

ther Manufacturing Company of Wilmington, and to extend the provisions of the same to the corporation in and by this act created."

Mr. Newton presented the petition of Joshua Lofland and others; also a communication from James B. Coffin, relative to a convention, which,

On his motion,

Was read and referred to the committee already raised on that subject.

Mr. C. Smithers, from the committee to whom was referred the petition of Henry M. Temple 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.

M. Boys presented the petition of Willard Hall, Samuel Hilles and Stephen Bonsall, relative to Wilmington Savings Fund Society, which,

On his motion,

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

Whereupon,

Messrs. Boys, Powell and Scribner, were appointed said committee.

Mr. C. Smithers presented the petition of Warren and William James Read, praying for an act to secure to them 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. C. Smithers, Satterfield and Rogers, were appointed said committee.

Mr. Newton presented the petition of Anthony M. Higgins and others, relating to certain marshes in Red Lion hundred, 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. Newton, Chambers and Marsh, were appointed said committee.

Mr. Lodge presented the petition of John Pyle and one hundred and eighty others, praying for act authorizing the removal of the place of

holding the elections in Brandywine hundred, in the county of New Castle, which,

On his motion,

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

Whereupon,

Messrs. Lodge, Smithers and Waples, were appointed said committee.

Mr. C. Smithers presented the petition of John W. Hall and others, praying for a repeal or modification of the law "for the regulation of weights and measures," &c., which,

On his motion,

Was read and referred to the committee already raised on that subject, with leave to report by bill or otherwise; when,

Mr. Newton moved,

To increase that committee to five.

Which motion

Prevailed.

Whereupon,

Messrs. C. Smithers and Newton, were added to that committee.

Mr. Chambers moved,

That the bill entitled "An act concerning a Convention," be taken up for consideration.

Which motion

Prevailed.

Mr. Chambers then offered the following amendment, which,

On his motion,

Was read, as follows, to wit:—

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

That a special election shall be held in this State, at the several places of holding the general election, on Tuesday, the twentieth day of May next, in order to ascertain the sense of the people on this subject; which election shall be conducted by the same officers who officiated at the last general election; and the ballots shall be read and the result certified in the same manner, except that in making the certificates of the result, it shall only be necessary to state the number of votes cast for and against a convention, in order to certainty; the ballots shall be written or printed thus:—those in favor of a convention shall be "For a Convention," and those against, shall be "Against a Convention."

Section 2. *And be it further enacted*, That all the laws and provisions of law in relation to the general election, so far as the same are, or can be applicable to the election to be held by the provisions of this act, shall be so applicable.

Section 3. *And be it further enacted*, That the board of canvass shall make two certificates of the result of the said election, and shall deliver one to the Governor, and one to the Prothonotary of the Superior Court of the State of Delaware, in and for Kent county.

Section 4. *And be it further enacted*, That it shall be the duty of the Governor to communicate the said certificate to the General Assembly at its adjourned session, to be held on the first Tuesday in January next.

Section 5. *And be it further enacted*, That it shall appear by the said certificate, or in case of its non-production, by that delivered to the prothonotary aforesaid, that a constitutional majority of the voters of the State are in favor of a convention, then an election for ten delegates to said convention from each of the counties of this State, shall be held on the first Tuesday in May, in the year eighteen hundred and fifty-two, at the places and in the manner as provided in the first section hereof, and the persons receiving the highest number of votes, shall be duly elected. The laws in relation to the general election shall also apply to this election; two certificates of the result of which shall be made and delivered, as provided in the third section hereof.

Section 6. *And be it further enacted*, That the Clerk of the Peace, in each county, shall at least twenty days before the day of holding the elections provided for by this act, deliver to the sheriff of his county, a duly certified list of the qualified voters of each hundred of said county, in order that he may furnish the same to the inspectors, in discharge of his duty in this respect. And it shall also be the duty of the sheriff of each county, to give public notice of each of the said elections by proclamation, posted in five or more public places in each hundred of his county, twenty days before the election.

Section 7. *And be it further enacted*, That the convention, if authorized as aforesaid, shall assemble at Dover, on the second Tuesday of June next after the last mentioned special election, and when they shall have completed their labors, they shall cause three thousand copies of the Constitution, as revised, to be printed and circulated, in order to its consideration by the people. And if it shall not appear by the result of the next general election, that a majority of the voters of the State have voted against said Constitution, then it shall be deemed to be ratified by them. The fact of opposition may be established by the words "*Opposed to the Amended Constitution*," written or printed on the ballot of a voter, an account of all which shall be certified by the election officers. The board of canvass in the several counties shall make proclamation in the news-

papers and by printed advertisements of the number of votes cast at the said election in their respective counties, and of the aggregate of those "opposed to the Amended Constitution."

Mr. Chambers moved,
That the amendment be adopted, and
The House being divided,

Mr. Newton called the yeas and nays, which being taken, were as follows, to wit:—

Yeas—Messrs. Chambers, Harper, Powell, Spruance, C. Smithers, E. Smithers—6.

Nays—Messrs. Boys, Boulden, Derrickson, Harrington, Hosea, Lodge, Marsh, Martin, Newton, Pride, Rogers, Satterfield, Scribner, Waples, Mr. Speaker—15.

So the amendment was

Lost.

On motion of Mr. Newton,

The bill entitled "An act concerning a Convention," was then read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Pride presented the petition of James Ponder and others, praying for an act to incorporate Endeavor Lodge No. 17, at Milton, which,

On his motion,

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

Whereupon,

Messrs. Pride, Powell and Boulden were appointed said committee.

Mr. Derrickson, from the committee on weights and measures, asked for further time to report; which,

On motion of Mr. Boulden,
Was granted.

Mr. Boys presented the petition of Jesse Sharp and John McClung, together with a report of committee on loans, to lay a new main street, &c.; and also report of committee of citizens and proceedings of town meeting, in the city of Wilmington, &c., which,

On his motion,

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

Whereupon,

Messrs. Boys, Harper and Hosea were appointed said committee.

On motion of Mr. Newton,

The bill entitled "An act to confirm the marriage of John B. Vickers and Mary E., his wife," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Newton offered the following preamble and resolution, which,

On his motion,

Was read as follows, to wit:—

WHEREAS, the venerable and gallant Col. Samuel B. Davis, of New Castle county, has kindly offered to present to the Legislature of this State, free of all cost whatever, a full length portrait of himself, to be suspended in the Hall of the House of Representatives.

Be it therefore resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, That a committee of five be appointed, two on the part of the Senate, and three on the part of the House, to correspond with Col. Davis, on the subject, and to express the desire of this Legislature to accept the invaluable present.

On motion of Mr. Newton,

The resolution was

Adopted.

Whereupon,

Messrs. Newton, Spruance and Scribner were appointed said committee, on the part of the House.

Ordered to the Senate for concurrence.

On motion,

The House adjourned until three o'clock, this afternoon.

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

The House met pursuant to adjournment.

Mr. Harper presented the petition of John Clow and others, praying for a hog law within certain limits, which,

On his motion,

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

Whereupon,

Messrs. Harper, Derrickson and Marsh were appointed said committee.

Mr. E. Smithers, from the committee to whom was referred the petition of James P. Lofland and others, reported a bill entitled "An act to incorporate a bank in Milford, under the name of the President, Directors and Company of the Bank of Milford," which,

On his motion,

Was read.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of 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.'"

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

Also, that the Senate had concurred in the passage of the bill entitled "An act to divorce Jesse Workman and Elizabeth Workman, late Elizabeth Dykes, from the bonds of matrimony."

And that the Senate had indefinitely postponed the bill entitled "A further additional supplement to an act entitled 'An act to extend the time for the recording of deeds.'"

And he withdrew.

Mr. Newton gave notice that he should offer an amendment to the bill entitled "An act to incorporate a bank in Milford," &c.

In accordance with notice previously given, Mr. Lodge asked, and

On motion of Mr. Boulden,

Obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An additional supplement to the act entitled A further supplement to the act entitled An act to alter and re-establish the charter of the borough of Wilmington,'"

On his motion,

Was read.

Mr. Boys presented the petition of Eli Crozier and 711 others, citizens of New Castle county, praying for a law exempting a certain amount of property from forced seizure and sale for debt or otherwise, which,

On his motion,

Was read and referred to the committee already raised on that subject.

Mr. Whiteley, Clerk of the Senate being admitted, presented sundry enrolled bills for the signature of the Speaker.

And he withdrew.

On motion of Mr. Pride,

The bill entitled "An act to divorce William Sullivan and his wife, Rebecca Sullivan, late Rebecca Simpler, from the bonds of matrimony," was read a third time, by paragraphs, and

Passed the House,

By yeas and nays, as follows :—

Yeas.—Messrs. Boys, Boulden, Chambers, Derrickson, Harper, Harrington, Hosea, Marsh, Newton, Powell, Pride, Rogers, Satterfield, Scribner, C. Smithers, E. Smithers, Waples and Mr. Speaker—18.

Nays.—Messrs. Lodge, Martin and Spruance—3.

Ordered to the Senate for concurrence.

Mr. Boys presented the petition of Jesse Sharp and John McClung, committee of city council 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. Boys, Spruance and Martin were appointed said committee.

Mr. Pride presented the petition of Houston Hall and others, praying for "An act to incorporate Milton Division No. 13, of the Sons of Temperance," which,

On his motion,

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

Whereupon,

Messrs. Pride, E. Smithers and Lodge were appointed said committee.

On motion of Mr. Boys,

The bill entitled "An act to establish a Board of Education in Wilmington," was read a second time.

Mr. Boys presented the account of Isaac Grubb, which,

On his motion,

Was read and referred to the committee on claims.

Mr. Pride presented the petition of Emaline Maxwell, late Emaline Prettyman, praying for a divorce from her husband Elias Maxwell, which,

On his motion,

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

Whereupon,

Messrs. Pride, Spruance and Boulden were appointed said committee.

On motion,

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

THURSDAY, 10 o'clock, A. M., January 23, 1851.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Boys offered the following resolution, which,

On his motion,

Was read, as follows, to wit:—

Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, That the Legislature of this State will, on Thursday, this day, the twenty-third day of January, inst., at 3 o'clock, P. M., in joint meeting in the chamber of the House of Representatives, hold an election by ballot, for the purpose of choosing a Senator for this State, in the Senate of the United States, for the term of six years, from the third day of March next; which,

On his motion,

Was

Adopted.

Ordered to the Senate for concurrence.

Mr. Harper presented the petition of John Mansfield and sixty others, praying for a law authorizing the commissioners of the town of Dover to extend High Street, which,

On his motion,

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

Whereupon,

Messrs. Harper, Pride and Rogers, were appointed said committee.

Mr. Newton presented the petition of Isaac Hunter and eighty others, together with the proceedings of a public meeting of the citizens of Red Lion hundred, New Castle county, praying for a division of school district No. 52, in that hundred, which,

On his motion,

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

Whereupon,

Messrs. Newton, Chambers and Marsh, were appointed said committee.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the adoption of the "Resolution convening the two Houses for the election of a United States Senator;" had amended the same, and requested the concurrence of the House in the amendment.

Also, that the Senate had concurred in the passage of the bill entitled "An act to divorce Charlotte Bayley and her husband, Nathan Bayley, from the bonds of matrimony."

And he withdrew.

On motion of Mr. Boys,

The amendment of the Senate to the resolution convening both Houses for the election of a United States Senator," was read as follows:—

"IN SENATE, January 23, 1851.

Amend the resolution by striking out in the 5th line, the words 'three o'clock,' and insert the words 'half past three o'clock.'

Extract from the Journal,

W. G. WHITELEY, Clerk.

For concurrence."

Mr. Boys moved,
That the amendment be concurred in.

Which motion

Prevailed.

Ordered that the Senate be informed thereof.

Mr. Satterfield presented the petition of Jabez Fisher, for a law to take up 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. Satterfield, Harrington and Derrickson, were appointed said committee.

Mr. Boys asked, and

On motion of Mr. Newton,

Obtained leave to introduce a bill entitled "An additional supplement to the act entitled 'An act to incorporate a bank in the city of Wilmington, under the name of the Union Bank of Wilmington,' " which,

On his motion,

Was read.

Mr. Boys asked, and

On motion of Mr. Boulden,

Obtained leave to introduce a bill entitled "An act to incorporate the Delaware Union Boot, Shoe and Leather Manufacturing Company of Wilmington, and to extend the provisions of the same to the corporation in and by this act created;" which,

On his motion,

Was read.

Mr. Newton presented the petition of E. Worrel, trustee, for power 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. Newton, Powell and Pride, were appointed said committee.

Mr. Boys presented a remonstrance from H. du Pont and others, against changing the place for holding elections in Christiana hundred, which,

On his motion,

Was read and referred to the committee already raised on that subject.

Mr. Chambers presented the petition of Peter L. Bonwill and others, citizens of Murderkill hundred, praying for a law to prevent swine from running at large within certain limits, which,

On his motion,

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

Whereupon,

Messrs. Chambers, Hosea and Lodge, were appointed said committee.

Mr. Haarpur presented three petitions of the same import, from Edward Green, John C. Wilson and one hundred and fifty others, praying for a drawbridge over Little Duck Creek, which,

On his motion,

Was read and referred to the committee already raised on that subject.

On motion of Mr. Pride,

The bill entitled "An act to incorporate Golden Rule Lodge of the I. O. O. F." was read a second time.

Mr. Boys presented the memorial of William Chandler, which,

On his motion,

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

Mr. Boys asked and obtained leave to withdraw that part of his motion which referred to reference;

When he moved,

That the memorial be referred to the committee on claims,

Which motion

Prevailed.

Mr. Newton presented the petition of Benjamin Melson to take up certain vacant lands in Broad Creek hundred, which,

On his motion,

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

Whereupon,

Messrs. Hosea, Marsh and Boulden, were appointed said committee.

Mr. Pride presented the petition of Curtis J. Prettyman, praying to be divorced from his wife, Mary D. Prettyman, which,

On his motion,

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

Whereupon,

Messrs. Pride, E. Smithers and Boys, were appointed said committee.

Mr. Newton presented the petition of Benjamin Ward and thirty-eight others, praying for division of school districts 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. Hosea, Scribner and Rogers, were appointed said committee.

Mr. Boys, from the committee to whom was referred the petition of Francis Sawden and others, reported a bill entitled "A further supple-

ment to the act entitled 'An act regulating the general election,' " which,

On his motion,
Was read.

On motion,
The House adjourned until three o'clock, this afternoon.

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

The House met pursuant to adjournment.

Mr. Newton, from the committee to whom was referred the petition of Jos. R. Smith and others, reported a bill entitled "An act to provide for the erection of a public bridge across Broad Creek, at the town of Laurel in the county of Sussex," which,

On his motion,
Was read.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of a bill entitled "An act for the relief of the Delaware City Bank."

Also, that the Senate had passed, and requested the concurrence of the House in a bill entitled "An act to incorporate Good Samaritan Lodge, No. 9, of I. O. O. F. of the State of Delaware, at Middletown."

And he withdrew.

Mr. Newton moved,

That the Ladies be invited to seats on the floor of the House during the ballotings for United States Senator.

Which motion

Prevailed.

On motion of Mr. Newton,

Mr. Scribner was appointed a committee of one to inform the Ladies of the motion which had just prevailed.

On motion of Mr. Lodge,

The bill entitled "An act to repeal an act entitled 'An additional supplement to the act 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.

Mr. Harper, to whom was referred the petition of John Clow and others, reported a bill entitled "A further additional supplement to the act entit-

led 'An act to restrain persons from suffering swine to go at large within certain limits,' " which,

On his motion,
Was read.

On motion of Mr. Newton,

Ordered, That the Clerk do now proceed to the Senate and inform that body, that the House will be ready to receive them in five minutes, in the Hall of the House of Representatives, for the purpose of electing by ballot a Senator from this State in the Senate of the United States, in obedience to the joint resolution passed this morning.

Which was done.

At the expiration of which time the members of the Senate, preceded by their Speaker and attended by their Clerk, entered the Hall of the House of Representatives, and took the seats prepared for their reception.

The two Houses being thus convened,

On motion of Mr. Phillips, of the Senate,
The joint resolution for convening them was read.

Thereupon,

Mr. Scribner, of the House, moved,

That the two Houses proceed to elect by ballot a person to represent this State in the Senate of the United States, for the constitutional term, to commence on the fourth day of March next.

Which motion

Prevailed.

The votes were then received by the Sergeant-at-arms of the Senate, and by him taken to the Speaker of the Senate, who read them out in the presence of both Houses of the General Assembly.

They were tallied by their respective clerks, and were as follows:—

First ballot.

