holding a concert of vocal music.

On motion of Mr. Caulk,

The Resolution was

Adopted.

On motion of Mr. Miles,

The Resolution from the Farmers' Convention, in reference to cattle running at large on public highways, was read and referred to a committee of three with leave to report by bill or otherwise.

Whereupon,

Messrs. Miles, Postles, and N. Tunnell were appointed said Committee.

On motion of Mr. Caulk,

The Resolutions from the same Convention, upon the subject of equalizing taxation, were read and referred to the Committee on John B. Belville's petition.

On motion of Mr. Bellah,

The Resolutions from the same Convention, upon the subject of a more frequent assessment of real estate, were read and referred to a committee of three with leave to report by bill or otherwise.

Whereupon,

Messrs. Bellah, Comegys, and Vaughan were appointed said Committee.

On motion of Mr. Naudain,

The Resolution from the same Convention, relative to the payment of taxes, was read and referred to a committee of three with leave to report by bill or otherwise.

Whereupon,

Messrs. Naudain, Taylor, and Marshall were appointed said Committee.

On motion of Mr. Miles,

The Resolution from the same Convention, upon the subject of Weights and Measures, was read, and laid upon the table.

Mr. Comegys presented a remonstrance from H. K. Lockwood and

others, and also a remonstrance from James Lord and others, against the opening of a road from Barker's landing ; which,

On motion of Mr. Comegys,

Were read.

On motion of Mr. Wilson,

The bill reported upon the subject, together with the remonstrances, was re-committed to a committee of five.

Whereupon,

Messrs. Wilson, Cooch, Marshall, Postles, and Bellah were appointed said Committee.

Mr. Wilson presented a petition from Isaac Short and others, praying for a law authorizing the construction of a bridge at Leipsic, which,

On his motion,

Was referred to the Committee upon that subject.

Mr. Lofland, Clerk of the Senate being admitted, informed the House, that the Senate had concurred in the passage of the bill entitled "An Act to enable Charles H. Heverin and Outten L. Heverin to locate certain vacant land in Dover Hundred in Kent County, and to complete their title to the same."

Also, that the Senate had concurred in the passage of the bill entitled "An act to divorce William Roburtson, and his wife Isabella Roburtson from the bonds of matrimony."

Also, that the Senate had concurred in the passage of the bill entitled "An act to prevent encroachments in the river Delaware, within the limits of this State."

Also, that the Senate had concurred in the passage of the bill entitled "An act for the relief of Benjamin Holt."

Also, that the Senate had passed and requested the concurrence of the House, in a bill entitled "An act for the relief of Charles Draper."

Also, that the Senate had passed and requested the concurrence of the House, in a bill entitled "A supplement to the Act entitled 'An act providing for the recovery of small debts.'"

Also, that the Senate had passed and requested the concurrence of the House, in a bill entitled "An act to establish the Green Hill Cemetary of Christiana Hundred."

And he withdrew.

On motion of Mr. Comegys,

The bills from the Senate for concurrence were read.

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

WEDNESDAY, *January 24th*, 10 o'clock, *A. M.*

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Comegys presented a petition from J. A. Moore, Clerk of the Orphan's Court, for a new seal of office ; which,

On his motion,

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

Whereupon,

Messrs. Comegys, Naudain, and Nathaniel Tunnell were appointed said Committee.

Mr. Bradford gave notice that he would ask leave to-morrow to introduce a bill entitled "An act to incorporate Fairfax Lodge, No. 8, I. O. O. F., of the city of Wilmington in the State of Delaware."

Mr. Miles, from the Committee to whom was referred the petition of J. W. Duncan and others, reported a bill entitled "An act to incorporate the New Castle County Mutual Insurance Company," which,

On his motion,

Was read.

On motion of Mr. Rodney,

The bill entitled "An act to incorporate a Bank in Delaware City under the name of the Delaware City Bank," was taken up for consideration.

Mr. Cooch moved,

To amend the bill by inserting in the blank in the tenth section thereof, the words "two thousand dollars;" on which motion the yeas and nays being called, were as follows:—

Yeas.—Messrs. Collins, Comegys, Cooch, Taylor, Vaughan, and Mr. Speaker—6.

M

Nays.—Messrs. Bradford, Bellah, Caulk, Jones, Martin, Marshall, Miles, Naulain, Postles, Rodney, N. Tunnell, W. Tunnell and Wilson
—13.

So the motion was

Lost.

Mr. Rodney then moved,

To amend the bill by inserting in the blank in the 10th section, the words "fifteen hundred dollars."

Which motion

Prevailed.

On motion of Mr. Marshall,

The further consideration of the bill was postponed until Wednesday next.

On motion of Mr. Cooch,

The bill entitled "A further supplement to the Act entitled 'An additional supplement to the Act to alter and re-establish the charter of the Borough of Wilmington,'" was read a second time.

Mr. Martin, from the Committee to whom was referred the petition of Benjamin Ellengsworth, asked, and

On motion of Mr. Marshall,

Obtained further time in which to report.

Mr. Jones presented a petition from John D. Rodney and others, for an act authorizing the vacating of a certain lane in Georgetown, which,

On his motion,

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

Whereupon,

Messrs. Jones, Taylor and Caulk were appointed said Committee.

Mr. Bradford, from the Committee to whom was referred the petition of Charles F. Day and others, asked, and

On motion of Mr. Miles,

Obtained further time in which to report.

Mr. Marshall, from the Committee to whom was referred the petition of William C. Joseph and others, reported it inexpedient to grant the prayer of the petitioners; which report,

On motion of Mr. Comegys,

Was

Adopted.

Mr. Martin, from the Committee to whom was re-committed the bill entitled "An act to vacate part of a street and part of certain lanes in the village of Georgetown, in Sussex County;" together with the petitions and remonstrances upon the subject, reported the original bill, without alteration or amendment.

Mr. N. Tunnell, from the Committee to whom was referred the petition of Wm. S. Hall and others, reported a bill entitled "An act to incorporate a Company for the purpose of making a canal to connect the waters of Indian River and Broadkilk," which,

On his motion,

Was read.

Mr. Lofland, 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 divorce Thomas S. Brittingham and Sally Ann S. Brittingham from the bonds of matrimony."

Also, that the Senate had passed the bill entitled "An act to enable Warner M. Cowgill to locate certain vacant salt marsh situate in Kent County, and to complete his title to the same," with an amendment in which the concurrence of the House was requested.

And he withdrew.

Mr. Naudain presented a petition from Jacob V. Naudain and others, for a law preventing persons from allowing swine to run at large within certain districts, which,

On his motion,

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

Whereupon,

Messrs. Naudain, Bellah, and Postles were appointed said Committee.

On motion of Mr. Miles,

The bill entitled "An act to establish the Green Hill Cemetery of Christiana Hundred," was read a second time.

Mr. Miles offered the following amendment, which,

On his motion,

Was read as follows :—

Amend the bill by adding the following at the end of the second section, viz :—

"Provided, that it shall not be lawful for the said Corporation to ac-

quire by purchase or otherwise more land beyond the quantity of three acres, specified in the preamble to this Act, than shall be actually necessary for burial purposes."

Mr. Miles then moved,
That the amendment be adopted.
Which motion
The House then adjourned until 3 o'clock this afternoon.

Prevailed.

Same Day, 3 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Comegys,

The bill from the Senate, entitled "An act to divorce Thomas S. Brittingham and Sallay Ann S. Brittingham from the bonds of matrimony," was read.

Mr. Miles, from the Committee of Enrollment reported the following bills as being correctly enrolled, viz :—

"An act to divorce William Robertson and his wife Isabella Robertson from the bonds of matrimony."

"An act to prevent encroachments in the river Delaware within the limits of this State."

On motion of Mr. Caulk,

The bill entitled "A supplement to the Act entitled 'An act to incorporate the Cantwell's Bridge Steam Navigation Company,'" was read a second time.

On motion of Mr. W. Tunnell,

The bill entitled "An act for the relief of Charles Draper," was read a second time.

Mr. Comegys offered the following Resolutions, which,

On his motion,

Were read as follows :—

Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That John M. Clayton and James

A. Bayard be, and they are hereby appointed a committee to procure the original charters of this State from King Charles the II to his brother the Duke of York, and from the Duke of York to William Penn, and all other papers connected with the title of this State to the lands and waters within its limits, and to cause the said original charters to be handsomely framed, and suspended in the Chambers of the Senate and House of Representatives.

Resolved, That the expenses attending the execution of the foregoing Resolution be paid by the State Treasurer upon the written order of the said Committee.

On motion of Mr. Comegys,

The Resolutions were then

Adopted.

Ordered to the Senate for concurrence.

Mr. Comegys presented a claim against the State from John D. Bird, Escheator of New Castle County, which,

On his motion,

Was referred to the Committee of Claims.

Mr. Caulk, from the Committee to whom was referred the petition of William J. Hurlock and others, reported a bill entitled "An act to regulate the selling of grain;" which,

On his motion,

Was read.

On motion of Mr. Wilson,

The bill entitled "An act to divorce James Battle and Mary Jane Battle," was read a third time by paragraphs, and the question being on the final passage of the bill, the yeas and nays were ordered; which being taken, were as follows:—

Yeas.—Messrs. Bellah, Cooch, Marshall, Taylor, N. Tunnell, W. Tunnell, Wilson and Mr. Speaker—8.

Nays.—Messrs. Carlisle, Caulk, Comegys, Miles, Naudain, and Postles—6.

So the bill

Passed the House.

Ordered to the Senate.

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

THURSDAY, January 25th, 10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Lofland, Clerk of the Senate being admitted, informed the House that the Senate had concurred in the passage of the bill entitled "A supplement to the Act entitled 'An act to incorporate the Trustees of the Georgetown Academy in Georgetown, Sussex County.'"

Also, that the Senate had concurred in the passage of the bill entitled "A further additional supplement to the Act entitled 'An act to incorporate a Bank in the borough of Wilmington in this State;'" with certain amendments in which the concurrence of the House was asked.

And he withdrew.

On motion of Mr. Collins,

The bill entitled "A supplement to the Act incorporating the Smyrna, Leipsic and Philadelphia Steam Boat Company," was read a third time by paragraphs, and the question being on the final passage of the bill, the yeas and nays were ordered; which, being taken, were as follows:—

Yeas.—Messrs. Bradford, Bellah, Carlisle, Caulk, Collins, Comegys, Cooch, Jones, Marshall, Martin, Miles, Naudain, Postles, Rodney, Taylor, N. Tunnell, W. Tunnell, Vaughan, Wilson and Mr. Speaker—20.

Nays.—0.

So the bill

Passed the House.

Ordered to the Senate.

On motion of Mr. Martin,

The bill entitled "An act to vacate part of a street, and part of certain lanes in the village of Georgetown, in Sussex County," was read a second time.

Mr. Collins, from the Committee to whom was referred the petition of Margaret Anderson, reported a bill entitled "An act to divorce Jennifer Anderson, and Margaret Anderson;" which,

On his motion,

Was read.

Mr. Miles, from the Committee to whom was referred the petition of the Delaware Fire Insurance Company, reported a bill entitled "A supplement to an act entitled 'An act to incorporate the Delaware Fire Insurance Company,'" which,

On his motion,
Was read.

Mr. Caulk presented the Account of Abraham Staats, Auditor of Accounts, which,

On his motion,
Was referred to the Committee of Claims.

On motion of Mr. Caulk,

The bill entitled "A supplement to the Act to incorporate the Cantwell's Bridge Steam Navigation Company," was read a third time by paragraphs, and the question being on the final passage of the bill, the yeas and nays were ordered; which being taken were as follows:—

Yeas.—Messrs. Bradford, Bellah, Carlisle, Caulk, Collins, Comegys, Cooch, Jones, Marshall, Martin, Miles, Naudain, Postles, Rodney, Taylor, N. Tunnell, W. Tunnell, Vaughan, Wilson and Mr. Speaker—20.