For James A. Bayard,	13	votes.
Elisha D. Cullen,	5	"
Blank,	12	"

The Speaker of the Senate having declared there was no election, the two Houses proceeded to the second ballot, as follows:—

For James A Bayard,	14	votes.
Elisha D. Cullen,	3	"
Martin W. Bates,	2	"
Blank,	11	"

There being no election the two Houses proceeded to the third ballot, as follows:—

For James A. Bayard,	13	votes.
Elisha D. Cullen,	4	"
Martin W. Bates,	2	"
Blank,	11	"

There being no election, the two Houses proceeded to the fourth ballot, as follows:—

For James A. Bayard,	14	votes.
Elisha D. Cullen,	3	"
Martin W. Bates,	2	"
Blank,	11	"

There being no election, the two Houses proceeded to the fifth ballot, as follows:—

For James A. Bayard,	14	votes.
Elisha D. Cullen,	1	vote.
Martin W. Bates,	4	votes.
Blank,	11	"

There being no election, the two Houses proceeded to the sixth ballot, as follows:—

For James A. Bayard,	14	votes.
Elisha D. Cullen,	3	"
Martin W. Bates,	2	"
Blank,	11	"

There being no election,

Mr. Jump, of the Senate, moved,

That the further balloting be dispensed with, and that the two Houses now separate.

Which motion was

Lost.

When the two Houses proceeded to a seventh ballot, as follows:—

For James A. Bayard,	14	votes.
Elisha D. Cullen,	3	"
Martin W. Bates,	2	"
Blank,	11	"

There being no election, the two Houses proceeded to the eighth ballot, as follows:—

For James A. Bayard,	14	votes.
Elisha D. Cullen,	3	"
Martin W. Bates,	2	"
Blank,	11	"

There being no election, the two Houses proceeded to the ninth ballot, as follows:—

For James A. Bayard,	16 votes.
Elisha D. Cullen,	1 vote.
Martin W. Bates,	2 votes.
Blank,	11 "

The Speaker of the Senate then declared that James A. Bayard, having a majority of the whole number of votes, was duly elected a Senator from the State of Delaware, in the Senate of the United States, for the constitutional term to commence on the fourth day of March next. And thereupon, three certificates of the election of James A. Bayard to the Senate of the United States, were made out, agreeably to the act of Assembly, in such case made and provided; which certificates were signed by the Speaker of the Senate and the Speaker of the House of Representatives, and attested by the clerks of the respective houses.

On motion of Mr. Phillips, of the Senate,
The certificates were read.

On his motion also,
The joint proceedings of the two Houses were read and compared.
Whereupon,

On motion of Mr. Scribner, of the House,

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

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had adopted, and requested the concurrence of the House in a resolution for adjournment, which,

On motion of Mr. Scribner,
Was read, as follows, to wit :

" IN SENATE, *January 23, 1851.*

Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, That when this General Assembly adjourns this (Thursday evening,) it shall stand adjourned until 10 o'clock, A. M., on Tuesday the 28th instant.

Extract from the Journal.

W. G. WHITELEY, *Clerk.*

For concurrence."

And he withdrew.

On motion of Mr. Scribner,
The resolution was

Concurred in.

Ordered, That the Senate be informed thereof.

On motion,
 'The House adjourned until Tuesday next, 10 o'clock, A. M.

TUESDAY, 10 o'clock, A. M., January 28, 1851.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Boys, from the committee to whom was referred the petition of Jesse Sharp and John McClung, of the city of Wilmington, reported a bill entitled "A supplement to the act entitled 'An act to limit the debt of Wilmington, and to provide for the discharge thereof,' " which,

On his motion,

Was read.

Mr. Newton gave notice, that on to-morrow he should ask leave to introduce a bill to abolish imprisonment for debt.

Mr. Boys, from the committee to whom was referred the petition of Willard and others, reported a bill entitled "An act continuing the Wilmington Savings Fund Society."

Mr. Harper, from the committee to whom was referred the petition of John Manlove and others, reported a bill entitled "An act to extend and open High street, in the town of Dover."

Mr. Pride, from the committee to whom was referred the petition of James Ponder and others, reported a bill entitled "An act to incorporate Endeavor Lodge, No. 17, of Ancient York Masons, Milton, Delaware," which,

On his motion,

Was read.

On motion of Mr. Boulden,

The bill entitled "An act to re-enact the act entitled 'An act to incorporate the New Castle Manufacturing Company,'" was read a third time, by paragraphs, and

Passed the House unanimously,

By yeas and nays, as follows :—

Yeas.—Messrs. Boys, Boulden, Chambers, Harper, Harrington, Hosea, Lodge, Marsh, Martin, Newton, Pride, Rogers, Satterfield, Scribner, C. Smithers, Waples, Mr. Speaker—17.

Nays.—None.

Ordered to be returned to the Senate.

Mr. Boulden presented a communication from the Hon. George Read Riddle, which,

On his motion,

Was read, as follows, to wit:—

DOVER, Del., January 22, 1851.

To the Honorable the Senate and House of Representatives of the State of Delaware, in General Assembly met, the subscriber respectfully represents:—

That on the 17th day of September, A. D., one thousand eight hundred and forty-nine, he was appointed by His Excellency, the Governor of this State, a commissioner to act in conjunction with like commissioners appointed by the respective States of Pennsylvania and Maryland, with a view to carrying out the intention of the resolutions passed by the Legislature of Delaware, February 10, 1847.

At the first meeting of the board of commissioners, after a complete and laborious reconnoissance of the line dividing the States of Delaware and Maryland, the commissioner on the part of Pennsylvania was directed by his Governor to employ, in behalf of his State, a scientific surveyor or engineer. This proposition received no encouragement from the board. The expenses it would likely entail upon the States, and the possibility of conflicting views among gentlemen employed by the several parties, induced the commissioners to ask, through their respective Governors, for the assistance of an engineer connected with the army, believing that by such a course they would secure an impartial and scientific man, who would be most likely to give confidence and general satisfaction. Accordingly, at the request of Gov. Thomas, of Maryland, and Gov. Tharp, of Delaware, Col. James D. Graham of the U. S. Topographical Engineers, was detailed by the Secretary of War for the service—a gentleman who has been selected by the Government at Washington, to run most if not all the important boundary lines in our country.

On entering upon his duties, as the Reports submitted to you by the Governor will show, the board not only thought it their duty to inform the engineer what information they desired, leaving to his superior skill and judgment to devise the plan for obtaining it, but to examine into the agreements under which the lines were originally traced. The investigation made and facts disclosed by two of the most distinguished citizens of our State, in the preparation and discussion of the "Pea Patch case," threw no light upon the subject; nor did the deed from the duke of York to William Penn, dated 24th August, 1682, by which the said Penn became seized in fee of land "lying within the compass or circle of twelve miles about New Castle," give the necessary information. It was only to be obtained from the original agreements between Lord Baltimore and

the heirs of William Penn; which, after diligent search at New Castle and Harrisburg, were found among the archives of Maryland, at Annapolis. These agreements, strange as it may appear, (being the settlement of a dispute which continued for a period of eighteen years, between the proprietaries of the two great colonies, and which two of the most scientific men of the age were employed to execute,) have been published or alluded to, as far as I can learn, by but one of the historians of our country. They, however, only referred to the line between Delaware and Maryland, commonly known as "Mason and Dixon's line," yet furnished the information which the commissioners sought. The circular boundary, saving that portion which was ascertained to exist between Delaware and Maryland, was not alluded to therein; and the commissioners not having it in contemplation to run or mark said boundary, do not, by their reports or maps, invite your action thereon. The sanctioning of the work of the commissioners would only, in the opinion of the undersigned, relate to the lines originally run by Messrs. Mason and Dixon.

In the communication of the Governor, transmitted to you on the 20th inst., his Excellency takes occasion to say: "As far as the knowledge of our northern boundary extends, it has always been regarded as being a circular line running from the river Delaware to the north-east corner of Maryland, or the point where the north and south line, drawn from the tangent stone intersects the east and west line, which forms the northern boundary of Maryland, and that by the separation (alluding to the separation of "the three lower counties," now known as Delaware, from Pennsylvania,) it is to be considered that the line which was established under the warrant of William Penn, in 1701, as the boundary between the counties of New Castle and Chester, became the true boundary between this State and Pennsylvania." Differing in opinion with his Excellency as to what has been regarded our northern boundary, I respectfully submit the facts derived from a hasty investigation of the subject.

It cannot be supposed, in the absence of all evidence, that the circular line was ever "run from the Delaware river to the north-eastern corner of Maryland." The only knowledge of the circle having been traced at all is derived from a paper in the Franklin Institute at Philadelphia, to which I have alluded in my previous report. The surveyors who traced the circle therein mentioned commenced "at the end of a horse dyke next to the town of New Castle, and by various courses rectified to a due north line extended the radius a distance of twelve miles to its terminus in the arc, or a marked white-oak in the sinuosity of the Brandywine creek."

From this point they commenced their deflections by regular angles and distances until they reached the Delaware river on the east, and a marked hickory standing near the western bank of the Christiana creek, *on the west*, embracing an arc of one hundred and twenty degrees, or two-third parts of a semicircle of twelve miles radius. As the Christiana creek, or the point at which the circle would strike it, is some distance

from the intersection of the three States as laid down by Col. Graham, the presumption is, the connexion was never made, and the prolongation of the east and west line of Mason and Dixon until it intersects the circle *has been considered the true boundary*. In proof of this we know, that the territory south of such prolonged line, and west of the circle when run, has always been recognized as belonging to Delaware, and territory of which she cannot be dispossessed.

I have the honor to be, &c.

GEO. READ RIDDLE,
Commissioner on the part of Delaware.

On motion of Mr. Lodge,

The communication just read was referred to the committee on the boundary line.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had passed, and requested the concurrence of the House in a bill entitled "An act for the relief of Peter Miller."

And he withdrew.

On motion of Mr. Scribner,

The bill from the Senate was read.

Mr. Newton presented the petition of John J. Henry and others, which,

On his motion,

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

Whereupon,

Messrs. Newton, C. Smithers and Scribner were appointed said committee.

Mr. Martin gave notice that he should at some future day, ask leave to introduce a bill entitled "An act to repeal an act entitled 'An act to compel certain testimony in cases of contested elections.'"

Mr. Scribner presented the claim of John H. Emerson, which,

On his motion,

Was read and referred to the committee on claims.

On motion of Mr. Boys,

The bill entitled "An additional supplement to the act entitled 'An act to incorporate a bank in the city of Wilmington, under the name of the Union Bank of Delaware,'" was read a second time.

Mr. Harper presented the petition of Robert H. Moor, praying for a law to sell certain real estate 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. Harper, Pride and Rogers, were appointed said committee.

Mr. Newton, to whom was referred the petition of Anthony M. Higgins and others, reported a bill entitled "An act for the relief of owners and possessors of low grounds and marshes on both sides of Dragon Creek, in Red Lion hundred and New Castle county," which,

On his motion,

Was read.

On motion of Mr. Boys,

The bill entitled "An act to incorporate the Delaware Union Boot, Shoe and Leather Manufacturing Company, and to extend the provisions of the same to the corporation in and by this act created," was read a second time.

Mr. Pride presented the remonstrance of M. Rench and others, against opening Love Lane, in Georgetown, Sussex county, which,

On his motion,

Was read and referred to the committee already raised on that subject.

On motion of Mr. Boys,

The bill entitled "A further supplement to the act entitled 'An act regulating the general election,'" was read a second time.

Mr. Pride from the committee to whom was referred the petition of Houston Hall and others, reported a bill entitled "An act to incorporate Milton Division, No. 13, Sons of Temperance, at Milton, Delaware," which,

On his motion,

Was read.

Mr. Lodge, from the committee of enrolment, reported the following bills and resolution, as correctly enrolled:—

"An act to vacate roads therein mentioned."

"An act to divorce Sarah Rees and Thomas Rees."

"Joint resolution discharging and releasing Roger Adams, late sheriff of Sussex county, from a certain fine."

On motion,

The House adjourned until three o'clock, this afternoon.

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

The House met pursuant to adjournment.

Mr. Newton offered the following resolution, which,

On his motion,

Was read as follows, to wit:—

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

On motion of Mr. Boys,

Was

Adopted.

Mr. Newton moved,

That the House now proceed to ballot for a State Treasurer.

Whereupon,

William Cannon, having received a majority of all the votes cast, was declared by the Speaker to be duly elected.

Mr. Newton moved,

That the blanks in the joint resolution be filled with the name of "William Cannon" and "Sussex."

Which motion

Prevailed.

On motion of Mr. Boys,

The resolution, as amended, was

Adopted.

Ordered to the Senate for concurrence.

Mr. Newton then offered the following resolution, which,

On his motion,

Was read, as follows, to wit:—

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

On his motion,

Was

Adopted.

Mr. Newton moved,

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

Which motion:

Prevailed.

Whereupon,

Dr. Luther Swiggett, having received a majority of all the votes cast, was declared by the Speaker to be duly elected.

Mr. Newton moved,

That the blanks in the resolution be filled with the name of "Dr. Luther Swiggett," and the word "Kent."

Which motion,

Prevailed.

On motion of Mr. Boys,

The resolution, as amended, was

Adopted.

Ordered to the Senate for concurrence.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the adoption of the joint resolution appointing a State Treasurer.

Also, that the Senate had concurred in the adoption of the joint resolution appointing an Auditor of Accounts.

Also, that the Senate had concurred in the passage of a bill entitled "An act for the relief of John Pope and Elizabeth, his wife, of the State of Tennessee."

Also, that the Senate had concurred in the passage of a bill entitled "An act to divorce Robert Layton and Genette Layton, his wife, late Genette Long, from the bonds of matrimony."

And he withdrew.

Mr. Newton read in his place, a communication from Wm. H. Hatch, which,

On his motion,

Was read and referred to the committee already raised on the subject of his wife's divorce.

Mr. Newton from the committee to whom was referred the petition of E. Worrell, reported a bill entitled "An act for the relief of Rebecca Worrell, Edward Worrell, Priscilla B. Smith, Elizabeth Merriken, Mary L. Merriken and Joseph R. Merriken," which,

On his motion,

Was read.

Mr. Boys presented the claim of John B. Porter, which,

On his motion,

Was read and referred to the committee on claims.

Mr. Scribner presented the claim of Joseph W. George, which,

On his motion,

Was read and referred to the committee on claims.

Mr. Pride, from the committee to whom was referred the petition of Curtis J. Prettyman, reported a bill entitled "An act to divorce Curtis J. Prettyman and Mary, his wife, late Mary D. Plummer, from the bonds of matrimony."

Mr. Boys presented the petition of George Banner and one hundred and four others, praying for the repeal of the law prohibiting circus performances, which,

On his motion,

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

Whereupon,

Messrs. Boys, Spruance and Waples were appointed said committee.

Mr. Scribner presented the petition of John A. Hazzard and others, praying for an extension of the act prohibiting poultry from running at large within certain limits, which,

On his motion,

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

Whereupon,

Messrs. Scribner, Harrington and Boulden were appointed said committee.

On motion of Mr. Harper,

The 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,' " was read a second time.

On motion of Mr. C. Smithers,

The 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,' " was read a second time.

On motion,

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

WEDNESDAY, 10 o'clock, A. M., January 29, 1851.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Harper,

The bill entitled "An act to empower the Levy Court and Court of Appeal of Kent county to erect a bridge over Little Duck Creek, at the village of Leipsic," was read a third time, by paragraphs, and

Passed the House,

.By yeas and nays, as follows :—

Yeas.—Messrs. Boys, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Marsh, Martin, Powell, Pride, Rogers, Satterfield, Scribner, E. Smithers, Waples and Mr. Speaker—17.

Nays.—Messrs. Boulden, Newton, Spruance and C. Smithers—4.

Mr. Newton, from the committee to whom was referred the petition of Isaac Hunter and others, reported a bill entitled "An act to create an additional school district in the county of New Castle," which,

On his motion,

Was read.

Mr. Newton offered the following resolution, which,

On his motion,

Was read, as follows, to wit :

Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, That the following persons be, and they are hereby appointed directors of the Farmers' Bank of the State of Delaware, on the part of the State, agreeably to the act of the General Assembly, in such case made and provided: For the principal bank at Dover, John Mustard, John Raughley and William Townsend; for the branch at Wilmington, John P. Gareche, Henry Hicks and Spencer D. Eves; for the branch at New Castle, Elihu Jefferson, Nathaniel Young and William D. Ocheltree; for the branch at Georgetown, Thomas Jacobs, Matthew Rench and Lewis West, which,

On his motion,

Was

Adopted.

Ordered to the Senate for concurrence.

On motion of Mr. E. Smithers,

The bill entitled "An act to incorporate a bank in Milford, under the name of the President, Directors and Company of the Bank of Milford," was taken up for consideration, when

Mr. Newton offered the following amendment; which,

On his motion,

Was read, as follows, to wit :

Amend by annexing as a 13th section the following section:—

"Section 13. *And be it further enacted*, That the said corporation shall pay into the treasury, for the use of the State, the sum of fifteen hundred dollars, as a consideration for the granting of this act, which sum shall be paid in three annual instalments, viz: Five hundred dollars on the first Tuesday in July, eighteen hundred and fifty-one, and the like sum on the first Tuesday in July in each of the two succeeding years;" which,

On his motion,

Was

Adopted.

Mr. Scribner moved,

To further amend the bill, by striking out of the first section the names of "Joseph Brown" and "William M. Godwin" and insert in lieu thereof the names William Cannon and Caleb Smithers.

Which motion

Prevailed.

Mr. Pride, from the committee to whom was referred the petition of Emaline Maxwell asked, and

On motion of Mr. Scribner,

Obtained further time to report.

Mr. Newton presented the petition of D. McKee and others, which,

On his motion,

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

Whereupon,

Messrs. Newton, Powell and Hosea were appointed said committee.