Nays.—0.

So the bill

Passed the House.

Ordered to the Senate.

The Speaker laid upon the Clerk's table the following communication from Daniel M. Bates, Esq., Secretary of State, which,

On motion of Mr. Comegys,
Was read as follows:—

SECRETARY'S OFFICE, Dover, Jan. 24, 1849.

SIR :

In obedience to the Acts of the General Assembly in such case made and provided, I have the honor to inform the House of Representatives, through you, that Jacob Farris as State Treasurer, and Hiram W. M^cColly as Auditor of Accounts, have respectively given bond with sureties as required by law, and that the same, with the sureties therein, respectively, have been in due manner approved by the Governor.

I am, sir,

With great respect,

Your obedient servant,

DANIEL M. BATES,

Secretary of State.

To

DANIEL CUMMINS, Esq.,

Speaker of the House of Representatives.

On motion of Mr. Bradford,

The bill entitled "A further additional supplement to the Act entitled 'An act to alter and re-establish the Charter of the Borough of Wilmington,'" was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate.

On motion of Mr. Rodney,

The bill entitled "An act to amend the Act entitled 'An act directing the manner of appointing in this State Electors of President and Vice President of the United States,'" was read a second time.

Mr. Rodney then moved,

To fill the blank in the bill, with the word "ten."

Which motion

Prevailed.

On motion of Mr. Comegys,

The Clerk of the House was directed to procure for the use of the members, fifty printed copies of the bill entitled "A supplement to the Act entitled 'An act concerning defects in legal proceedings.'"

Mr. Bellah presented a petition from Susanna Brown, for a divorce from her husband, which,

On motion of Mr. Bellah,

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

Whereupon,

Messrs. Bellah, Wilson, and W. Tunnell were appointed said Committee.

The House then adjourned until 3 o'clock this afternoon.

Same Day, 3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Bradford asked, and

On motion of Mr. Rodney,

Obtained leave to introduce a bill entitled "An act to incorporate

Fairfax Lodge, No. 8, I. O. O. F., of the City of Wilmington, in the State of Delaware," which,

On motion of Mr. Bradford,

Was read.

On motion of Mr. Comegys,

The amendments from the Senate, to the bill entitled "A further additional supplement to the act entitled 'An act to incorporate a Bank in the Borough of Wilmington, in this State,'" were read as follows:

IN SENATE, January 24th, 1849.

Amend the bill by striking out after the word "met" in the third line of the first Section and before the word "That" in the fourth line of the same Section, the words "two-thirds of each branch of the Legislature concurring herein" and inserting in lieu thereof, the words "and the power of revoking this act by the Legislature being hereby expressly reserved."

Also, in the twenty-fifth line of the same Section by striking out the words "two thousand five hundred dollars," and inserting in lieu thereof the words "three thousand dollars."

Extract from Journal.

J. R. LOFLAND,
Clerk of the Senate.

For Concurrence.

Mr. Comegys then moved,

To amend the amendment by striking out the following words therein, viz: "and the power of revoking this act by the Legislature being hereby expressly reserved."

On which motion,

The Yeas and Nays being called were as follows:—

Yeas.—Messrs. Bradford, Bellah, Carlisle, Caulk, Collins, Comegys, Cooch, Miles, Naudain, Postles, Rodney, Taylor, N. Tunnell, W. Tunnell, Vaughan, and Mr. Speaker—16.

Nays.—Messrs. Jones, Marshall, and Martin—3.

So the amendment was

Adopted.

On motion of Mr. Comegys,

The amendment as amended was then

Concurred in by the House.

Ordered to the Senate.

Mr. Lofland, Clerk of the Senate being admitted, informed the House,

that the Senate had concurred in the passage of the bill entitled "An act to revive, re-enact and re-establish an act passed on the 31st of January 1825, entitled 'A Supplement to the act entitled An act to incorporate the Cherry Island Marsh Company,' and also An act passed on the 18th of January 1843, entitled 'A Supplement to an act entitled An act to incorporate the Cherry Island Marsh Company,' and to confirm the acts and proceedings of the said company under and by virtue thereof."

Also, that the Senate had concurred in the passage of the bill entitled "An act authorizing David C. Swain, Guardian of Robert B. Swain, a lunatic, to sell and convey the interest of the said lunatic in certain real estate in New Castle County."

Also, that the Senate had passed and requested the concurrence of the House in a bill entitled "An act authorizing the sale and conveyance of certain real estate in Christiana Hundred, late of Patrick Mc Fadden, deceased; and prescribing the mode of disposal of the proceeds of said sale."

Also, that he had been directed to present an enrolled bill, for the signature of the Speaker of the House, and to return sundry others, which had received the signature of the Speaker of the Senate.

And he withdrew.

Mr. Bradford presented a petition from John W. Weir and others, for An act to incorporate Delaware Lodge, of the Independent Order of Odd Fellows, which,

On his motion,

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

Whereupon,

Messrs. Bradford, Carlisle, and Vaughan, were appointed said Committee.

On motion of Mr. Bradford,

The bill entitled "a further Supplement to the act entitled 'An additional Supplement to the act to alter and re-establish the Charter of the Borough of Wilmington,'" was taken up for consideration.

Mr. Bradford offered the following amendment, which,

On his motion,

Was read as follows:—

Amend the first Section of the bill by striking out in the tenth line of the said Section the words "be ceded" and inserting in lieu thereof the words "belong."

Mr. Bradford then moved,
That the amendment be adopted.

Which motion,

Prevailed.

Mr. Collins presented a petition from Asa Harrington and others, for
An act to incorporate the Delaware Rail Road Company, which,

On his motion,

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

Whereupon,

Messrs. Collins, Taylor, Miles, Caulk, and Marshall were appointed
said Committee.

On motion of Mr. Bradford,

The bill entitled "An act for the relief of John Righter," was read
a third time by paragraphs, and

Passed the House.

Ordered to the the Senate for concurrence.

Mr. Comegys, from the Committee to whom was referred the petition
of sundry citizens of Kent County for an additional School District, re-
ported a bill entitled "An act concerning the division of School Dis-
tricts Nos. 10, 11, 13 and 17, in Kent County," which,

On his motion,

Was read.

Mr. Rodney presented a petition from James V. Moore and others, for
an alteration of the license law, which,

On his motion,

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

Whereupon,

Messrs. Rodney, Postles, and W. Tunnell were appointed said Com-
mittee.

Mr. Collins presented a petition from Barratt P. Conner and others,
for a law authorizing the opening of a road from Barker's Landing,
which,

On his motion,

Was read and referred to the Committee upon that subject.

Mr. Carlisle presented a petition from C. B. Sipple and others, for a law the better to regulate the granting of licenses to Pedlars, which,

On his motion,

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

Whereupon,

Messrs. Carlisle, Naudain, and N. Tunnell, were appointed said Committee.

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

FRIDAY, 10 o'clock, A. M., January 26th, 1849.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Carlisle presented a petition from Amanda Lindale, praying for a divorce from her husband, which,

On his motion,

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

Whereupon,

Messrs. Carlisle, Naudain, and Vaughan, were appointed said Committee.

Mr. Marshall presented a petition from Joshua Burton and others, for an alteration of the law relative to swine running at large, which,

On his motion,

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

Whereupon,

Messrs. Marshall, W. Tunnell and Taylor were appointed said Committee.

Mr. Miles presented a petition from John Ferris and others, for an alteration of the License Law, which,

On his motion,

Was read and referred to the Committee upon that subject.

On motion of Mr. N. Tunnell,

The bill entitled "An act to incorporate a Company for the purpose of making a canal to connect the waters of Indian River and Broadkilk," was read a second time by its title.

Mr. Lofland, Clerk of the Senate being admitted, informed the House that the Senate had concurred in the amendment to the bill entitled "a further additional Supplement to the act entitled an act to incorporate a Bank in the Borough of Wilmington, in this State ;"

And he withdrew.

Mr. N. Tunnell presented a petition from Eli Davis, for An act authorizing him to locate a certain tract of vacant land in Sussex County, adjoining two other tracts known and designated by the titles respectively of "Big at both ends," and "Addition to Diana's Desire ;" which,

On motion of Mr. N. Tunnell,

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

Whereupon,

Messrs. N. Tunnell, Jones, and Vaughan, were appointed said Committee.

On motion of Mr. Marshall,

The bill from the Senate for concurrence, entitled "An act authorizing the sale and conveyance of certain real estate in Christiana Hundred, late of Patrick McFadgen, deceased, and describing the mode of disposing of the proceeds of said sale," was read.

On motion of Mr. Bradford,

The bill entitled "A further supplement to the Act entitled 'An additional supplement to the Act to alter and re-establish the charter of the Borough of Wilmington,'" was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate.

On motion of Mr. Collins,

The bill entitled "An act to authorize John G. Black to employ his slaves in the State of Maryland and in the State of Delaware," was read a third time by paragraphs, and the question being on the final passage

of the bill, the yeas and nays were ordered, which being taken were as follows :

Yeas.—Messrs. Collins, Cooch, Jones, Miles, Naudain, Taylor, N. Tunnell, Vaughan, and Mr. Speaker—9.

Nays.—Messrs. Bradford, Bellah, Carlisle, Caulk, Postles, Rodney, W. Tunnell and Wilson—8.

So the bill

Passed the House.

Mr. Cooch then moved,

That the vote thereon be reconsidered.

Which motion

Prevailed.

The question again being on the final passage of the bill, the yeas and nays were ordered ; which being taken, were as follows :—

Yeas.—Messrs. Collins, Jones, Naudain, N. Tunnell, and Mr. Speaker—5.

Nays.—Messrs. Bradford, Bellah, Carlisle, Caulk, Comegys, Cooch, Marshall, Miles, Postles, Rodney, Taylor, W. Tunnell, Vaughan, and Wilson—14.

So the bill was

Lost.

Ordered, that the Senate be informed thereof.

On motion of Mr. Rodney,

The bill entitled “An act to amend the Act entitled ‘An act directing the manner of appointing in this State, electors of President and Vice President of the United States,’ ” was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate.

On motion of Mr. Caulk,

The bill entitled “An act to incorporate the Farmers’ Mutual Fire Insurance Company of St. Georges and Appoquinimink Hundreds, in New Castle County,” was read a third time by paragraphs, and the question being on the final passage of the bill, the yeas and nays were ordered ; which being taken, were as follows :—

Yeas.—Messrs. Bradford, Bellah, Carlisle, Caulk, Collins, Cooch, Jones, Miles, Naudain, Postles, Rodney, Taylor, N. Tunnell, W. Tunnell, Vaughan, Wilson and Mr. Speaker—17.

Nays.—0.

So the bill

Passed the House.

Ordered to the Senate.

On motion of Mr. Wilson,

The bill entitled "An act to procure a map of this State," was read a third time by paragraphs, and the question being on the final passage of the bill,

Mr. Comegys moved,

That the further consideration of the bill be postponed; on which motion, the yeas and nays being called, were as follows:—

Yeas.—Messrs. Bradford, Collins, Comegys, Cooch, Jones, Marshall, Miles, Naudain, Taylor, N. Tunnell, Vaughan, and Mr. Speaker—12.

Nays.—Messrs. Bellah, Carlisle, Caulk, Rodney, W. Tunnell, and Wilson—6.

So the motion

Prevailed.