On motion of Mr. Boys,

The bill entitled "A supplement to the act entitled 'An act to limit the debt of Wilmington, and to provide for the discharge thereof,'" was read a second time, by its title.

On his motion, also,

The bill entitled "An act continuing the Wilmington Savings Fund Society," was read a second time, by its title.

On motion of Mr. Lodge,

The bill entitled "An act to repeal an act entitled 'An additional supplement to the act 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 third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Pride presented the petition of John W. Davis and others, praying for a law to enclose certain lands 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. Pride, Chambers and Derrickson, were appointed said committee.

On motion of Mr. Harper,

The bill entitled "An act to extend and open High street in the town of Dover," was read a second time.

Mr. Pride presented the petition of Nicholas V. Short and others, praying an act to locate certain land, which,

On his motion,

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

Whereupon,

Messrs. Pride, E. Smithers and Boulden, were appointed said committee.

Mr. Newton presented the remonstrance from Solomon Short and others, against building a bridge across Broad Creek; which,

On his motion,

Was read and referred to the committee already raised on that subject.

On motion of Mr. Boys,

The bill entitled "An additional supplement to the act entitled 'An act to incorporate a bank in the city of Wilmington, under the name of the Union Bank of Delaware,'" was read a third time, by paragraphs, and

Passed the House unanimously,

By yeas and nays, as follows, to wit:—

Yeas—Messrs. Boys, Boulden, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Marsh, Martin, Newton, Powell, Pride, Rogers, Satterfield, Scribner, Spruance, C. Smithers, E. Smithers, Waples and Mr. Speaker—21.

Nays—None.

Ordered to the Senate for concurrence.

Mr. Pride presented the petition of Caleb S. Layton and others, praying for an act to incorporate Rechabite Division, No. 22, of the Sons of Temperance, Georgetown, Delaware; which,

On his motion,

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

Whereupon,

Messrs. Pride, Spruance and Rogers, were appointed said committee.

Mr. Newton presented the petition of John Gordy and others, praying an act to authorize them to plant posts, &c., in the town of Laurel; which,

On his motion,

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

Whereupon,

Messrs. Hosea, Lodge and Harrington, were appointed said committee.

Mr. Boys presented two petitions of the same import, one from Mrs. Samuel McCaulley and seven hundred and seventeen others, ladies of the city of Wilmington; and one from Samuel McCaulley and three hundred and eighty-nine others, praying for law further to prohibit the sale of intoxicating liquors; which,

On his motion,

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

Whereupon,

Messrs. Boys, C. Smithers, Pride, Lodge and Harper, were appointed said committee.

On motion of Mr. Scribner,

The bill entitled "An act for the relief of Peter Miller," was read a second time, by its title.

Mr. Martin presented the petitions of Josiah W. Collins and Burton West. Also, the petition of John W. Short; which,

On his motion,

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

Whereupon,

Messrs. Martin, Harper and Newton, were appointed said committee.

Mr. Lodge, from the committee of enrolment, reported the following bills as correctly enrolled:—

"An act to divorce Charlotte Bayley and her husband, Nathan Bayley, from the bonds of matrimony."

"A further additional supplement to the act entitled 'An act to restrain persons from suffering swine to go at large within certain limits.'"

"An act for the relief of the Delaware City Bank,"

"An act allowing an additional constable in St. George's hundred, in the county of New Castle."

"An act to divorce Jesse Workman and Elizabeth Workman, late Elizabeth Dykes, from the bonds of matrimony."

"An act for the relief of Eleonora Sarah Hill."

"An act for the relief of John Pope and Elizabeth, his wife, of the State of Tennessee."

"An act to divorce Robert Layton and Genette Layton, late Genette Long, from the bonds of Matrimony."

"An act for the relief of Peter Hinson."

On motion,

The House adjourned until 3 o'clock this afternoon.

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

The House met pursuant to adjournment.

Mr. Rogers presented the petition of John G. Challenger and others, praying for an act to incorporate Washington Lodge, No. 5, of I. O. O. F., which,

On his motion,

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

Whereupon,

Messrs. Rogers, Harrington and Waples were appointed said committee.

Mr. Boulden presented the petition of Benjamin T. Biggs and John Jones, which,

On his motion,

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

Whereupon,

Messrs. Boulden, Chambers and Marsh were appointed said committee.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in the bill entitled "An act for changing the permanent bridge over Little Duck Creek, called Martin's bridge, into a pivot bridge."

Also, that the Senate had passed and requested the concurrence of the House in a bill entitled "A further additional supplement to the act entitled 'An act to enable all the religious denominations in this State to appoint trustees, who shall be a body corporate, for the purpose of taking care of the temporalities of their respective congregations.'"

Also, that the Senate had passed and requested the concurrence of the House in a bill entitled "An act to revive and re-establish an act entitled 'An act to enable James Hopkins, of Kent county, to locate certain vacant lands in Kent county and to complete his title to the same.'"

He also presented sundry enrolled bills for the signature of the Speaker of the House.

And he withdrew.

Mr. Boys moved,

That the bill entitled "An act to establish a Board of Education in Wilmington," be taken up for consideration.

Which motion

Prevailed.

Mr. Boys then offered the following amendment:—

Amend the bill by annexing—

Section 9. *And be it further enacted*, That this act shall continue in force for the period of twenty years from the time of passing it; but power to repeal or revoke it in the mean time, is hereby reserved to the General Assembly; which,

On his motion,

Was

Adopted.

On motion of Mr. Boys,

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

On motion of Mr. Lodge,

The bill was laid upon the table for further consideration.

Mr. C. Smithers presented the petition of John D. Anderson and others, which,

On his motion,

Was read and referred to the committee already raised on the petition of Peter L. Bonwill and others.

Mr. Marsh presented the petition of Alexander Massey and others, praying for an act to appoint a commissioner of wrecks in Rehoboth; which,

On his motion,

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

Whereupon,

Messrs. Marsh, Powell and Boys were appointed said committee.

On motion of Mr. Newton,

The bill entitled "An act to provide for the erection of a public bridge across Broad Creek, at the town of Laurel, in the county of Sussex," was read a second time, by its title.

Mr. C. Smithers, to whom was referred the petition of Warren, and William James Reed, reported a bill entitled "An act for the relief of Warren Reed, and William James Reed," which,

On his motion,

Was read.

On motion of Mr. Scribner,

The bill entitled "An act to incorporate a bank in Milford, under the name of the President, Directors and Company of the Bank of Milford," was read a second time.

Mr. Chambers then moved,

To amend the bill, by striking out, after the word "corporation," in the tenth section, the balance of said section; and inserting in lieu thereof the following words, to wit:—"shall pay into the treasury of the State, for the use of the State, a tax of one-fourth of one per centum per annum, on the amount of capital actually paid in, payable semi-annually;" which amendment,

On motion of Mr. Newton,

Was

Adopted.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in the passage of a bill entitled "An act concerning the publication of the laws."

Also, that the Senate had concurred in the resolution appointing directors on the part of the State, in the Farmers' Bank, with an amendment, in which the concurrence of the House was requested.

On motion of Mr. Newton,

The bill from the Senate was read; and,

On his motion also,

The Senate amendment to the resolution, was

Adopted.

Mr. Lodge, from the committee to whom was referred the petition of

John Pyle, reported a bill entitled "An additional supplement to the act entitled 'An act regulating the general election,' " which,

On his motion,

Was read.

Mr. Boulden gave notice that to-morrow he should ask leave to introduce a bill entitled "An act to confirm the title of John R. Price to certain lands in New Castle county."

Mr. Pride presented the petition of John S. Smith, praying for an act to incorporate Concord Division, No. 33, Sons of Temperance; which,

On his motion,

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

Whereupon,

Messrs. Pride, E. Smithers and Bouldon were appointed said committee.

Mr. Newton, from the committee to whom was referred the petition of Elizabeth C. Hatch, reported a bill entitled "An act to divorce Elizabeth C. Hatch and William H. Hatch from the bonds of matrimony;" which,

On his motion,

Was read.

On motion,

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

THURSDAY, 10 o'clock, A. M., *January 30, 1851.*

The House met pursuant to adjournment.

Prayer by the Chaplain.

The Speaker laid before the House the "report of the majority of the commissioners appointed to examine and report what changes, if any, are necessary, in the present mode of taxation in this State," which,

On motion of Mr. Lodge,

Was read, as follows, to wit:—

To the Honorable the Senate and

House of Representatives of the State of Delaware:

The undersigned, a majority of the commissioners appointed by a re-

solution of the last session of the Legislature, to examine and inquire what changes, if any, in their opinion, or in the opinion of a majority of them are necessary and expedient in our present system of taxation, and to report to the next General Assembly, respectfully report:

That after carefully examining the subject, and a full and free interchange of views and opinions, they have come to the conclusion that a "change in our system of taxation is necessary and expedient," and have unanimously agreed that the bill first reported to the Legislature at the session of 1845, with some slight alterations, contains all the change that is regarded as necessary.

Petitions in favor of taxing the objects embraced in this bill, were first presented to the Legislature during the session of 1843. At the following session, the people having numerous petitions for the law, this bill after a full examination of the whole subject, was carefully drawn up and reported in the House of Representatives, where it passed first and second reading, and was lost by a tie vote on the third reading. At the next session of the Legislature, the people having again sent in their petitions for the law, the same bill was reported by a committee to whom the subject was referred, which in like manner was lost by a tie vote on the third reading of the bill.

During the winter of 1849, a large convention of agriculturists having assembled at Dover, and having by a *unanimous* vote passed strong resolutions in favor of the passage of this bill, or of taxing the property enumerated in the bill, and the people having again for the fourth time sent in numerous petitions, the same bill was reported to the House, but again defeated by a tie vote. Thus the matter stood at the time of the passage of the resolution creating this commission.

The undersigned have referred to this brief history of the subject as showing first, the consistent and persevering applications of the people for the law, indicating that, in the opinion of a large class of those who pay the taxes, a change in our system is necessary; and secondly, for the purpose of showing that the bill heretofore reported, embraces all the change that is required; since at no time during the eight years that this subject has been agitated, has it even been suggested in any prayer contained in any petition, or by any report, or any amendments proposed to the bill, that our system of taxation should be altered or changed beyond the manner pointed out in the bill. The object of this bill was to include two great interests that had heretofore escaped taxation; to change the system, so far as this unwise and unjust exemption went and no farther. To go into a minute and searching inventory of every thing that constitutes the assets of an estate, from the furniture of the kitchen to the contents of a poultry-house, had never been thought of; and those who would recommend a change to this extent are very likely to be indifferent, if not opposed to any change at all. There are two matters, however, incidentally connected with our system of taxation, that will be alluded to hereafter, in reference to which the undersigned would recommend some al-

teration. The one is the marriage license law, the other the present mode of collecting the taxes.

The undersigned feel called on to briefly assign their reasons for proposing to extend the basis of taxation, as contemplated in the bill hereto annexed.

In the theory of political economy agriculture, commerce and manufactures, constitute the three great interests of the State, and among these interests the productive labor of the community and the capital of the community is divided and finds employment. Yet with us, agriculture is alone selected to bear nearly all the burthens of taxation. This is undoubtedly in part, the fruits of that code from whence our laws are derived, going back to a feudal origin, where the land and the tenantry on the land paid all dues, whether to church or State, to the exemption of another more favored class. But in point of fact there was but little capital in the early history of the State, except that engaged in agriculture or invested in real estate. It is otherwise now, since commerce and manufactures represent a very respectable portion, both of the population and wealth of the State, as these interests always do in all communities advanced in civilization and the arts.

The question is, shall our laws that profess to be equal in their operation, continue to tax the *property* of one citizen and exempt that of another—not for the reason that the one fund is more productive than the other, or that there is any difference in the expense to the State in the protection extended, but merely because of the manner selected by the owner to use and employ the fund.

The owner of a money capital in preferring to a more active life, the snug income of his investments in bonds and mortgages, or dividend paying stocks, cannot reasonably claim to be protected by the State in his person and property free of all charge, or worse still, at the cost and charge of others. He requires the use of the county officers to preserve the record of his bonds and mortgages, and the assistance of the courts to foreclose his mortgage or enforce his bond; and he requires as much as any other citizen the protection of the laws, for the security of his life, liberty, and the pursuit of happiness. Contributions for the support of the public schools, for the support of the poor, and keeping up the public roads, are as much due from such a citizen as any other, and to look to the annual earnings of labor and to exonerate accumulated capital, is certainly alike unwise and unjust.

The owner of this property enjoys all the rights and franchises of the most favored citizen. He votes for laws taking the property of others; he may hold office and enjoy the emoluments of office, derived from taxes; and why, it may well be asked, with the advantages of the most favored citizen, should he be exempt from any and all burdens, as he may be as the law now stands, though his property in bonds and mortgages and productive dividend paying stocks, should amount to half a million of dollars.

There is believed to be nothing whatever in the suggestion that a law taxing capital, will drive it out of the State. First, it is known that such is not the practical operation of these laws in those States where they exist. Again, sending the capital out of the State would not, by the express provisions of this bill, except in the single instance of an investment in United States securities, exempt it from taxation, the domicil of the party where the income is received giving the right to impose the tax, without reference to the location of the fund.

The reasoning used above in reference to the bond and mortgage holder, applies with equal force to the citizen who selects to employ his capital in steamboats, ships or vessels. It is equally *property*, whether invested in a structure that floats upon the water or one located on the land. It alike gives credit to the owner and alike produces an income. It passes to a decedent's heirs as other property passes, and just as much confers the capacity to discharge obligations as any other description of property of the like value.

The vessel that freights the goods or produce, should as much pay a tax as the warehouse where they are deposited or the store from which they are vended, for all are alike property. Our harbors are filled, particularly in winter, with large costly steamboats, belonging to companies and corporations, seeking not alone protection from the storms, but protection from taxation.

As the law now stands, the manufacturer pays no tax on the machinery of his mill, or on the capital with which he carries on his business, which is well known to amount to a large per cent., of the whole investment. It is claimed by some in effect, that this species of property should as to taxation, be placed on a footing with those charitable and philanthropic institutions which our laws exempt, because of their public usefulness, and the great benefactions they confer. But there is at least this difference, that in the latter case the property is unproductive, the investment not having been made with a view to profit, while in the case of the manufacturer, he is not supposed to carry on his business solely for the good of the community in which he resides. If the manufacturer may claim in effect "the freedom of the country," or the State; if he may claim that he shall have a right to use fifty, one hundred or two hundred thousand dollars invested in machinery, or to be used in a capital to carry on his business, paying taxes only on the building or other real estate he occupies, other interests may prefer their claims to a like exemption and on similar grounds.

Agriculture could urge that it made but few paupers; that its teams were more often employed on the farm than in travelling over the public roads and bridges; that it did not require the use of the banking capital of the State, at least to any great extent; and that its additions to the wealth of the State were always permanent and local. Each interest could no doubt find its champion in favor of these special exemptions, supporting this mistaken theory by such arguments as self-interest, or a spirit of parsimony might prompt.

But the simple true rule in the opinion of the commissioners should be, that *protection and taxation should go together*; whatever property is protected by the laws of the State, shall pay taxes to the State; whatever is covered by the policy must pay a premium under the policy, the insured thus paying for the safety and protection he enjoys, and not leaving it to others to do so for him.

That in other States the machinery and capital of manufacturers do pay a tax, the commissioners quote from a letter received from the Hon. Abbott Lawrence, dated Boston, January 8, 1849, addressed to one of the undersigned, in answer to inquiries on this subject.

"I have your favor of the 3d, and in reply beg to state that machinery and buildings, and all capital employed in manufactures, bear a full share of taxation in this Commonwealth."

It is proposed to exempt all machinery under the value of three hundred dollars, it being in analogy to the exemption of the implements of agriculture, the tools of mechanics, and other articles not enumerated as the subject of taxation as the law now stands.

The question of bringing capital and the interests of commerce and manufactures to contribute more liberally and fairly with agriculture—of compelling the capital of the State to assist the labor of the State in defraying the taxes, becomes of special importance at this time, when the State treasury is nearly exhausted, and when contemplated demands upon it may make a State tax at no distant day necessary.

Shall the agricultural interest, the holders of real estate, except as slightly assisted by a small income derived from licenses and the poll tax, continue to be responsible for providing the ways and means? It is in part because our real estate has been made to contribute for more than a century at each annual return of the tax gatherers a tenth, and sometimes over a fifth of its net earnings, that our once fertile lands became so exhausted, and those abodes of comfort and hospitality so dilapidated and their occupants so impoverished. The history of many communities will show that taxation when unequal or oppressive, is alone sufficient to depress and embarrass the most prosperous people.

The commissioners have proposed reducing the maximum and minimum of the poll tax from £1000 and £50, to \$300 and \$100, adhering still to the rule, that property rather than persons is for the most part, the legitimate subject of taxation, and deeming it unwise to place such discretionary power in the hands of an assessor—a discretion arbitrarily to assess a citizen at any sum between one hundred and thirty-three dollars, and twenty-six hundred and sixty-six dollars.

The banking capital of the State already pays a tax of one-fourth of one per cent., or at the rate of twenty-five cents in the one hundred dollars. This will probably be equal to the tax on other descriptions of property, when the basis of taxation had been extended in the manner proposed.