Mr. Naudain, from the Committee to whom was referred the Resolution from the Farmers' Convention, relative to the payment of taxes, presented the following report, which,

On his motion,

Was read as follows:—

The Committee to whom was referred the Resolution from the Farmers' Convention, relative to the payment of taxes, beg leave respectfully to report, that they are unanimous in the opinion, that it is inexpedient to legislate upon the subject.

Mr. Naudain then moved,

That the report be adopted.

Which motion

Prevailed.

Mr. Bradford, from the Committee to whom was referred the petition of J. W. Weir and others, reported a bill entitled "An act to incorporate Delaware Lodge, No. 1, of the Independent Order of Odd Fellows of the State of Delaware," which,

On his motion,

Was read.

Mr. Collins presented a petition from Benjamin Thistlewood for an act to condemn certain land adjoining his premises, which,

On his motion,

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

Whereupon,

Messrs. Collins, Cooch, and Marshall, were appointed said Committee.

Mr. Carlisle presented a petition from Henry and Eleanor Bradley, 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. Carlisle, Naudain, and Martin, were appointed said Committee.

Mr. Miles presented a petition from W. McCaulley and others, praying for a law exempting certain articles from seizure for debt, which,

On his motion,

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

Whereupon,

Messrs. Miles, Comegys, and N. Tunnell were appointed said Committee.

The House then adjourned until 3 o'clock this afternoon.

Same Day, 3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Miles moved,

That when the House adjourns, it adjourns until 3 o'clock on Monday next.

Which motion

Prevailed.

On motion of Mr. W. Tunnell,

The bill entitled "An act for the relief of Charles Draper," was read a third third time by paragraphs, and

Passed the House.

Ordered to the Senate.

The House then adjourned.

MONDAY, *January 29th, 3 o'clock, P. M.*

The House met pursuant to adjournment.

Mr. Comegys presented a petition from Gardner H. Wright and others, praying for an act to incorporate the Delaware Rail Road Company," which,

On his motion,

Was read and referred to the Committee upon that subject.

Mr. Carlisle, from the Committee of Enrollment reported the following Bills as being correctly enrolled, viz :

"An act to incorporate the Kent County Mutual Insurance Company."

"An act authorizing David C. Swain, Guardian of Robert B. Swain, a lunatic, to sell and convey the interest of the said lunatic in certain real estate in New Castle County."

"A further additional supplement to the Act entitled "An act to incorporate a Bank in the Borough of Wilmington in this State."

"An act to revive, re-enact and re-establish an act passed on the thirty-first of January eighteen hundred and twenty-five, entitled 'A supplement to the Act entitled An act to incorporate the Cherry Island Marsh Company,' and also an act passed on the eighteenth of January eighteen hundred and forty-three, entitled 'A supplement to an act entitled An act to incorporate the Cherry Island Marsh Company,' and to confirm the acts and proceedings of said Company under and by virtue thereof."

Mr. Miles presented a petition from the citizens of New Castle, for a law authorizing the opening of a new street in said town, which,

On his motion,

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

Whereupon,

Messrs. Miles, Rodney and Comegys were appointed said Committee.

Mr. Taylor presented a claim from Messrs. J. & B. Orne & Co. of Philadelphia, for carpeting for the floor of the House of Representatives, which,

On his motion,

Was referred to the Committee on Claims.

Mr. Comegys presented a petition from James A. Dunning and others, for a law authorizing the Town Commissioners of Dover, to widen North street, which,

On his motion,

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

Whereupon,

Messrs. Comegys, Collins, and Cooch were appointed said Committee.

On motion of Mr. Comegys,

The Senate's amendments to the bill entitled "An act to enable Warner M. Cowgill to locate certain vacant salt marsh situate in Kent County, and to complete his title to the same," were read as follows:—

IN SENATE, January 23d, 1849.

Amend the bill by striking out in the second line of Section 3, the words "return of said plot," and insert in lieu thereof, the words "passage of this Act."

Also, by striking out in third line of said third Section, the words "fifty cents" and in lieu thereof insert the words "one dollar."

Also, by adding a fourth Section in the following words, to wit:—

Sec. 4.—*And be it further enacted*, That this grant shall be subject to any use which the public may ever have to any part of the marsh, granted hereby for any public purpose; and shall confer no right to any fishery and that the said marsh shall be located and patented in one year from the passage of this Act, or the said Act shall be void."

J. R. LOFLAND,

For concurrence.

Clerk of the Senate.

Mr. Comegys then offered the following amendments, which,

On his motion,

Were read as follows:—

Amend the said amendment as follows, viz:—

Strike out the words "one dollar" in the fifth line thereof, and insert "fifty cents" in lieu thereof.

Also, amend the same by inserting the following between the words "to" and "any" in the tenth line thereof, viz:—"Locate the said marsh at any other place than along the eastern edge of a channel leading into Simon's Creek, on the south side thereof called "Bay Strait," the form of the same to be as nearly that of a parallelogram four times as long as broad, as the course of the said channel will permit, nor any right to."

Mr. Comegys then moved,

That the amendment be adopted ;

Which motion,

Prevailed.

On motion of Mr. Comegys,

The amendment as amended was then concurred in by the House.

Ordered to the Senate for concurrence.

Mr. Taylor presented a petition from William M. Dorsey and others, for a law authorizing the opening of a road from Barker's Landing, which,

On his motion,

Was read and referred to the Committee upon that subject.

Mr. Comegys from the Committee to whom was referred the petition of J. A. Moore, reported a bill entitled "An act to authorize the Clerk of the Orphans' Court in and for Kent County, to procure a New Seal of Office;" which,

On his motion,

Was read.

Mr. Miles from the Committee of enrollment, reported the following bills as being correctly enrolled, viz :

"A Supplement to the Act entitled 'An act to incorporate the Trustees of the Georgetown Academy in Georgetown, Sussex County.' "

"An act to enable Charles H. Heverin and Outten L. Heverin, to locate certain vacant land in Dover Hundred, in Kent County, and to complete their title to the same."

"An act for the relief of Benjamin Holt."

Mr. Miles presented a petition from John W. Jackson and others, for a law exempting certain articles from seizure for debt; which,

On his motion,

Was read and referred to the Committee upon that subject.

Mr. Taylor presented a petition from Joseph H. Riley and others, for a law exempting certain articles from seizure for debt, which,

On his motion,

Was read and referred to the Committee upon that subject.

Mr. Caulk presented a petition from Thomas Mitchell and others, praying for a law to increase the number and regulate the duties of Assessors in New Castle County, which,

On his motion,

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

Whereupon,

Messrs. Caulk, Miles, and Cooch, were appointed said Committee.

Mr. Naudain from the Committee to whom was referred the petition of Jacob V. Naudain and others, reported a bill entitled "A further Additional Supplement to the act entitled 'An act to restrain persons from suffering swine to go at large within certain limits,' " which,

On his motion,

Was read.

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

TUESDAY, *January 30th*, 10 o'clock, *A. M.*

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Bellah presented a remonstrance from Samuel G. Chandler and others, against any alteration of the road laws, which,

On his motion,

Was read and referred to the Committee on that subject.

Mr. Taylor presented a petition from C. T. Flemming for an act authorizing him to change the course of Swan Creek, through his premises, which,

On motion of Mr. Taylor,

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

Whereupon,

Messrs. Taylor, Collins, and Marshall were appointed said Committee.

Mr. Carlisle from the Committee to whom was referred the petition of C. B. Sipple and others, asked, and,

On motion of Mr. Caulk,

Obtained further time in which to report.

Mr. Collins presented a petition from T. J. Moore and others, for an act to incorporate the Delaware Rail Road Company, which,

On his motion,

Was read and referred to the Committee on that subject.

On motion of Mr. Collins,

The bill entitled, "An act to divorce Jenifer Anderson and Margaret Anderson," was read a second time.

Mr. Miles presented a petition from Benjamin Whiteman and others, for a law to exempt certain articles from seizure for debt, which,

On his motion,

Was read and referred to the Committee on that subject.

Mr. Bradford presented a petition from J. W. Duncan and others, for establishing a new street in the city of Wilmington, which,

On his motion,

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

Whereupon,

Messrs. Bradford, Bellah, and Naudain, were appointed said Committee.

Mr. Miles presented a petition from D. W. Gemmill and others, praying for An act authorizing the opening of a new street in the town of New Castle, which,

On his motion,

Was read and referred to the Committee on that subject.

Mr. Miles from the Committee to whom was referred that portion of the Governor's Message relative to the Guardianship of the Insane, asked, and,

On motion of Mr. Caulk,

Obtained further time in which to report.

Mr. Marshall presented a remonstrance from David Walker and others, against any change in the law relative to swine running at large in Sussex County, which,

On his motion,

Was read and referred to the Committee on that subject.

On motion of Mr. Naudain,

The bill entitled "A further Additional Supplement to the Act entitled 'An act to restrain persons from suffering swine to run at large within certain limits,' " was read a second time.

On motion of Mr. Bradford,

The bill entitled "An act to incorporate Fairfax Lodge, No. 8, of the Independent Order of Odd Fellows, of the city of Wilmington, in the State of Delaware," was read a second time.

On motion of Mr. Bradford,

The bill entitled "An act to incorporate Delaware Lodge No. 1, of the Independent Order of Odd Fellows, of the State of Delaware," was read a second time.

Mr. Postles presented a petition from C. T. Flemming and others, praying for a law imposing a tax upon Bonds and Mortgages, which,

On his motion,

Was read and referred to the Committee upon that subject.

Mr. Naudain presented a petition from Israel Townsend, for an alteration of the License Law, which,

On his motion,

Was read and referred to the Committee upon that subject.

Mr. Jones from the Committee to whom was referred the petition of J. D. Rodney and others, asked, and,

On motion of Mr. Wilson,

Obtained further time in which to report.

Mr. Lofland, Clerk of the Senate being admitted, informed the House, that the Senate had concurred in the passage of the Resolutions appointing a Committee to procure the Original Charters of this State.

Also, that the Senate had passed and requested the concurrence of the House in a bill entitled "An Additional Supplement to the Act entitled 'An act to prohibit the emigration of free negroes and mulattoes into this State, and for other purposes.' "

Also, that the Senate had passed, and requested the concurrence of the House in a bill entitled "An act to prevent hogs or swine from running at large within certain limits herein mentioned in Duck Creek Hundred, in Kent County."

Also, that the Senate had passed and requested the concurrence of the House in a bill entitled "An act to incorporate the Washington Fire Company of the city of Wilmington."

Also, that the Senate had passed and requested the concurrence of the House in a bill entitled "An act to divorce Susanna Anderson and Charles Henry Anderson."

Also, that the Senate had passed and requested the concurrence of the House in a bill entitled "An act for the preservation of the Presbyterian Grave Yard at Pigeon Run."

And he withdrew.

On motion of Mr. Rodney,

The bills from the Senate for concurrence were read.

On motion of Mr. Rodney,

The bill entitled "An act authorizing the sale and conveyance of certain real estate in Christiana Hundred, late of Patrick McFadgen, deceased; and prescribing the mode of disposal of the proceeds of said sale," was read a second time.

On motion of Mr. Bradford,

The bill entitled "An act to authorize and empower the Levy Court of New Castle County to purchase or condemn the Wilmington Bridge," was taken up for consideration.

Mr. Bradford offered the following amendment, which,

On his motion,

Was read as follows:—

Amend the Preamble by striking out after the word "Bridge" in the sixth line of the said Preamble, the words "either by purchase or condemnation."

Mr. Bradford moved,

That the amendment be adopted.

Which motion,

Prevailed.

Mr. Bradford then offered the following additional amendment, which,

On his motion,

Was read as follows;

Amend the first section by striking out the Proviso in the said section—being all after the word "Bridge" in the thirteenth line thereof.

On motion of Mr. Bradford,

The amendment was

Adopted.