The law as it now stands, imposes a fee of two dollars for a license to marry, which is in effect a tax upon marriage.

A majority of the undersigned think it impolitic to tax or burthen by the drain of a single dollar, the generally limited means of those about to enter upon married life and assume the responsibility of the support of a family. It is the very time that all the little resources of the young citizen are generally necessary to fairly launch his bark upon the voyage of life, and therefore the very time the State should be the most chary in demanding her fees.

But there is another reason against continuing this law in operation. It has now become very customary, in order to avoid the imposition of this tax and the trouble of obtaining the license, to leave the State for the purpose of getting married, and thus are our worthy clergy deprived of their little perquisites, and the family hearth of its interesting bridal scenes, and in the end the State disappointed in obtaining its marriage license fee. The revenue from this source is every year diminishing and the repeal of the law is respectfully recommended.

In the same connection, as belonging to our system of taxation, "the commissioners would recommend that instead of having a collector in each hundred to collect the taxes for a commission of eight or ten per cent., the law should be so altered as to designate the time within which the citizen might pay his tax directly to the county treasurer, thus saving this large per cent. for collecting. As to all who failed to pay by the day designated, it might be made the duty of the sheriff of each county for a fair commission to be paid by such delinquents, to collect the residue of the taxes, and his official bond might be taken to cover such additional responsibility. But our citizens have now generally the means to pay and no doubt the disposition to pay; and it seems wrong for the county to place her claims against her citizens in the hands of an officer to collect, adding eight or ten per cent. costs, before giving an opportunity to pay the debt without the costs.

The amount thus paid by our citizens for these unnecessary calls of the tax collectors upon them, about equals the amount of the salaries of all the judicial officers and the salary paid the Executive of the State. And so far from these multiplied collectorships, amounting to some thirty in number, being of any benefit to the incumbents, it is believed that they are actually, in a majority of cases an injury. It withdraws good citizens from their business, exposing them in their public intercourse to influences and temptations less favorable than the associations that surround the occupations of private life. The actual loss to the productive labor of the State in withdrawing the good husbandman from his farm, or the ingenious mechanic from his shop, to ride the different hundreds of the State from one end of the year to the other, is of itself a serious loss.

The revenue it is believed is less punctually received under this system than it would be under the voluntary one, since the records show that

large sums often remain in the hands of delinquent collectors for years, and until payment is enforced by course of law.

The above changes in our system of taxation are all that in the opinion of the commissioners are necessary in order to a fair and equal operation of the laws, and to their economical execution, and the basis of taxation thus extended, in the absence of a State debt, the taxes, while they fall equally upon all, would fall but lightly upon all. All which is respectfully submitted.

JOHN C. CLARK,
JAMES P. LOFLAND,
THOMAS JACOBS,
E. JEFFERSON,
C. P. HOLCOMB.

January 31, 1851.

Mr. Lodge moved,

That the report be referred to a committee of five, with leave to report by bill or otherwise.

Whereupon,

Messrs. Lodge, Newton, Martin, Pride and Chambers were appointed said committee.

On motion of Mr. Lodge,

Ordered, That 300 copies of the above report be printed for the use of the House.

On motion of Mr. Boys,

The bill entitled "A supplement to an act entitled 'An act to limit the debt of Wilmington, and to provide for the discharge thereof,'" was read a third time, by paragraphs, and

Passed the House unanimously,

By yeas and nays, as follows, to wit :—

Yeas.—Messrs. Boys, Boulden, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Marsh, Martin, Newton, Powell, Pride, Rogers, Satterfield, Scribner, Spruance, C. Smithers, E. Smithers, Waples and Mr. Speaker—21.

Nays.—None.

Mr. Harper moved,

That the bill entitled "An act to extend and open High street, in the town of Dover," be taken up for consideration,

Which motion

Prevailed.

Mr. Harper then offered an amendment, which,

On his motion,
Was read as follows, to wit:—

Amend the bill by annexing as an additional section—

Section 3. *And be it further enacted*, That if the persons who may be damaged by the continuation and opening of said High street, or any of them, shall neglect or refuse to choose a freeholder to assess such damages, after five days written notice for that purpose, to be served upon him, her or them, by any constable residing in Dover hundred, then the other two, selected as hereinbefore provided, shall assess the damages as aforesaid; which,

On his motion,
Was

Adopted.

Mr. Harper then moved,

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

Which motion

Prevailed.

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

Passed the House.

Ordered to the Senate for concurrence.

Mr. Boulden, in accordance with notice previously given, asked and,

On motion of Mr. Newton,

Obtained leave to introduce "An act to confirm the title of John R. Price to certain lands in New Castle county, in the State of Delaware;" which,

On his motion,
Was read.

On motion of Mr. Newton,

The bill entitled "An act for the relief of Rebecca Worrell, Edward Worrell, Priscilla B. Smith, Elizabeth Merriken, Mary L. Merriken and Joseph R. Merriken," was read a second time, by its title.

On motion of Mr. Newton,

The bill entitled "An act for the relief of the owners and possessors of low grounds and marshes on both sides of Dragon Creek, in Red Lion hundred and New Castle county," was read a second time, by its title.

On motion of Mr. Newton,

The bill entitled "An act to create an additional school district in the county of New Castle," was read a second time by its title.

On his motion, also,

The bill entitled "An act to divorce Elizabeth C. Hatch and William H. Hatch from the bonds of matrimony;" was read a second time, by its title.

On motion of Mr. Harper,

The 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,'" was read a third time, by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of the bill entitled "An act to divorce William Sullivan and Rebecca, his wife, late Rebecca Simpler, from the bonds of matrimony."

Also, that the Senate had concurred in the passage of a bill entitled "An act to confirm the marriage of John B. Vickers and Mary E., his wife."

And he withdrew.

On motion of Mr. Boys,

The bill entitled "An act continuing the Wilmington Savings Fund Society," was read a third time, by paragraphs, and

Passed the House unanimously,

By yeas and nays, as follows, to wit:—

Yeas—Messrs. Boys, Boulden, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Marsh, Martin, Newton, Powell, Pride, Rogers, Satterfield, Scribner, Spruance, C. Smithers, E. Smithers, Waples and Mr. Speaker—21.

Nays—None.

Mr. Pride, from the committee to whom was referred the petition of Greenberry Rogers and others, reported a bill entitled "An additional supplement to the act entitled 'An act establishing certain fees for the use of the State;'" which,

On his motion,

Was read.

On motion of Mr. Boys,

The bill entitled "A further supplement to the act entitled 'An act regulating the general election,'" was read a third time, by paragraphs, and

Passed the House,

By yeas and nays, as follows:—

Yeas.—Messrs. Boys, Derrickson, Harrington, Hosea, Marsh, Martin, Newton, Pride, Rogers, Satterfield, Scribner, Waples and Mr. Speaker—14.

Nays.—Messrs. Chambers, Harper, Powell, Spruance C. Smithers, and E. Smithers—6.

Ordered to the Senate for concurrence.

Mr. Newton presented the petition of Dr. James N. Sutton and eighteen others, praying an act binding the Chesapeake and Delaware Canal Co., &c.; which,

On his motion,

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

Whereupon,

Messrs. Newton, Scribner and C. Smithers, were appointed said committee.

On motion of Mr. Newton,

The bill entitled "An act to provide for the erection of a public bridge across Broad Creek, at the town of Laurel, in the county of Sussex," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Pride,

The bill entitled "An act to incorporate Golden Rule Lodge of the I. O. O. F., of the State of Delaware, at Milton," was read a third time, by paragraphs, and

Passed the House unanimously,

By yeas and nays, as follows:—

Yeas.—Messrs. Boys, Boulden, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Marsh, Martin, Newton, Powell, Pride, Rogers, Satterfield, Scribner, Spruance, C. Smithers, E. Smithers, Waples, and Mr. Speaker—21.

Nays.—None.

Ordered to the Senate for concurrence.

Mr. Lodge, from the committee of enrolment, reported the following bills as correctly enrolled:—

"An act to enable James C. Wallace to locate certain vacant salt marsh, situate in St. Jones' Neck, in Kent county, and to complete his title to the same."

"A further additional supplement to an act entitled 'An act to extend the time for the recording of deeds.'"

On motion,

The House adjourned until 3 o'clock this afternoon.

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

The House met pursuant to adjournment.

Mr. Rogers, from the committee to whom was referred the petition of John G. Challenger, reported a bill entitled "An act to incorporate Washington Lodge, No. 5, I. O. O. F., of the State of Delaware;" which,

On his motion,

Was read.

Mr. Spruance presented the petition of Geo. W. Cummins and others, praying for an act to incorporate a company to cut certain canals; which,

On his motion,

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

Whereupon,

Messrs. Spruance, Rogers and Satterfield, were appointed said committee.

Mr. Boulden presented the petition of N. Young and others, praying for the repeal of a law prohibiting ten pin alleys 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. Boulden, Harper and Scribner, were appointed said committee.

On motion of Mr. Scribner,

The bill entitled "An act for the relief of Peter Miller," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Newton, in accordance with notice previously given, asked, and,

On motion of Mr. Scribner,

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

On his motion,

Was read.

Mr. Newton, to whom was referred the petition of D. McKee and others, reported a bill entitled "An act to incorporate Orphans' Friend

Lodge, No. 24, of I. O. O. F., at Cantwell's Bridge, New Castle county," which,

On his motion,
Was read.

On motion of Mr. Chambers,

The bill from the Senate, entitled "An act to revive and re-establish an act entitled 'An act to enable James Hopkins, of Kent county, to locate certain vacant lands in Kent county and to complete his title to said lands,'" was read.

Nr. Newton, from the committee to whom was referred the petition of Benjamin Ward and others, reported a bill entitled "An act concerning the division of school districts No. 40, 38 and 39, in Sussex county," which,

On his motion,
Was read.

Mr. Pride, from the committee to whom was referred the petition of sundry citizens of Georgetown, asking for the opening of Love Lane, reported that the committee deem it inexpedient to legislate on the subject at this time, which,

On his motion,
Was

Adopted.

On motion of Mr. Lodge,

The bill entitled "An act to establish a Board of Education in Wilmington," was taken up for consideration; when,

Mr. Newton moved,
That the bill be indefinitely postponed.

Which motion

Prevailed.

On motion of Mr. Newton,

The bill entitled "An act to exempt from execution process and distress for rent, a certain amount of personal property," was taken up for consideration.

Mr. Newton then offered an amendment, which,

On his motion,
Was read, as follows, to wit:—

Amend the bill by inserting in the sixth line of the first section, immediately preceding the words "to wit," the words "except execution process for debts due for rent and for public taxes due in either of the counties of this State, or in the city of Wilmington."

Mr. Newton then moved,
The adoption of the amendment.

Which motion

Prevailed.

Mr. Boys moved,
That the section, as amended, be read.

Which motion

Prevailed.

When he moved,
To lay the bill on the table, for further consideration.

Which motion, also,

Prevailed.

Mr. Boys gave notice that on to-morrow he should ask leave to introduce a bill creating an additional constable in the city of Wilmington.

Mr. Chambers presented the petition of Elizabeth Fowler, praying to be divorced from her husband, Benjamin Fowler; which,

On his motion,

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

Whereupon,

Messrs. Chambers, Marsh and Derrickson were appointed said committee.

Mr. Lodge presented a petition from Giles Lambson and others, praying for a law to equalize taxation; which,

On his motion,

Was read and referred to the committee already raised on that subject.

Mr. Powell presented the petition of Charles Jones, praying for further restriction upon the sale of intoxicating liquors; which,

On his motion,

Was read and referred to the committee already raised upon that subject.

On motion of Mr. C. Smithers,

The 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,' " was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Marsh, from the committee to whom was referred the petition of Alexander Massey and others, reported a bill entitled "An additional supplement to an act entitled 'An act for the more effectual preservation of

such ships and other vessels, and the goods thereof, as shall be forced or stranded upon the shores of this State,'” and for other purposes therein mentioned,’ ” which,

On his motion,

Was read.

Mr. Chambers, from the committee to whom was referred the petition of Barratt P. Conner 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.

Mr. Lodge presented the petition of John Appleton and others, praying for a law further to restrict the sale of spirituous liquors; which,

On his motion,

Was read and referred to the committee already raised on that subject.

Mr. Spruance presented the petition of Benjamin S. Collins and others, praying for an act of incorporation of Smyrna Division, No. 4, Sons of Temperance, which,

On his motion,

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

Whereupon,

Messrs. Spruance, Waples and Boulden were appointed said committee.

Mr. Newton, from the committee to whom was referred the petition of Wm. Reybold and others, reported a bill entitled “An act to amend the act entitled ‘A further supplementary act to the act entitled ‘An act for stopping St. George’s creek, and for embanking and draining a quantity of marsh and cripple on both sides of said creek, being deemed about three thousand acres, situate in Red Lion and St. George’s hundreds, and county of New Castle, and for keeping the dykes and dams belonging to the same in good order and repair;’ ” which,

On his motion,

Was read.

On motion,

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

FRIDAY, 10 o'clock, A. M., January 31, 1851.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Satterfield, from the committee to whom was referred the petition of Jabez Fisher asked, and

On motion of Mr. Scribner,
Obtained further time to report.

On motion of Mr. Newton,

The bill entitled "An act for the relief of Rebecca Worrell, Edward Worrell, Priscilla B. Smith, Elizabeth Merriken, Mary L. Merriken and Joseph R. Merriken," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Waples presented the petition of J. C. Hall, praying for an act to enable him to work slaves either in Delaware or Maryland; which,

On his motion,

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

Whereupon,

Messrs. Waples, Chambers and Rogers, were appointed said committee.

On motion of Mr. Newton,

The bill entitled "An act to divorce Elizabeth C. Hatch and William H. Hatch from the bonds of matrimony;" was read a third time, by paragraphs, and

Passed the House,

By yeas and nays, as follows:—

On the passage of the first section, the yeas and nays being ordered, were taken as follows, to wit:—

Yeas.—Messrs. Boys, Boulden, Derrickson, Harper, Harrington, Hosea, Marsh, Newton, Powell, Pride, Rogers, Satterfield, Scribner, E. Smithers and Mr. Speaker—15.

Nays.—Messrs. Chambers, Lodge, Martin, Spruance, C. Smithers and Waples—6.

And on the final passage of the bill, the yeas and nays being called by Mr. Newton, were the same as given on the passage of the first section.

Ordered to the Senate for concurrence.

Mr. Boulden, from the committee to whom was referred the petition of N. Young and others, reported a bill entitled "A further supplement to the act entitled 'An act providing for the punishment of certain crimes and misdemeanors; which,

On his motion,
Was read.

On motion of Mr. Newton,
The bill entitled "An act to create an additional school district in the county of New Castle," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Pride presented the memorial of Solomon Prettyman, for an act to incorporate a sea-bathing company at Lewes; which,

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

Whereupon,

Messrs. Pride, Powell and Newton, were appointed said committee.

Mr. Boys presented the petition of James Canby and others, praying for additional directors of the Mutual Insurance Company of 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. Boys, E. Smithers and Marsh, were appointed said committee.

On motion of Mr. Newton,

The bill entitled "An act for the relief of the owners and possessors of low grounds and marshes on both sides of Dragon Creek, in Red Lion hundred and New Castle county," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Harper, from the committee to whom was referred the petition of Robert H. Moor, reported a bill entitled "An act for the benefit of the wife and children of Robert H. Moor, of Kent county; which,

On his motion,
Was read.

On motion of Mr. Chambers,

The bill entitled "An act to revive and re-establish an act entitled 'An act to enable James Hopkins, of Kent county, to locate certain lands in Kent county, and to complete his title to said lands;'" was read a second time.

Mr. Boys, as per notice previously given asked, and

On motion of Mr. Rogers,

Obtained leave to introduce a bill entitled "An act allowing an additional constable to Wilmington city, in New Castle county; which,

On his motion,

Was read.

Mr. Scribner, from the committee to whom was referred the petition of John A. Hazzard and others, reported a bill entitled "A supplement to an act entitled 'An act to amend the act directing the manner of choosing commissioners to regulate and repair the streets of Milford, and for other purposes;'" which,

On his motion,

Was read.

Mr. Lodge presented the remonstrance of C. I. du Pont and forty-eight others; also, the remonstrance of George Brotten and ninety-three others, against changing the election ground in Brandywine hundred; which,

On his motion,

Was read and referred to the committee already raised on that subject.

On motion of Mr. Marsh,

The bill entitled "An additional supplement to an act entitled 'An act for the more effectual preservation of such ships or other vessels, and the goods thereof, as shall be forced on shore, or stranded upon the coasts of this State, and for other purposes therein mentioned,'" was read a second time, by its title.

On motion of Mr. Rogers.

The bill entitled "An act to incorporate Washington Lodge, No. 5, of the I. O. O. F., of the State of Delaware," was read a second time, by its title.

On motion of Mr. Newton,

The bill entitled "An act to amend the act entitled 'A further supplementary act to the act entitled 'An act for stopping St. George's creek, and for embanking and draining a quantity of marsh and cripple on both sides of said creek, being deemed about three thousand acres, situate in Red Lion and St. George's hundreds and county of New Castle, and for keeping the dykes and dams belonging to the same in good order and repair,'" was read a second time, by its title.

Mr. Rogers presented the claim of Wm. Hemphill Jones; which,

On his motion,

Was read and referred to the committee on claims.

Mr. Scribner moved,

That the bill entitled "An act to incorporate a bank in Milford, under the name of The President, Directors and Company of the Bank of Milford," be taken up for consideration.

Which motion

Prevailed.

Mr. Newton then offered an amendment, which,

On his motion,

Was read as follows, to wit:—

Amend the bill by annexing as an additional section—

Section 14. *Be it further enacted*, That the stockholders of the said bank of Milford shall be jointly liable to the creditors of said bank, being note holders, in their individual capacity, for the amount of all the notes issued, in an amount not exceeding the par value of the stock owned and possessed by them respectively. *Provided*, that their joint liability shall in no case exceed the amount of the par value of their stock.

Mr. Newton moved,

The adoption of the amendment; upon which,

The House being divided,

Mr. Scribner called the yeas and nays, which being taken, were as follows:—

Yeas—Messrs. Boulden, Lodge, Newton, and Mr. Speaker—4.

Nays—Messrs. Boys, Chambers, Derrickson, Harper, Harrington, Hosea, Marsh, Martin, Powell, Pride, Rogers, Satterfield, Scribner, Spruance, C. Smithers, E. Smithers and Waples—17.

So the amendment was

Lost.

On motion of Mr. Scribner,

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

Passed the House,

By yeas and nays, as follows:—

Yeas.—Messrs. Boulden, Chambers, Harper, Harrington, Hosea, Marsh, Martin, Powell, Pride, Rogers, Satterfield, Scribner, Spruance, C. Smithers, E. Smithers, and Waples—16.

Nays.—Messrs. Boys, Derrickson, Lodge, Newton and Mr. Speaker—5.

Ordered to the Senate for concurrence.

Mr. Chambers presented the petition of the Cow Marsh Ditch Company, which,

On his motion,

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

Whereupon,

Messrs. Chambers, Satterfield and Boulden were appointed said committee.

On motion,

The House adjourned until 3 o'clock this afternoon.

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

The House met pursuant to adjournment.

On motion of Mr. Boulden,

The bill entitled "An act to confirm the title of John R. Price to certain lands in New Castle county, in the State of Delaware," was read a second time.

On motion of Mr. Pride,

The bill entitled "An act to divorce Curtis J. Prettyman and Mary, his wife, late Mary D. Plummer, from the bonds of matrimony," was read a second time.

Mr. Boys from the committee to whom was referred the petition of Jesse Sharp and John McClung, reported a bill entitled "An act to authorize the Levy Court and Court of Appeal of New Castle county to purchase or acquire the drawbridge over the Christiana river, at Wilmington, for the purpose of making the same a public and free bridge," which,

On his motion,

Was read.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of the bill entitled "An act to empower the Levy Court and Court of Appeal of Kent county to erect a bridge over Little Duck Creek, at the village of Leipsic," with an amendment.

Also, that the Senate had passed and requested the concurrence of the

House in a bill entitled "A further additional supplement to the act entitled 'An act to enable all the religious denominations in this State to appoint trustees, who shall be a body corporate, for the purpose of taking care of the temporalities of their respective congregations.'"

Also, that the Senate had refused to concur in the amendment to the bill entitled "An act to re-enact the act entitled 'An act to incorporate the New Castle Manufacturing Company.'"

And he withdrew.

On motion of Mr. Harper,

The amendment to the bill just returned from the Senate was read, as follows, to wit :—

"IN SENATE, *January 31, 1851.*

Amend the bill by adding after the close of the first section, the following additional section—

Section 2. *And be it further enacted*, That the captain or any other person for the time being, having the charge of any boat or vessel passing through the said bridge, is hereby directed and required to turn off and on, the platform, or moveable part thereof, in such manner, as that the same shall receive no damage thereby, and so as to prevent any inconvenience in traveling across said bridge; and every such captain or other person as aforesaid offending against the provisions of this section, upon being convicted thereof, before any justice of the peace of Kent county, shall forfeit and pay all the actual damage, so done to the said bridge, and also a fine of ten dollars, with the costs of suit, one-half of the said fine to go to the informer who shall prosecute for the same, and the other half thereof together with all the damages, to the treasurer of Kent county, for the use of said county.

Extract from the Journal.

W. G. WHITELEY, *Clerk.*

For concurrence."

Mr. Harper moved,
That the amendment be adopted.

Which motion

Prevailed.

Ordered that the Senate be informed thereof.

Mr. Boys presented the claim of William Chandler, which,

On his motion,
Was read and referred to the committee on claims.

Mr. Martin presented the petition of William D. Waples, praying for an act to locate certain vacant lands in Baltimore hundred, which,

On his motion,

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

Whereupon,

Messrs. Martin, Spruance and Lodge were appointed said committoe.

On motion of Mr. C. Smithers,

The bill entitled "An act for the relief of Warren Reed, and William James Reed," was read a second time.

Mr. Newton offered the following resolutions; which,

On his motion,

Were read, as follows, to wit:—

Resolutions concerning the boundaries of the State.

Be it 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 order of George Bead Riddle, the sum of nine hundred dollars, as compensation for services as commissioner on the north-western boundary of the State.

Be it further resolved, That the Secretary of State be requested to have eight hundred copies of the reports of the commissioners and engineer upon the boundary survey, printed for the use of the Legislature.

Be it further resolved, That the Governor be, and he is hereby authorized, if in his opinion it be found expedient, to appoint two competent persons to examine and report to him, all the facts connected with the circular boundary of the State, east of Mason and Dixon's line, and how said circular boundary is marked or known.

And be it further resolved, That the Governor be, and he is hereby authorized to draw his warrants upon the State Treasurer for the sum of one hundred dollars, in favor of each of the persons appointed as afore-said, and also for all necessary traveling expenses.

Mr. Newton moved,

The adoption of the resolutions; on which,

The House being divided,

Mr. C. Smithers called the yeas and nays, which being taken, were as follows, to wit:—

Yeas.—Messrs. Boulden, Derrickson, Harper, Harrington, Hosea, Lodge, Marsh, Newton, Pride, Waples and Mr. Speaker—11

Nays.—Messrs. Boys, Chambers, Martin, Powell, Rogers, Scribner, Spruance, C. Smithers, E. Smithers—9.

So the motion to adopt

Prevailed.

Ordered to the Senate for concurrence.

Mr. Boys gave notice that on to-morrow he should ask leave to introduce a bill to establish the map of the city of Wilmington.

Mr. Boys presented the petition of R. B. McDowell, which,

On his motion,

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

Whereupon,

Messrs. Boys, Harrington and Scribner, were appointed said committee.

Mr. Newton, from the committee to whom was referred the petition of John Gordy and others, reported a bill entitled "An act for the relief of the citizens of the town of Laurel, in Sussex county; which,

On his motion,

Was read.

Mr. Boys, in accordance with notice previously given, asked, and

On motion of Mr. Rogers,

Obtained leave to introduce a bill entitled "An act to repeal part of the first section of an act entitled 'An act to prevent certain nuisances; which,

On his motion,

Was read.

Mr. Newton presented the report of James F. Allee, of expenditures of appropriations for repairs on the State-house, together with his accounts for stationery, &c.; which,

On his motion,

Was read and referred to the committee on claims.

On motion of Mr. Scribner,

The bill entitled "An act to incorporate Good Samaritan Lodge, No. 9, of I. O. O. F. of the State of Delaware, at Middletown," was read.

Mr. Newton, as per notice previously given, asked, and

On motion of Mr. Rogers,

Obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act concerning imprisonment for debt;'" which,

On his motion,

Was read.

Mr. Newton gave notice that on to-morrow he should ask leave to in-

roduce a bill entitled "An act to reincorporate the trustees of Delaware College."

Also, to introduce a bill entitled "An act to authorize the Levy Court and Court of Appeal of New Castle county, to appoint a road commissioner for Appoquinimink hundred."

On motion,

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

SATURDAY, 10 o'clock, A. M., February 1, 1851.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Rogers,

The bill entitled "An act to incorporate Washington Lodge, No. 5, of the I. O. O. F., of the State of Delaware," was read a third time, by paragraphs, and

Passed the House,

By yeas and nays, as follows :—

Yeas.—Messrs. Boys, Boulden, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Marsh, Martin, Newton, Powell, Pride, Rogers, Satterfield, Scribner, Spruance, Waples and Mr. Speaker—19.

Nays.—None.

Ordered to the Senate for concurrence.

Mr. Pride gave notice that at some future time he should ask leave to introduce a bill entitled "An act concerning notaries public and commissioners of deeds."

On motion of Mr. Marsh,

The bill entitled "An additional supplement to an act entitled 'An act for the more effectual preservation of all such ships or other vessels, and the goods thereof, as shall be forced on shore, or stranded upon the coasts of this State, and for other purposes therein mentioned,' " was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Boys, in accordance with notice previously given, asked and

On motion of Mr. Lodge,

Introduced a bill entitled "An act to establish the map of the city of Wilmington;" which,

On his motion,

Was read.

Mr. Newton, in accordance with notice previously given, asked, and,

On motion of Mr. Boulden,

Obtained leave to introduce a bill entitled "An act to authorize the Levy Court and Court of Appeal of New Castle county, to appoint a road commissioner for Appoquinimink hundred, in said county," which,

On his motion,

Was read.

Mr. Pride offered the following resolution, which,

On his motion,

Was read as follows, to wit:—

Resolved, That so much of the Governor's Message as relates to the subject of public education, be referred to a committee of five, with leave to report by bill or otherwise; which,

On his motion,

Was

Adopted.

Whereupon,

Messrs. Pride, Chambers, Rogers, Scribner and Lodge, were appointed said committee.

Mr. Whiteley, 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 "A further supplement to the act entitled 'An act for the benefit of Sussex county.'"

He also returned to the House sundry enrolled bills as incorrectly enrolled.

And he withdrew.

On motion of Mr. Martin,

The bill from the Senate was read.

On motion of Mr. Boys,

The bill entitled "A further additional supplement to the act entitled 'An act to enable all the religious denominations in this State to appoint trustees, who shall be a body corporate, for the purpose of taking care of the temporalities of their respective congregations,'" was read.

Mr. Harper presented the petition of John Bellville and others, praying for the passage of a hog law in Murderkill hundred, which,

On his motion,

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

Whereupon,

Messrs. Harper, Hosea and Derrickson were appointed said committee.

On motion of Mr. Harper,

The bill entitled "An act for the benefit of the wife and children of Robert H. Moor, of Kent county," was read a second time.

Mr. Spruance, from the committee to whom was referred the petition of Benjamin L. Collins and others, reported a bill entitled "An act to incorporate Smyrna Division, No. 4, Sons of Temperance, at Smyrna, Delaware," which,

On his motion,

Was read.

On motion of Mr. Chambers,

The bill entitled "An act to revive and re-establish an act entitled 'An act to enable James Hopkins, of Kent county, to locate certain vacant lands in Kent county, and to complete his title to said lands;'" was read a third time, by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in a Resolution directing the printing of the Auditor's Report.

And he withdrew.

Mr. Newton, in accordance with notice previously given, asked, and,

On motion of Mr. Lodge,

Obtained leave to introduce a bill entitled "An act to incorporate the trustees of Delaware College," which,

On his motion,

Was read.

Mr. Spruance presented the petition of Gideon E. Barlow, praying a grant of certain real estate therein mentioned, which,

On his motion,

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

Whereupon,

Messrs. Spruance, Boulden and Waples were appointed said committee.

Mr. Pride moved,

A reconsideration of the resolutions concerning the boundary of the State.

Which motion

Prevailed.

Mr. Newton moved,

A severance of the question, and that the resolutions be read separately.

Which motion

Prevailed.

And on the first resolution being read,

Mr. Boys moved,

Its adoption,

Which motion

Prevailed.

And the second resolution being read,

Mr. Boys moved,

To amend the second resolution, by striking out the number 8, and inserting in lieu thereof the number 4,

Which motion

Prevailed.

He then moved,

The adoption of the resolution, as amended; upon which,

The House being divided,

The yeas and nays were called, and being taken, were as follows:—

Yeas—Messrs. Boys, Boulden, Chambers, Lodge, Newton and Mr. Speaker—6.

Nays—Messrs. Derrickson, Harper, Hosea, Marsh, Martin, Powell, Pride, Rogers, Satterfield, Scribner, Spruance, and Waples—12.

So the motion to adopt the resolution was

Lost.

And on the third resolution being read,

Mr. Boys moved,

That the third resolution be adopted,

When the yeas and nays being called, were as follows:—

Yeas.—Messrs. Harper and Lodge—2.

Nays.—Messrs. Boys, Boulden, Chambers, Derrickson, Hosea, Marsh,

Martin, Newton, Powell, Pride, Rogers, Satterfield, Scribner, Spruance, Waples and Mr. Speaker—16.

So the third resolution was

Lost.

And on the fourth resolution being read,

Mr. Newton moved,

The adoption of the fourth resolution,

Which motion was

Lost.

Mr. Boys, from the committee to whom was referred the petition of James Canby and J. E. Driver, reported a bill entitled "A supplement to an act entitled 'An act to incorporate the New Castle Mutual Insurance Company,'" which,

On his motion,

Was read.

Mr. Lodge presented the petition of Chalkley Harvey and sixty-three others, praying the Legislature to enact a law providing for the appointment of a commissiener, to act in conjunction with a commissioner on the part of Pennsylvania, in the surveying and marking of the boundary line, which,

On his motion,

Was read and referred to the committee already raised upon that subject.

Mr. Newton presented the petition of Nathaniel Hearne and others, praying for the incorporation of a bank at Laurel, which,

On his motion,

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

Whereupon,

Messrs. Hosea, Newton and Powell were appointed said committee.

On motion of Mr. Boulden,

The bill entitled "A further supplement to the act entitled 'An act providing for the punishment of certain crimes and misdemeanors,'" was read a second time.

Mr. Derrickson, offered the following resolution; which,

On his motion,

Was read, as follows, to wit:—

Resolved by the Senate and House of Representatives of the State of Delaware in General Assmblly met, That in the opinion of this Legislature, the banking capital subscribed or authorized to be subscribed under

existing charters in this State, is amply sufficient to meet the demands of our citizens, and that therefore it is inexpedient to incorporate any more banks.

Mr. Boulden moved

The adoption of the resolution; upon which,

The House being divided,

The yeas and nays were ordered, which being taken were as follows, to wit:—

Yeas.—Messrs. Boulden, Derrickson, Lodge, Martin, Satterfield, Scribner and Mr. Speaker—8.

Nays.—Messrs. Boys, Chambers, Harper, Hosea, Newton, Powell, Pride, Rogers, Spruance, Waples—10.

So the resolution was

Lost.

On motion,

The House adjourned until 11 o'clock, on Monday morning.

MONDAY, 11 o'clock, A. M., February 3, 1851.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Newton,

The bill entitled "An act to authorize the Levy Court and Court of Appeal of New Castle county, to appoint a road commissioner for Appoquinimink hundred in said county," was read a second time, by its title.

On motion of Mr. Boys,

The bill entitled "A supplement to an act entitled 'An act to incorporate the New Castle County Mutual Insurance Company,'" was read a second time.

Mr. Pride presented the petition of C. S. Layton and others, in regard to pedlers' licenses; which,

On his motion,

Was read and referred to the committee already raised on that subject.

On motion of Mr. Scribner,

The bill entitled "A supplement to an act entitled 'An act to extend the act directing the manner of choosing commissioners; to regulate and repair the streets of Milford, and for other purposes,'" was read a second time.

Mr. Pride moved,

That the enrolled bills returned from the Senate, be recommitted to the committee on enrolment.

Which motion

Prevailed.

On motion of Mr. Harper,

The bill entitled "An act for the benefit of the wife and children of Robert H. Moor, of Kent county," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Martin, from the committee to whom was referred the petition of John Collins, asked, and

On motion of Mr. Scribner,

Obtained further time to report.

On motion of Mr. Newton,

The bill entitled "An act to incorporate Orphans' Friend Lodge, No. 24, of I. O. O. F., at Cantwell's Bridge, New Castle county," was read a second time, by its title.

Mr. Waples presented the petition of Ephraim Calhoon, to locate certain vacant land in Baltimore hundred; which,

On his motion,

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

Whereupon,

Messrs. Waples, Powell and Rogers, were appointed said committee.

Mr. Boulden, from the committee to whom was referred the petition of Benjamin L. Biggs and John Jones, reported a bill entitled "An act vesting in the school commissioners of school district No. 58, in New Castle county, the title to a certain lot of land therein described," which,

On his motion,

Was read.

On motion of Mr. Boys,

The bill entitled "An act allowing an additional constable to Wilmington city, in New Castle county," was read a second time.

Mr. Pride from the committee to whom was referred the petition of Solomon Prettyman, reported a bill entitled "An act to incorporate the Cape Henlopen Sea Bathing Company;" which,

On his motion,
Was read.

When Mr. Newton offered the following amendment; which,

On his motion,
Was read, as follows, to wit:

Amend the bill by annexing as an additional section—

Section 9. *Be it further enacted*, &c., That it shall not be lawful for said corporation, and they shall not have power to discount notes or bills, or to loan money on interest, or to exercise any banking powers whatever under the provisions of this act.