Mr. Bradford moved,

To amend the bill furtherther by erasing the second section thereof.

Which motion

Prevailed.

The House then adjourned until 3 o'clock this afternoon.

Same Day, 3 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Comegys,

The bill entitled "An act concerning the division of School Districts No. 10, No. 11, No. 13 and No. 17 in Kent County," was read a second time.

Mr. Comegys moved,

That the blank in the first section of the bill be filled with the names of Benjamin Husbands, Francis B. Harper, and Benjamin Whetman,

Which motion

Prevailed.

On motion of Mr. Miles,

The bill entitled "An act to incorporate the New Castle County Mutual Insurance Company," was read a second time.

Mr. Taylor presented a petition from Samuel P. Godwin and others, for an act to incorporate the Chrystal Fount Lodge No. 11, of the Independent Order of Odd Fellows, at Milford, Delaware, which,

On his motion,

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

Whereupon,

Messrs. Taylor, Postles and Jones were appointed said Committee.

Mr. Collins presented a petition from James H. Smith and others, for an act to incorporate the Delaware Rail Road Company, which,

On his motion,

Was read and referred to the Committee on that subject.

On motion of Mr. Miles,

The bill entitled "A supplement to an act entitled 'An act to incor-

porate the Delaware Fire Insurance Company,''' was read a second time.

Mr. Miles offered the following amendments, which,

On his motion,

Were read as follows:—

Amend the bill by filling the blank in the second section with the words "first Monday of March and on the first Monday of September."

Also by inserting in the first line of the third section the words "half yearly" instead of "yearly," and in the third line in the same section after the words "in cash" the words "at the rate of."

Also in the first line of the seventh section, after the word "permanent," insert the words "and others."

Mr. Miles moved,

That the amendment be adopted.

Which motion

Prevailed.

Mr. Bellah presented a remonstrance from Jesse Chandler and others, against any alteration of the road laws, which,

On his motion,

Was read and referred to the Committee on that subject.

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

WEDNESDAY, *January 31st, 10 o'clock, A. M.*

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Rodney, from the Committee to whom was referred sundry petitions upon the subject of the license law of this State, asked, and,

On motion of Mr. Caulk,

Obtained further time in which to report.

Mr. Taylor, from the Committee to whom was referred the petition of Samuel P. Godwin and others, reported a bill entitled "An act to incorporate Chrystal Fount Lodge, No. 10, of the Independent Order of Odd Fellows, at Milford, Delaware;" which,

On his motion,

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Was read.

On motion of Mr. Comegys,

The bill entitled "An act concerning the division of School Districts Nos. 10, 11, 13 and 17, in Kent County," was read a third time by paragraphs, and the question being on the final passage of the bill, the yeas and nays were ordered, which being taken were as follows:—

Yeas.—Messrs. Bradford, Bellah, Carlisle, Caulk, Collins, Comegys, Cooch, Jones, Marshall, Miles, Naudain, Postles, Rodney, Taylor, N. Tunnell, Wilson and Mr. Speaker—17.

Nays.—0.

So the bill

Passed the House.

Ordered to the Senate.

Mr. Marshall offered the following Resolution, which,

On his motion,

Was read as follows:—

Resolved, That the Committee on elections be instructed to rise, report progress, and ask leave to sit again on the first Monday in May.

Mr. Marshall then moved,

That the Resolution be adopted.

Mr. Miles moved,

To amend the Resolution by striking out the words "first Monday in May," and inserting in lieu thereof the words "thirty-first of January,"

Which motion was

Lost.

Mr. Bradford then offered the following amendment, which,

On his motion,

Was read as follows:—

Strike out all after the word "Resolved" and insert the following in lieu thereof, viz:—

That the Committee on Elections be required to report progress to this House in the matter of the contested election between Samuel D. Vaughan, and John Mathews, and in the matter of the claim of William S. Hall to a seat made vacant by a tie vote between the said William S. Hall and Thomas Robinson, of A.

Mr. Bradford moved,

That the amendment be adopted,

Which motion

Prevailed.

On motion of Mr. Bradford,

The Resolution as amended was then

Adopted.

Mr. Marshall then offered the following Resolution, which,

On his motion,

Was read as follows :—

Resolved, That the Committee of elections be discharged from any further consideration of the matter.

Mr. Marshall moved,

That the Resolution be adopted ; on which motion the yeas and nays being called for and taken, were as follows :

Yeas.—Messrs. Cooch, Jones, Marshall, N. Tunnell, and Wilson—5.

Nays.—Messrs. Bradford, Bellah, Carlisle, Caulk, Collins, Comegys, Miles, Naudain, Postles, Rodney, Taylor, and Mr. Speaker—12.

So the motion was

Lost.

Mr. Rodney, from the Committee on Elections to whom was referred the petition of John Mathews, and the petition of William S. Hall, presented the following Statement, which,

On his motion,

Was read as follows :—

To the House of Representatives of the State of Delaware.

On behalf of the Committee of Elections to whom was referred the petition of John Mathews, contesting the seat of Samuel D. Vaughan, Esq., and also the petition of William S. Hall, claiming the seat from Sussex County made vacant by reason of a tie vote between the said William S. Hall and Thomas Robinson of A., the undersigned, a majority of that Committee, beg leave to report :—

That upon the reception of the petitions, committed to them, they proceeded to institute an investigation into the matters contained in the said petitions. That since that time they have been diligently engaged in examining witnesses and hearing testimony in relation to the claim of the aforesaid first named petitioner :—that having required him to file specifications of the names of the voters whose right of suffrage was denied, they find, from the lists exhibited to them, nearly or quite a thousand individuals whose right to vote is contested for divers causes of alledged illegality, and they are driven irresistably to the conclusion, that the investigation cannot terminate until long after the probable time when this General Assembly must conclude its session, if indeed,

as the undersigned extremely doubt, any satisfactory judgment can ever be rendered in the premises.