Which amendment,

On his motion,
Was

Adopted.

On motion of Mr. Marsh,

The bill entitled "An act allowing an additional justice of the peace in Sussex county," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had refused to concur in the passage of the bill entitled "An act to repeal an act entitled 'An additional supplement to the act entitled A further additional supplement to the act entitled An act to alter and re-establish the charter of the borough of Wilmington.'"

Also, that the Senate had concurred in the passage of a bill entitled "An act for the relief of Rebecca Worrell, Edward Worrell, Priscilla B. Smith, Elizabeth Merriken, Mary L. Merriken and Joseph R. Merriken."

Also, that the Senate had concurred in the passage of a bill entitled "An act to extend and open High street, in the town of Dover."

Also, that the Senate had concurred in the passage of a bill entitled "An act to incorporate Golden Rule Lodge, of the I. O. O. F."

Also, that the Senate had concurred in the passage of the bill entitled "An act continuing the Wilmington Savings Fund Society."

Also, that the Senate had concurred in the passage of a bill entitled "A supplement to an act entitled 'An act to limit the debt of Wilmington, and to provide for the discharge thereof.'"

Also, that the Senate had concurred in the passage of the bill entitled "An additional supplement to the act entitled 'An act to incorporate a bank in the city of Wilmington, under the name of the Union Bank of Delaware,'" with an amendment, as follows, to wit,—

"IN SENATE, *February 1, 1851.*

Amend the bill by inserting in the enacting clause of the first section, after the word 'General' the word 'Assembly.'

Extract from the Journal.

W. G. WHITELEY, *Clerk.*

For concurrence."

Mr. Boys moved,
That the amendment be adopted.

Which motion

Prevailed.

Ordered that the Senate be informed thereof.

Mr. Boys offered the following resolutions, which,

On his motion,
Were read, as follows, to wit:—

Resolutions in relation to the Compromise Measures.

WHEREAS, the Constitution of the United States is a compact between the several States, and the basis of the Federal Union: and whereas, the said States, through their representatives, in sovereign capacity as States, by adopting said constitution conceded such and only such powers to the General Government as were necessary to form "a more perfect Union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to themselves and posterity; and whereas, the questions which recently agitated the Congress of the United States, and were happily terminated by the compromise measures, were fraught with injustice to a portion of the States, in violation of the spirit of the constitution; calculated to dismember the Union; make domestic tranquility a by word, and be destructive of all the blessings and privileges which liberty confers, it becomes the duty of this Legislature, in common with others, to avow their sentiments in relation thereto. Therefore—

Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met,—

1. That the Constitution of the United States was the result of compromise between the several States, and can only be preserved by strict adherence to its expressed powers: that Delaware is strongly attached to "the Union," and though her people have always manifested a determination to adhere strictly to the constitution which she was among the first of "the old thirteen" to adopt: that she will resist to the extent of her abili-

ty any infraction of that sacred instrument; and any attempt on the part of Congress to legislate, except in accordance with powers in the constitution expressly granted, would be a violation of plighted faith, and fraught with the most dangerous consequences.

2. That this Legislature cordially approve of the measures recently adopted by Congress, commonly known as "the compromise measures;" that the people of the several States and Territories alone have the right to regulate their domestic institutions; and that every patriot, in every part of the country has cause to rejoice in the adoption of said measures as a triumph of justice and right over a spirit of the wildest fanaticism.

3. That Delaware will stand to, and abide by "the compromise measures" in good faith, and that her Senators in the Senate of the United States be instructed, and her Representative in Congress be requested to resist any essential alteration or repeal thereof.

4. That Delaware looks with profound contempt upon the Abolitionists of the North, now known as the "higher law party" of the country, and regards them as destitute of all claim to respect of an order-loving and law abiding people; and that any further agitation of the slave question would, in the opinion of the people of this State, be dangerous to the existence of the Union.

5. That the fugitive slave bill is in accordance with the express stipulations of the Constitution of the United States, as carried out by the act of Congress of 1799, and that Congress by passing a law which rendered said act more efficient, complied with the letter and spirit of the constitution, and is entitled to the thanks of the people of the country.

6. That Delaware will sustain the aforesaid fugitive slave bill, by all just and lawful means.

7. That the Governor of this State be requested to transmit a copy of these resolutions to each State in this Union, and also to our Senators and Representatives in Congress.

Mr. Boys moved,

That the resolutions be laid on the table, for further consideration.

Which motion

Prevailed.

Mr. Pride offered the following resolution, which,

On his motion,

Was read as follows, to wit:—

Resolved, That to Lewis Cass, Henry Clay, Henry S. Foote, Daniel Webster and others, of the Senate and House of Representatives of the United States, be and are hereby tendered the thanks of this General Assembly, in token of the esteem in which they are held by the people of Delaware, for their bold, patriotic and successful efforts to allay the agi-

tation growing out of the slavery question, and restore peace and tranquility to the country; which,

On his motion,

Was

Adopted.

Ordered to the Senate for concurrence.

On motion of Mr. Martin,

The bill entitled "An act to repeal an act entitled 'An act to compel certain testimony in cases of contested elections,'" was read a second time.

On motion of Mr. Newton,

The bill entitled "An act to amend the act entitled 'A further supplementary act to the act entitled 'An act for stopping St. George's creek, and for embanking and draining a quantity of marsh and cripple on both sides of said creek, being deemed about three thousand acres, situate in Red Lion and St. George's hundreds and county of New Castle, and for keeping the dykes and dams belonging to the same in good order and repair,'" was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Scribner,

The bill entitled "An act to incorporate Good Samaritan Lodge, No. 9, of I. O. O. F. of the State of Delaware, at Middletown," was read a second time, by its title.

On motion of Mr. Newton,

The bill entitled "An act for the relief of the citizens of the town of Laurel, in Sussex county," was read a second time.

On motion,

The House adjourned until three o'clock, this afternoon.

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

The House met pursuant to adjournment.

On motion of Mr. Boys,

The bill entitled "An act to repeal part of the first section of an act entitled 'An act to prevent certain nuisances,'" was read a second time.

On motion of Mr. Boulden,

The bill entitled "An act to confirm the title of John R. Price to certain lands in New Castle county, in the State of Delaware," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Chambers, from the committee to whom was referred the petition of Elizabeth Fowler, reported a bill entitled "An act to divorce Elizabeth Fowler from her husband, Benjamin Fowler;" which,

On his motion,
Was read.

Mr. Newton moved,

That the bill entitled "A further additional supplement to the act entitled 'An act to enable all the religious denominations in this State to appoint trustees, who shall be a body corporate, for the purpose of taking care of the temporalities of their respective congregations,' " be taken up for consideration.

Which motion

Prevailed.

When,

On motion of Mr. Boys,

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

Mr. Pride, in accordance with notice previously given, asked, and

On motion of Mr. Scribner,

Obtained leave to introduce a bill entitled "An act concerning notaries public and commissioners of deeds;" which,

On his motion,
Was read.

Mr. Smithers presented the petition of Samuel Reynolds; which,

On his motion,

Was read and referred to the committee already raised on the same subject.

Mr. Newton moved,

That the bill entitled "An act to reincorporate the trustees of Delaware College," be taken up for consideration.

Which motion

Prevailed.

Mr. Boulden offered the following amendment, which,

On his motion,

Was read, as follows, to wit:—

Amend the bill by adding the following section:

Section 12. The act entitled “An act to establish a college at Newark,” passed February 3d, 1833, and the act to amend said act, passed February 3d, 1841, and the act entitled ‘An act to amend the act entitled ‘An act to amend the act entitled ‘An act authorizing a lottery for the benefit of Delaware College, and for other purposes therein mentioned,’” passed February 7th, 1843, and the act entitled “An act to prevent the sale of spirituous liquors to the students of Delaware College,” passed February 24, 1843, and the resolution requiring the Secretary of State to transmit certain public documents to Newark College, adopted February 18, 1839, being herein supplied, are hereby repealed: *Provided*, that no offence committed against, or penalty incurred, or act done, or right acquired, under either of said acts shall be impaired or affected by this repeal; and that no act or provision repealed by either of the acts hereby repealed, shall by this repeal be revived.

When,

On motion of Newton,

The bill was postponed until to-morrow, for further consideration.

Mr. Harper, from the committee to whom was referred the petition of John Belville 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.

On motion of Mr. Lodge,

The bill entitled “An additional supplement to the act entitled ‘An act regulating the general election,’” was read a second time, by its title.

On motion of Mr. Scribner,

The bill entitled “A further supplement to the act entitled ‘An act for the benefit of Sussex county,’” was read a second time, by its title.

Mr. Lodge, from the committee on enrolment, reported following bills as duly and correctly enrolled:—

“An act to divorce Robert Layton and Genette Layton, his wife, late Genette Long, from the bonds of matrimony.”

“A further additional supplement to the act entitled ‘An act to restrain persons from suffering swine to go at large within certain limits.’”

“An act allowing an additional constable in St. George’s hundred, in the county of New Castle.”

On motion of Mr. Chambers,

The 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,' " was read a second time, by its title.

Mr. Rogers moved,

That the bill entitled "An act to re-enact the act entitled 'An act to incorporate the New Castle Manufacturing Company,'" be taken up for consideration.

Which motion

Prevailed.

Mr. Boulden moved,

That the House recede from its amendment,

Which motion

Prevailed.

Ordered, That the Senate be informed thereof.

Mr. Pride, from the committee to whom was referred the petition of John S. Smith and others, reported a bill entitled "An act to incorporate Concord Division, No. 33, of the Sons of Temperance, located at Concord, Sussex county;" which,

On his motion,

Was read.

On motion of Mr. Martin,

The resolutions from the Senate were read, as follows, to wit:—

"IN SENATE, February 1, 1851.

Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, That three hundred copies of the Auditor's Report of the finances of the State, be printed for the use of the two Houses.

Resolved, That H. W. McColley, Esq., (late Auditor of Accounts,) be and he is hereby authorized to superintend the printing of the same.

Extract from the Journal,

W. G. WHITELEY, Clerk.

For concurrence."

Mr. Lodge moved,

That the resolutions be indefinitely postponed.

Which motion

Prevailed.

Ordered that the Senate be informed thereof.

On motion of Mr. Newton,

The bill entitled "An act concerning the division of school districts

Nos. 40, 38 and 39, in Sussex county," was read a second time by its title.

On motion of Mr. Pride,

The bill entitled "An act to incorporate Endeavor Lodge, No. 17, of Ancient York Masons, Milton, Delaware," was read a second time, by its title.

Mr. Boulden presented the petition of John W. Evans and others, praying for an amendment to the act entitled "An act concerning landlord and tenant," which,

On his motion,

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

Whereupon,

Messrs. Boulden, E. Smithers and Pride were appointed said committee.

On motion of Mr. Scribner,

The bill entitled "An act to exempt from execution process and distress for rent, a certain amount of personal property," was taken up for consideration.

Mr. Scribner offered an amendment, which,

On his motion,

Was read, as follows, to wit:—

Amend the bill by inserting at the end of the fourth line, of the first section, the words 'the property of the white citizens of this State;' which,

On his motion,

Was

Adopted.

Mr. Pride moved,

That the bill be postponed for further consideration, until Monday next.

Which motion was

Lost.

Mr. Newton offered the following amendments, which,

On his motion,

Were read, as follows, to wit:—

1st.—Amend the bill by striking out in the sixth line of the first section, the words 'and distress for rent.'

2d.—Amend the bill by inserting in the sixth line of the first section, immediately preceding the words 'to wit,' the words 'except execution process for debts due for rent, and for public taxes due in either of the counties of this State, or in the city of Wilmington.'

Mr. Newton moved,

The adoption of the amendments; on which,
 The House being divided,
 The yeas and nays were called, which being taken were as follows,
 to wit:—

Yeas.—Messrs. Boulden, Harper, Hosea, Newton, Rogers, Spruance and C. Smithers—7.

Nays.—Messrs. Boys, Chambers, Derrickson, Harrington, Lodge, Marsh, Martin, Powell, Pride, Scribner, E. Smithers, Waples and Mr. Speaker—13.

So the amendments were *Lost.*

Mr. Martin offered an amendment, which,

On his motion,
 Was read, as follows, to wit:

Amend the bill by inserting between the words ‘dollars’ and ‘which,’ in the third line of the proviso to the first section, ‘and provided further, that if the debtor shall at the time of the execution of such process, be in possession of all, or any of the above specified articles, then any other property which he shall have in his possession, amounting in value to one hundred dollars, shall be exempt as aforesaid.’

Mr. Martin moved,
 That the amendment be adopted.

Which motion *Prevailed.*

Mr. Scribner offered the following amendment, which,

On his motion,
 Was read as follows, to wit:—

Amend the second and third lines of section the second, by striking out the words ‘first day of April,’ and inserting therein, in lieu thereof, the words ‘fourth day of July next, and not in anywise to invalidate debts or contracts, made previous to the said fourth of July;’ which amendment,

On his motion,
 Was *Adopted.*

Mr. Boulden offered the following amendment, which,

On his motion,
 Was read, as follows, to wit:—

Amend the bill by striking out the words ‘one hundred dollars,’ in the sixth section, and insert the words ‘three hundred dollars.’

Mr. Boys moved,
 That the amendment be adopted.

Which motion was

Lost.

Mr. Chambers offered the following amendment, which,

On his motion,

Was read as follows, to wit:—

Amend the bill by inserting 'that if the debtor has not got the goods called for in the bill, then the creditor shall be bound to make them up.'

Mr. Chambers moved,

That the amendment be adopted.

Which motion was

Lost.

Mr. Newton moved,

That the bill be postponed till to morrow, for further consideration.

Which motion

Prevailed.

Mr. Newton, from the committee to whom was referred the petition of Dr. J. N. Sutton and others, reported a bill entitled "An act binding the Delaware and Chesapeake Canal Company to keep in repair the road known as the St. George's mill dam, in New Castle county," which,

On his motion,

Was read.

Mr. Chambers offered the following resolution, which,

On his motion,

Was read, as follows, to wit:—

Resolved, That in the opinion of this House, George Read Riddle, who was appointed a commissioner by the Governor, on the part of this State, in refixing the tangent stone marking the point of intersection between this State and the States of Maryland and Pennsylvania, transcended entirely the authority intended to be conferred by the resolution under which he was appointed, thereby subjecting this State to much unnecessary expense.

Mr. Newton moved,

That the resolution be indefinitely postponed.

Which motion

Prevailed.

On motion,

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

TUESDAY, 10 o'clock, A. M., February 4, 1851.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Martin gave notice, that on to-morrow he should ask leave to introduce a bill entitled "An act to repeal an act concerning contested elections in either branch of the Legislature."

Mr. Newton presented two petitions on the subject of temperance, which,

On his motion,

Were read and referred to the committee already raised on that subject.

Mr. Harper presented a petition upon the same subject, which,

On his motion,

Was read and referred to the same committee.

Mr. Pride presented the petition of Joseph A. Collins and others, praying an act to rebuild a grist mill at Middleford, 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. Pride, Spruance and Boulden, were appointed said committee.

Mr. Spruance, from the committee to whom was referred the petition of George W. Cummins and others, asked, and

On motion of Mr. Harper,

Obtained further time to report.

On motion of Mr. Newton,

The bill entitled "An act to authorize the Levy Court and Court of Appeal of New Castle county, to appoint a road commissioner for Appoquinimink hundred, in said county," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Boulden,

The bill entitled "A further supplement to the act entitled 'An act providing for the punishment of certain crimes and misdemeanors,'" was read a third time, by paragraphs, and

Lost.

Mr. Boys moved,

That the "Joint resolutions in relation to the compromise measures" be taken up and read.

Which motion

Prevailed.

On motion of Mr. Boys,

The resolutions were

Adopted.

Mr. Powell presented the claim of J. B. Smith, which,

On his motion,

Was read and referred to the committee on claims.

On motion of Mr. Scribner,

The bill entitled "An act to incorporate Good Samaritan Lodge, No. 9, of I. O. O. F. of the State of Delaware, at Middletown," was read a third time, by paragraphs, and

Passed the House,

By yeas and nays, as follows, to wit :—

Yeas.—Messrs. Boys, Boulden, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Marsh, Martin, Newton, Powell, Pride, Rogers, Satterfield, Scribner, Spruance, C. Smithers, E. Smithers, Waples and Mr. Speaker—21.

Nays.—None.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of the bill entitled "An act for the relief of the owners and possessors of low grounds and marshes on both sides of Dragon Creek, in Red Lion hundred and New Castle 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 restrain persons from suffering swine to go at large within certain limits.'"

Also, that the Senate had concurred in the passage of a bill entitled "An act to create an additional school district in the county of New Castle."

And he withdrew.

On motion of Mr. Newton,

The bill entitled "An act binding the Delaware and Chesapeake Canal Co., to keep in repair the road known as the St. George's mill-dam, in New Castle county," was read a second time, by its title.

On motion of Mr. C. Smithers,

The bill entitled "An act for the relief of Warren Reed, and William James Reed," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Waples presented the petition of William Cannon, of Daniel; which,

On his motion,

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

Whereupon,

Messrs. Waples, C. Smithers and Lodge, were appointed said committee.

On motion of Mr. Pride,

The bill entitled "An act to incorporate Milton Division, No. 13, of the Sons of Temperance, at Milton, Delaware," was read a second time, by its title.

Mr. Martin, from the committee to whom was referred the petition of Josiah W. Collins and others, reported a bill entitled "An act to enable Josiah W. Collins, John W. Short and Burton West, to locate certain vacant lands in Broad Creek hundred, Sussex county, Delaware, and to complete their title to the same;" which,

On his motion,

Was read.

Mr. Lodge presented the petition of George W. Churchman and one hundred others, praying an act authorizing the erection of a wharf in New Castle county, between Quarryville and Naaman's Creek; &c., which,

On his motion,

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

Whereupon,

Messrs. Lodge, Harrington and Satterfield, were appointed said committee.

On motion of Mr. Pride,

The bill entitled "An act to divorce Curtis J. Prettyman and Mary, his wife, late Mary D. Plummer, from the bonds of matrimony," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Boys,

The bill entitled "A supplement to an act entitled 'An act to incorporate the New Castle County Mutual Insurance Company,'" was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Pride presented the petition of Joshua G. Lampson, praying for an act to locate certain lands; which,

On his motion,

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

Whereupon,

Messrs. Pride, Powell and Derrickson, were appointed said committee.

Mr. Boys, from the committee to whom was referred sundry petitions concerning the sale of spirituous and intoxicating liquors, asked, and

On motion of Mr. Rogers,

Obtained further time to report.

On motion of Mr. Newton,

The bill entitled "An act to incorporate Orphans' Friend Lodge, No. 24, of I. O. O. F., at Cantwell's Bridge, New Castle county," was read a third time, by paragraphs, and

Passed the House,

By yeas and nays as follows, to wit:—

Yeas—Messrs. Boys, Boulden, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Marsh, Martin, Newton, Powell, Pride, Rogers, Satterfield, Scribner, C. Smithers, E. Smithers, Spruance, Waples and Mr. Speaker—21.

Nays—None.

Mr. Pride, from the committee to whom was referred the petition of John W. Davis and others, reported a bill entitled "An act to authorize John W. Davis to change the course of a road in Broadkilm hundred in Sussex county;" which,

On his motion,

Was read.

Mr. Pride, from the committee to whom was referred the petition of Nicholas V. Short and others, asked, and

On motion of Mr. Scribner,

Obtained further time to report.

On motion of Newton,

The bill entitled "An act to amend the act entitled 'An act concerning imprisonment for debt;'" was read a second time.

Mr. Martin, to whom was referred the petition of William D. Waples, reported a bill entitled "An act to enable William D. Waples to locate certain vacant land, situated in Baltimore hundred, in Sussex county, and to complete his title to the same; which,

On his motion,
Was read.

On motion,
The House adjourned until 3 o'clock this afternoon.

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

The House met pursuant to adjournment.

Mr. Newton moved,

To reconsider the vote on the bill entitled "A further supplement to the act entitled 'An act providing for the punishment of certain crimes and misdemeanors;'"

Which motion *Prevailed.*

The bill being put upon its final passage, and the yeas and nays being called,

The bill was *Lost,*

As follows, to wit,—

Yeas.—Messrs. Boys, Boulden, Hosea, Marsh, Newton, Pride, Rogers, Satterfield, Scribner and Waples—10.

Nays.—Messrs. Chambers, Derrickson, Harper, Harrington, Lodge, Martin, Powell, Spruance, C. Smithers, E. Smithers and Mr. Speaker—11.

Mr. C. Smithers presented the petition of James Cook and others, concerning licenses for the sale of spirituous liquors; which,

On his motion,
Was read and referred to the committee already raised on that subject.

On motion of Mr. Newton,

The bill entitled "An act concerning the division of school districts Nos. 40, 38 and 39, in Sussex county," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Scribner,

The bill entitled "A further supplement to the act entitled 'An act for the benefit of Sussex county,'" was read a third time, by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

Mr. Waples, from the committee to whom was referred the petition of William Cannon, of Daniel, reported a bill entitled "An act to change the name of William Cannon, of Daniel, to William Huffington Cannon;" which,

On his motion,

Was read.

Mr. Newton presented the petition of Martin L. Hearn, praying an increase on pedlers' licenses; which,

On his motion,

Was read and referred to the committee already raised upon that subject.

Mr. Pride presented the remonstrance of Ann A. Stewart against a law conferring the right to rebuild a certain mill in Sussex county; which,

On his motion,

Was read and referred to the committee already raised on that subject.

Mr. Chambers presented the petition of Joel Clement and others, for the division of school district, No. 23, 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. Chambers, Lodge and Marsh, were appointed said committee.

Mr. Scribner moved,

That the bill entitled "An act to exempt from execution process and distress for rent, a certain amount of personal property," be taken up for consideration.

Which motion

Prevailed.

Mr. Scribner offered an amendment; which,

On his motion,

Was read, as follows, to wit:—

Amend the bill by adding to the first section after the words ‘as afore-said’ in the thirty-eighth line, the words ‘except in every case for taxes due in either of the counties of this State, or in the city of Wilmington;’ when,

On motion of Mr. Scribner,

The amendment was

Adopted.

Mr. Pride presented the petition of James Bishop, praying for an act to authorize him to work his slaves in the State of Maryland; which,

On his motion,

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

Whereupon,

Messrs. Pride, Harper and Newton, were appointed said committee.

Mr. Lodge, to whom was referred the report of the commissioners to examine what changes are necessary and expedient in our present system of taxation, asked, and

On motion of Mr. Rogers,

Obtained further time to report.

On motion of Mr. Newton,

The bill entitled “An act to re-incorporate the trustees of Delaware College,” was taken up for consideration.

On motion of Mr. Boulden,

The amendment offered and read yesterday, was

Adopted.

On motion of Mr. Newton,

The bill, as amended, was read a second time.

On motion,

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

WEDNESDAY, 10 o'clock, A. M., February 5, 1851.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Harper presented the petition of Daniel Dunham and Rebecca Dunham, which,

On his motion,

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

Whereupon,

Messrs. Harper, Boys and Rogers, were appointed said committee.

On motion of Mr. Newton,

The bill entitled "An act to re-incorporate the trustees of Delaware College," was read a third time, by paragraphs, and

Passed the House,

By yeas and nays, as follows, to wit :—

Yeas.—Messrs. Boys, Boulden, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Marsh, Martin, Newton, Powell, Pride, Rogers, Satterfield, Scribner, Spruance, C. Smithers, E. Smithers, Waples and Mr. Speaker—21.

Nays.—None.

Ordered to the Senate for concurrence.

Mr. Pride, from the committee to whom was referred the petition of Caleb S. Layton and others, reported a bill entitled "An act to incorporate the Rechabite Division, No. 22, Sons of Temperance, in Georgetown, Delaware," which,

On his motion,

Was read.

Mr. Chambers presented the petition of James R. Clement and others, praying for a law more effectually to prevent free negroes from carrying fire arms, &c., which,

On his motion,

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

Whereupon,

Messrs. Chambers, Scribner and Boulden, were appointed said committee.

On motion of Mr. Boys,

The bill entitled "An act to incorporate the Delaware Union Boot, Shoe and Leather Manufacturing Company of Wilmington, and to extend the provisions of the same to the corporation in and by this act created," was taken up for consideration.

Mr. Boys offered the following amendment, which,

On his motion,

Was read as follows, to wit:—

Amend the bill by striking out of the fifth line of the second section, the words 'day of,' and inserting in lieu thereof the words 'first Monday of May.'

Mr. Boys moved,

That the amendment be adopted.

Which motion

Prevailed.

Br. Boys then offered a second amendment to the bill, which,

On his motion,

Was read, as follows, to wit:—

Amend the bill by annexing as an additional section—

Section 7. *And be it further enacted*, That it shall be lawful for said company to commence business at any time after five hundred or more shares of stock shall be subscribed, and ten dollars or more paid in on each share, as the commissioners or directors may require, and that the stock books shall be opened at all times as additional capital may be required, for additional subscriptions to the capital stock, all which shall be fully paid up at the time of subscriptions.

On motion of Mr. Boys,

The amendment was

Adopted.

On motion of Mr. Boys,

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

Passed the House.

By yeas and nays, as follows:—

Yeas.—Messrs. Boys, Boulden, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Marsh, Martin, Newton, Powell, Pride, Rogers, Scribner, Spruance, C. Smithers, E. Smithers, Waples and Mr. Speaker—20.

Nays.—None.

On motion of Mr. Newton,

The bill entitled "An act for the relief of the citizens of the town of Laurel, in Sussex county," was read a third time, by paragraphs, and
Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Martin,

The 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,'" was read a second time by its title.

Mr. Chambers, from the committee to whom was referred sundry petitions concerning hogs running at large within certain limits, asked, and

On motion of Mr. Newton,
 Obtained further time to report.

On motion of Mr. Waples,

The bill entitled "An act changing the name of William Cannon, of Daniel, to William Huffington Cannon," was read a second time by its title; when,

On motion of Mr. Waples,
 The bill was read a third time, by special order, by paragraphs, and
Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Boys,

The bill entitled "An act allowing an additional constable to Wilmington city, in New Castle county," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Pride presented the petition of E. W. McNeill, praying for a law to enable him to work his slaves in the State of Maryland, which,

On his motion,

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

Whereupon,

Messrs. Pride, Powell and Derrickson, were appointed said committee.

On motion of Mr. Newton,

The bill entitled "An act binding the Delaware and Chesapeake Canal Co., to keep in repair the road known as the St. George's mill-dam, in New Castle county," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Powell presented the petition of Nathaniel Johnson and others, praying for a game law, which,

On his motion,

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

Whereupon,

Messrs. Powell, Waples and Lodge were appointed said committee.

Mr. Lodge presented the petition of Hiram Laveret and others, praying the Legislature to enact a law exempting a certain amount of property from seizure for debt, which,

On his motion,

Were read and referred to the committee already raised on that subject.

Mr. Lodge also presented the petition of Alfred Walton and others, praying for a law to repeal all imprisonment for debt, except for fraud which,

On his motion,

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

Whereupon,

Messrs. Lodge, Marsh and E. Smithers, were appointed said committee.

On motion of Mr. Martin,

The bill entitled "An act to exempt from execution process and distress for rent, a certain amount of personal property," was taken up for consideration.

Mr. Martin offered the following amendment, which,

On his motion,

Was read, as follows, to wit:—

Amend the bill by inserting in the last line of the proviso to the first section, after the word 'peace,' the words 'constable or sheriff.'

On motion of Mr. Martin,

The amendment was

Adopted.

On motion of Mr. Scribner,

The bill entitled "A supplement to an act entitled 'An act to amend the act directing the manner of choosing commissioners; to regulate and

repair the streets of Milford, and for other purposes," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. E. Smithers presented the petition of James R. Mitchell, concerning streets and side walks of the town of Milford, which,

On his motion,

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

Whereupon,

Messrs. E. Smithers, Newton and Satterfield, were appointed said committee.

Mr. Spruance gave notice that to-morrow he should ask leave to introduce a bill entitled "A further additional supplement to 'An act supplementary to the several acts incorporating and relating to the Swedes' Lutheran church, called Trinity Church, in the borough of Wilmington and county of New Castle.'"

On motion,

The House adjourned until three o'clock, this afternoon.

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

The House met pursuant to adjournment.

Mr. Waples, from the committee to whom was referred the petition of J. C. Hall, asked, and,

On motion of Mr. Newton,

Obtained further time to report.

Mr. Boulden, from the committee to whom was referred the petition of John W. Evans, reported a bill entitled "A further supplement to the act entitled 'An act concerning landlord and tenant,' " which,

On his motion,

Was read.

Mr. Marsh presented the petition of Robert West and others, concerning a canal at Green Bank, which,

On his motion,

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

Whereupon,

Messrs. Marsh, Spruance and Boys, were appointed said committee.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of a bill entitled "An act to incorporate a bank in Milford, under the name of the President, Directors and Company of the Bank of Milford."

Also, that the Senate had concurred in the passage of 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.'"

Also, that the Senate had passed, and requested the concurrence of the House in a bill entitled "An act to ratify an amendment proposed 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 re-enact and continue in force an act entitled 'An act to incorporate the subscribers of the New Castle Library Company, their heirs and assigns.'"

Also, that the Senate had passed, and requested the concurrence of the House in a bill entitled "A further supplement to the act entitled 'An act concerning awards, to regulate the summoning and returning of juries and for lessening the expense thereof and for other purposes.'"

Also, that the Senate had passed, and requested the concurrence of the House in a bill entitled "An act to divorce Martin Walls and Frances Ann Walls, a vinculo matrimonii."

Also, that the Senate had concurred in the passage of the bill entitled "An act to incorporate Washington Lodge, No. 5, I. O. O. F., of the State of Delaware."

And he withdrew.

On motion of Mr. Boys,

The communications from the Senate were read.

On motion of Mr. Chambers,

The 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,' " was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Chambers,

The bill entitled "An act to divorce Elizabeth Fowler from her husband, Benjamin Fowler," was read a second time.

Mr. Boys moved,

That the bill entitled "An act to authorize the Levy Court and Court of Appeal of New Castle county to purchase or acquire the drawbridge over the Christiana river, at Wilmington, for the purpose of making the same a public and free bridge," be taken up for consideration."

Which motion

Prevailed.

Mr. Boys then offered an amendment; which,

On his motion,

Was read as follows, to wit:—

Amend the bill by inserting the words 'or stockholders in the said bridge company' after the word 'Wilmington' in the fifteenth line of the second section.

Mr. Newton moved,

That the amendment be adopted.

Which motion

Prevailed.

On motion of Mr. Boys,

The bill as amended, was read a second time.

Mr. Chambers, from the committee to whom was referred the petition of the Cow Marsh Ditch Company, reported a bill entitled "A supplement to the act entitled 'An act authorizing the owners and possessors of the marsh or low ground, commonly called or known by the name of Cow Marsh, situate in the forest of Murderkill hundred, in Kent county, and State of Delaware, to cut a ditch or ditches, drain or drains through the same, and to keep said ditches and drains open and in repair;'" which,

On his motion,

Was read.

Mr. Scribner offered the following resolution; which,

On his motion,

Was read, as follows, to wit:

Whereas, the members of this House have learned that Passed Midshipman Robert Clay Rogers, of the U. S. Navy, will, at the request of many of his fellow-citizens, in different parts of the State, narrate in public this evening, an account of his capture and imprisonment in Mexico, during the war with that country; and it being proper for this House to manifest its interest on the occasion, therefore,

Resolved, That the use of this Hall be tendered to the committee of preparation, for the purpose of the delivery of the Address by Mr. Rogers, and that the members of this House will attend in a body to hear the same.

Mr. Chambers moved,
That the resolution be adopted.

Which motion

Prevailed.

On motion,

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

THURSDAY, 10 o'clock, A. M., *February 6, 1851.*

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Newton,

The bill entitled "An act to divorce Martin Walls and Frances Ann Walls, a vinculo matrimonii," was read.

Mr. Newton presented the remonstrance of Benjamin Fowler; which,

On his motion,

Was read and laid on the table.

Mr. Scribner presented the petition of E. D. Cullen and others, praying certain monies to be applied to the cutting of certain ditches 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. Scribner, C. Smithers and Rogers, were appointed said committee.

On motion of Mr. Pride,

The bill entitled "An act to incorporate Milton Division, No. 13, of the Sons of Temperance, at Milton, Delaware," was read a third time, by paragraphs, and

Passed the House,

By yeas and nays, as follows:—

Yeas.—Messrs. Boys, Boulden, Chambers, Derrickson, Harper, Har-

rington, Hosea, Lodge, Marsh, Martin, Newton, Powell, Pride, Rogers, Satterfield, Scribner, Spruance, C. Smithers, E. Smithers, Waples and Mr. Speaker—21.

Nays—None.

Ordered to the Senate for concurrence.

On motion of Mr. Pride,

The bill entitled "An act to incorporate Endeavor Lodge, No. 17, of Ancient York Masons, Milton, Delaware," was read a third time, by paragraphs, and

Passed the House,

By yeas and nays, as follows, to wit:—

Yeas.—Messrs. Boys, Boulden, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Marsh, Martin, Newton, Powell, Pride, Rogers, Satterfield, Scribner, Spruance, C. Smithers, E. Smithers, Waples and Mr. Speaker—21.

Nays.—None.

Ordered to the Senate for concurrence.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of a bill entitled "An act to divorce Elizabeth C. Hatch and William H. Hatch from the bonds of matrimony."

Also, that the Senate had concurred in the passage of a bill entitled "An act to change the name of William Cannon, of Daniel, to William Huffman Cannon."

Also, that the Senate had concurred in the passage of the bill entitled "An act for the benefit of the wife and children of Robert H. Moor, of Kent county."

And he withdrew.

On motion of Mr. Lodge,

The bill entitled "An additional supplement to the act entitled 'An act regulating the general election,'" was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Boys,

The bill entitled "An act to exempt from execution process and distress for rent, a certain amount of personal property," was read a third time, by paragraphs, and

Passed the House,

By yeas and nays as follows, to wit:—

Yeas—Messrs. Boys, Boulden, Derrickson, Lodge, Marsh, Martin, Newton, Pride, Rogers, Satterfield, Scribner, E. Smithers, Waples and Mr. Speaker—14.