Your Committee are aware of the difficulties which suggest themselves to the House, to preclude it from discharging them from the further consideration of the subject; but in view of the probable duration of the investigation, the improbability that any just conclusion can ever be reached, the enormous expense to be incurred by the State, and the inutility in point of fact of determining the case either one way or the other, impel the majority of your Committee to appeal to the House of Representatives for its direction, and to request the instruction of the House whether they shall proceed any further in the investigation.

(Signed,)

T. M. RODNEY,
JOHN A. COLLINS,
PHILIP C. JONES,
EDWARD G. BRADFORD.

On motion of Mr. Miles,

The further consideration of the foregoing statement was postponed until 4 o'clock this afternoon.

Mr. Marshall presented a petition from Richard Paynter and others, praying for a law authorizing the erection of a bridge 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. Marshall, N. Tunnell and Carlisle were appointed said Committee.

On motion of Mr. Rodney,

The bill entitled "An act authorizing the sale and conveyance of certain real estate in Christiana Hundred late of Patrick M'Fadgen, deceased, and prescribing the mode of disposal of the proceeds of said sale," was read a third time by paragraphs, and *Passed the House.*

Ordered to the Senate.

On motion of Mr. Bellah,

The bill entitled "An act to authorize and empower the Levy Court of New Castle County to purchase or condemn the Wilmington Bridge," was read a third time by paragraphs, and the question being on the final passage of the bill,

Mr. Miles moved,

That the further consideration thereof be postponed until Friday next; on which motion, the yeas and nays being called for and taken were as follows:—

Yeas.—Messrs. Carlisle, Caulk, Collins, Marshall, Miles, and Naudain—6.

Nays.—Messrs. Bradford, Bellah, Cooch, Jones, Postles, Rodney, Taylor, N. Tunnell, Wilson and Mr. Speaker—10.

So the motion was

Lost.

Mr. Bradford then moved,

To amend the title of the bill, by striking out the words “or condemn.”

Which motion

Prevailed.

The question again being on the final passage of the bill, the yeas and nays were ordered which being taken were as follows:—

Yeas.—Messrs. Bradford, Bellah, Carlisle, Caulk, Collins, Cooch, Jones, Marshall, Miles, Naudain, Postles, Rodney, Taylor, N. Tunnell, and Mr. Speaker—15.

Nays.—0.

So the bill

Passed the House.

Ordered to the the Senate for concurrence.

On motion of Mr. Rodney,

The bill entitled “An act to incorporate a Bank in Delaware City under the name of the Delaware City Bank,” was taken up for consideration.

Mr. Rodney offered the following amendment, which,

On his motion,

Was read as follows:—

Amend the bill by striking out in the twelfth section after the words “so to do,” these words:—“by first paying the State, the additional sum of two thousand dollars.”

Mr. Rodney then moved,

That the amendment be adopted; on which motion, the yeas and nays being called for and taken, were as follows:—

Yeas.—Messrs. Bradford, Caulk, Collins, Cooch, Jones, Marshall, Miles, Naudain, Postles, Rodney, Taylor, N. Tunnell, and Wilson—13.

Nays.—Mr. Carlisle, and Mr. Speaker—2.

So the amendment was

Adopted.

On motion of Mr. Rodney,

The further consideration of the bill was then postponed.

On motion of Mr. Caulk,

The bill entitled "An act for the preservation of the Presbyterian Grave Yard at Pigeon Run," was read a second time.

Mr. Bellah, presented a remonstrance from Alexis I. Dupont and others, against the taxing of bonds and mortgages, which,

On his motion,

Was read and referred to the Committee on that subject.

Mr. Marshall, from the Committee to whom was referred that portion of the Governor's Message relative to the safe keeping of the public arms, presented the following report, which,

On his motion,

Was read as follows :—

The Committee to whom was referred so much of the Governor's Message as relates to the condition of the public arms, beg leave to report :—

That they have viewed the Arsenal in which said arms are deposited, at Dover, and from its delapidated and ruinous condition it is manifest that the arms are exceedingly exposed and insecure. It is impossible that the building can be so repaired as to keep them in proper order.

Your Committee further report, that in their judgment the safety and proper keeping of said arms demand that an appropriation should be made for the fitting up of a part of the basement under the Hall of the House of Representatives, and that an appropriation be made out of any money in the Treasury, not otherwise appropriated. The Committee therefore recommend the following Resolution :—

Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the State Treasurer be, and he is hereby authorized to pay to the Sheriff of Kent County any sum not exceeding one hundred and fifty dollars for the purpose of fitting up a portion of the basement under the Hall of the House of Representatives, as an Arsenal.

Mr. Marshall moved,

To postpone the consideration of the report of the Committee until this afternoon,

Which motion,

Prevailed.

On motion of Mr. Bradford,

The bill entitled "An act to incorporate Fairfax Lodge, No. 8, of the Independent Order of Odd Fellows, of the city of Wilmington, in the State of Delaware," was read a third time by paragraphs, and the question being on the final passage of the bill, the yeas and nays were ordered, which being taken were as follows:—

Yeas.—Messrs. Bradford, Bellah, Carlisle, Caulk, Collins, Comegys, Cooch, Jones, Marshall, Miles, Naudain, Postles, Rodney, Taylor, N. Tunnell, Wilson and Mr. Speaker—17.

Nays.—0.

So the bill

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Naudain,

The bill entitled "A further additional supplement to the Act entitled 'An act to restrain persons from suffering swine to run at large within certain limits,' " was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

The House then adjourned until 3 o'clock this afternoon.

Same Day, 3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Bellah presented a remonstrance from George Jones and others, against granting to the City Council of Wilmington authority to increase the city debt, which,

On his motion,

Was read and referred to the Committee upon that subject.

On motion of Mr. Bradford,

The bill entitled "An act to incorporate Delaware Lodge No. 1, of the Independent Order of Odd Fellows, of the State of Delaware," was read a third time by paragraphs, and the question being on the final passage of the bill the yeas and nays were ordered, which being taken were as follows:—