Nays—Messrs. Chambers, Harper, Harrington, Hosea, Powell, Spruance and C. Smithers—7.

Mr. Pride presented the petition of James Anderson and others, in regard to the right of petition for freedom, which,

On his motion,

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

Whereupon,

Messrs. Pride, Chambers and Newton, were appointed said committee.

Mr. Satterfield gave notice, that on some future day he should ask leave to introduce a bill entitled "A supplement to the act entitled 'A further supplement to the act entitled An act providing for the punishment of certain crimes and misdemeanors.'"

Mr. Newton presented the petition of Joseph S. Wilson, praying to be divorced from his wife Emaline, which,

On his motion,

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

Whereupon,

Messrs. Newton, Harrington and Satterfield were appointed said committee.

Mr. Powell presented the petition of the Marshy Hope Division, No. 36, of the Sons of Temperance, of the State of Delaware, which,

On his motion,

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

Whereupon,

Messrs. Powell, Marsh and Boulden, were appointed said committee.

Mr. Chambers read a communication from Benjamin Fowler, concerning his wife's divorce.

On motion of Mr. Chambers,

The bill entitled "An act to divorce Elizabeth Fowler, from her husband, Benjamin Fowler, was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Newton,

The bill entitled "An act to re-enact and continue in force an act entitled 'An act to incorporate the subscribers of the New Castle Library Company, their heirs and assigns,'" was read a second time, by its title.

Mr. Spruance, in accordance with notice previously given, asked, and

On motion of Mr. Chambers,

Obtained leave to introduce a bill entitled "A further additional supplement to an act supplementary to the several acts incorporating and relating to the Swedes' Lutheran church, called Trinity Church, in the borough of Wilmingon, and county of New Castle," which,

On his motion,

Was read.

On motion of Mr. Chambers,

The bill entitled "A supplement to the act entitled 'An act authorizing the owners and possessors of the marsh or low grounds commonly called and known by the name of Cow Marsh, situate in the forest of Murderkill hundred, in Kent county, and State of Delaware, to cut a ditch or ditches, drain or drains through the same, and to keep said ditches and drains open and in repair,'" was read a second time, by its title.

On motion of Mr. Harper,

The bill entitled "A supplement to an act entitled 'An act to restrain persons from suffering swine to go at large within certain limits,'" was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Chambers presented the petition of Thomas D. Cabbage and nine others, praying for a law to enable them to ditch certain low grounds or marshes," which,

On his motion,

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

Whereupon,

Messrs. Chambers, Scribner and Lodge were appointed said committee.

On motion of Mr. Scribner,

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

On motion,

The House adjourned until 3 o'clock this afternoon.

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

The House met pursuant to adjournment.

On motion of Mr. Boulden,

The bill entitled "An act vesting in the school commissioners of school district No. 58, in New Castle county, the title to a certain lot of land therein described," was read a second time.

Mr. Lodge presented a petition from William Smith and others, and one from Mrs. Ann Smith and fifty other ladies, praying for a change in the present license law, which,

On his motion,

Was read and referred to the committee already raised upon that subject.

Mr. Scribner presented the remonstrance of Thomas P. Reynolds and three hundred and fifty-one others, against any change in the present license law, which,

On his motion,

Was read and referred to the committee already raised on that subject.

Mr. Marsh, from the committee to whom was referred the petition of Robert West and others, reported a bill entitled "An act to authorize the trustees appointed under an act entitled 'An act for the benefit of Sussex county, passed at Dover, February 13, 1835, or any supplement thereto to pay to the trustees appointed under the act entitled An act to improve the navigation of Lewes creek, by cutting and making a canal near Green Bank, passed February 19, 1841, and any supplement thereto, a certain amount of money herein specified,' " which,

On his motion,

Was read.

Mr. Newton, from the committee to whom was referred the petition of Joseph S. Wilson, reported a bill entitled "An act to divorce Joseph S. Wilson and Emaline Wilson, a vinculo matrimonii," which,

On his motion,

Was read.

On motion of Mr. Pride,

The bill entitled "An act to incorporate Concord Division, No. 33, of the Sons of Temperance, located at Concord, Sussex county, Delaware," was read a second time, by its title.

Mr. Lodge presented the petition of William M. Day, praying an act to incorporate Beuna Vista Division of Sons of Temperance, in Brandywine hundred, 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. Lodge, Waples and Harper, were appointed said committee.

Mr. Scribner presented the petition of Lemuel Draper and others, which,

On his motion,

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

Whereupon,

Messrs. Scribner, Harrington and Derrickson were appointed said committee.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of a bill entitled "An act to confirm the title of John R. Price to certain lands in New Castle county, in the State of Delaware."

Also, that the Senate had concurred in the adoption of the "Resolutions concerning the boundary of the State," with an amendment, which,

On motion of Mr. Newton,

Was read, as follows, to wit:—

"IN SENATE, February 6, 1851.

Amend the resolution by inserting in the fourth line, between the word 'authorize' and the word 'to,' the words 'to pay.'

Amend the resolution by striking out the words 'nine hundred,' in the fifth line, and inserting in lieu thereof the words 'five hundred.'

Extract from the Journal,

W. G. WHITELEY, Clerk.

For concurrence."

Mr. Newton moved,

That the first amendment be adopted,

Which motion

Prevailed.

Mr. Newton then moved,

That the resolution be laid upon the table, for further consideration.

Which motion also

Prevailed.

Mr. Scribner, presented the petition of Amos Stayton; which,

On his motion,

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

Whereupon,

Messrs. Scribner, Powell and Boulden, were appointed said committee.

Mr. Lodge, from the committee to whom was referred the report of the commissioners appointed to ascertain what changes, if any, in the mode of assessing taxes is necessary, reported a bill entitled "A further supplement to the act entitled 'An act for the valuation of real and personal property within this State;'" which,

On his motion,

Was read.

Mr. Waples, from the committee to whom was referred the petition of Ephraim Calhoun, reported a bill entitled "An act to enable Ephraim Calhoun to locate certain land, situate in Baltimore hundred, in Sussex county, and to complete his title to the same;" which,

On his motion

Was read.

Mr. Chambers presented the remonstrance of William Satterfield and others, against the passage of a hog law in the southern part of Murder-kill hundred; which,

On his motion,

Was read and referred to the committee already raised on that subject.

On motion of Mr. Pride,

The bill entitled "An act to incorporate the Cape Henlopen Sea Bathing Company," was taken up for consideration.

Mr. Newton offered an amendment to the bill; which,

On his motion,

Was read, as follows, to wit:—

Amend the bill by striking out in Sec. 4, line third, the words 'this present month' and insert in lieu thereof the word 'March.'

Mr. Newton then moved,

The adoption of said amendment.

Which motion

Prevailed.

Mr. Pride moved,

That the bill as amended be read a second time.

Which motion

Prevailed.

Mr. Lodge, from the committee on enrolment, reported following bills as duly and correctly enrolled:—

"An act continuing the Wilmington Savings Fund Society."

"An additional supplement to the act entitled 'An act to incorporate a bank in the city of Wilmington, under the name of the Union Bank of Delaware.'"

"A supplement to an act entitled 'An act to limit the debt of Wilmington, and to provide for the discharge thereof.'"

On motion of Mr. Marsh,

The bill entitled "A further supplement to the act entitled 'An act concerning awards, to regulate the summoning and returning of juries and for lessening the expense thereof and for other purposes,'" was read a second time, by its title.

On motion of Mr. Martin,

The bill entitled "An act to repeal an act entitled 'An act to compel certain testimony in cases of contested elections,'" was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. C. Smithers, from the committee to whom was referred the petition of James R. Smith, reported a bill entitled "A supplement to the act entitled 'An act to amend the act entitled An act directing the manner of choosing commissioners to regulate and repair the streets of Milford, and for other purposes,'" which,

On his motion,

Was read.

On motion of Mr. Martin,

The bill entitled "An act to enable Josiah W. Collins, John W. Short and Burton West, to locate certain vacant lands in Broad Creek hundred, Sussex county, Delaware, and to complete their titles to the same;" was read a second time, by its title.

Mr. Harper, from the committee to whom was referred the petition of Rebecca Durham, late Rebecca Dean, reported a bill entitled "An act for the relief of Rebecca Durham, late Rebecca Dean and others;" which,

On his motion,

Was read.

On motion,

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

FRIDAY, 10 o'clock, A. M., February 7, 1851.

The House met pursuant to adjournment.

Prayer by the Chaplain.

The Speaker laid on the table a communication from the Secretary of State; which was read, as follows, to wit:—

SECRETARY'S OFFICE,

Dover, Feb. 7. 1851.

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 William Cannon, as State Treasurer, and Luther Swiggett, as Auditor of Accounts, have respectively given bond with securities, as required by law; and that the same, with the securities therein, respectively, have been in due manner approved by the Governor.

I am, Sir,

Very respectfully,

Your ob't. serv't.,

ALFRED P. ROBINSON,

Secretary of State.

To SAMUEL JEFFERSON, Esq.

Speaker of the House of Representatives.

On motion of Mr. Newton,

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

Passed the House.

Ordered to the Senate for concurrence.

Mr. Satterfield presented the petition of Amos Stayton, praying for a law to change the name of Tea Town to that of Staytonville; which,

On his motion,

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

Whereupon,

Messrs. Satterfield, Chambers and Rogers, were appointed said committee.

On motion of Mr. Boulden,

The bill entitled "An act vesting in the school commissioners of school

district No. 58, in New Castle county, the title to a certain tract of land therein described," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Newton presented the petition of John Whiteley and others, praying for the incorporation of a bank at Cantwell's Bridge, which,

On his motion,

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

Whereupon,

Messrs. Newton, Spruance and Pride, were appointed said committee.

Mr. Pride presented the petition of Levin Pettyjohn and others, asking for a law to enable the commissioners on ditches to assess damages to the public, when in their judgment the public will be benefitted by the cutting of such ditch, which,

On his motion,

Was read.

And the motion to refer to a committee being objected to by Mr. Chambers,

The yeas and nays were called, which on being taken, were as follows:—

Yeas.—Messrs. Boys, Harper, Hosea, Lodge, Marsh, Newton, Pride, Rogers, Satterfield, Scribner and Mr. Speaker—11.

Nays.—Messrs. Boulden, Chambers, Derrickson, Harrington, Martin, Spruance, E. Smithers and Waples—8.

So the motion to refer

Prevailed.

Whereupon,

Messrs. Pride, Powell and Lodge, were appointed said committee.

On motion of Mr. Chambers,

The bill entitled "A supplement to the act entitled 'An act authorizing the owners and possessors of the marsh or low grounds commonly called and known by the name of Cow Marsh, situate in the forest of Murderkill hundred, in Kent county, and State of Delaware, to cut a ditch or ditches, drain or drains through the same, and to keep said ditches and drains open and in repair,'" was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Rogers,

The bill entitled "An act to authorize the Levy Court and Court of Appeal of New Castle county, to purchase or acquire the drawbridge over Christiana river, at Wilmington, for the purpose of making the same a public and free bridge," was taken up for consideration.

Mr. Rogers offered an amendment, which,

On his motion,

Was read as follows, to wit:—

Amend the bill by striking out of the fourth section, all after the words 'and supported,' in the sixth line, and inserting in lieu thereof the following, to wit:—'by the county, in like manner as the bridge and causeway thereto annexed are herein required to be repaired and supported.'

Mr. Rogers moved,

That the amendment be adopted; upon which,

The House being divided,

Mr. Boys called the yeas and nays, which being taken, were as follows, to wit:—

Yeas.—Messrs. Chambers, Harper, Hosea, Marsh, Martin, Rogers, Satterfield, Scribner, Spruance and E. Smithers—10.

Nays.—Messrs. Boys, Boulden, Derrickson, Harrington, Lodge, Newton, Pride, Waples and Mr. Speaker—9.

So the amendment was

Adopted.

On motion of Mr. Boys,

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

Passed the House.

Ordered to the Senate for concurrence.

Mr. Lodge presented the petition of James G. File, and one hundred and twenty-seven others, citizens of New Castle county, praying a repeal of the act prohibiting circus performances in this State, which,

On his motion,

Was read.

Mr. Chambers moved,

That the petition be laid upon the table until the 4th day of July next; upon which motion,

The House being divided,

Mr. Chambers called the yeas and nays, which upon being taken, were as follows:—

Yeas.—Messrs. Boulden, Chambers, Derrickson, Harper, Harrington,

Hosea, Marsh, Martin, Rogers, Satterfield, Spruance, E. Smithers and Mr. Speaker—13.

Nays.—Messrs. Boys, Lodge, Newton, Pride, Scribner and Waples—6.

So the motion

Prevailed.

On motion of Mr. Marsh,

The bill entitled “ A further supplement to the act entitled ‘ An act concerning awards, to regulate the summoning and returning of juries and lessening the expense of the same and for other purposes,’ ” was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Pride presented the petition of Elias Maxwell, which,

On his motion,

Was read and referred to the committee already raised on the petition of his wife.

On motion of Mr. Boys,

The bill entitled “ An act concerning the publication of the laws,” was read a second time.

On motion of Mr. Martin,

The bill entitled “ An act to enable William D. Waples to locate certain vacant land, situate in Baltimore hundred, in Sussex county, and to complete his title to the same,” was read a second time.

On motion,

The House adjourned until 3 o'clock this afternoon.

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

The House met pursuant to adjournment.

On motion of Mr. Boulden,

The bill entitled “ A further supplement to the act entitled ‘ An act concerning landlord and tenant,’ ” was read a second time.

Mr. Martin, in accordance with notice previously given, asked, and

On motion of Mr. Scribner,

Obtained leave to introduce a bill entitled "An act to repeal 'An act concerning contested elections in either branch of the Legislature,'" which,

On his motion,

Was read.

Mr. Boulden, from the committee on enrolment, reported the following bills, as duly and correctly enrolled:—

"An act to confirm the marriage of John B. Vickers and Mary E., his wife."

"An act to divorce William Sullivan and Rebecca, his wife, late Rebecca Simpler, from the bonds of matrimony."

"An act to divorce Charlotte Bailey and her husband, Nathan Bailey, from the bonds of matrimony."

"Also, the "Resolution appointing directors on the part of the State, in the Farmers' Bank."

Mr. Harper presented the claims of Francis Register, and of Branson and Derrickson, which,

On his motion,

Were read and referred to the committee on claims.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of a bill entitled "An act to divorce Curtis J. Prettyman and Mary, his wife, late Mary D. Plummer, from the bonds of matrimony."

Also, that the Senate had concurred in the passage of a bill entitled "An act for the relief of Warren Reed, and William James Reed."

Also, that the Senate had concurred in the passage of a bill entitled "A supplement to an act to incorporate the New Castle County Mutual Insurance Company."

Also, that the Senate had concurred in the passage of a bill entitled "An act to authorize the Levy Court and Court of Appeal of New Castle county, to appoint a road commissioner for Appoquinimink hundred, in said county."

Also, that the Senate had concurred in the passage of a bill entitled "An act to incorporate Orphans' Friend Lodge, No. 24, of the Independent Order of Odd Fellows, at Cantwell's Bridge, New Castle county."

Also, that the Senate had concurred in the passage of a bill entitled "An act concerning the division of school districts Nos. 40, 38 and 39, in Sussex county," with an amendment.

Also, that the Senate had passed, and requested the concurrence of the House in a bill entitled "An act for the relief of united school districts Nos. 23 and 75, in New Castle county."

And he withdrew.

On motion of Mr. Newton,

The communications from the Senate were read.

And the amendment to the bill just returned from the Senate was read as follows, to wit:—

“IN SENATE, *February 7, 1851.*

Amend the bill by striking out the word ‘designed’ in the thirty-sixth line of Sec. 1, and insert in lieu thereof the word ‘designated.’

Extract from the Journal.

W. G. WHITELEY, *Clerk.*

For concurrence.”

Mr. Newton moved,

That the amendment be adopted.

Which motion

Prevailed.

Ordered, That the Senate be informed thereof.

Mr. Boulden presented the petition of James S. Martin and others, praying for an act incorporating the village of Newark, in the county of New Castle; which,

On his motion,

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

Whereupon,

Messrs. Boulden, Harper and Marsh, were appointed said committee.

On motion of Mr. Marsh,

The bill entitled “An act to authorize the trustees appointed under an act entitled ‘An act for the benefit of Sussex county,’ ” passed at Dover, Feb. 13, 1835, or any supplement thereto, to pay to the trustees appointed under the act entitled An act to improve the navigation of Lewes creek, by cutting and making a canal near Green Bank, passed February 19, 1841, and any supplement thereto, a certain amount of money herein specified,” was read a second time, by its title.

On motion of Mr. Pride,

The bill entitled “An act to incorporate Concord Division, No. 33, of the Sons of Temperance, located at Concord, Sussex county, Delaware,” was read a third time, by paragraphs, and

Passed the House,

By yeas and nays, as follows:—

Yeas.—Messrs. Boys, Boulden, Chambers, Derrickson, Harper, Har-

rington, Hosea, Lodge, Marsh, Newton, Pride, Rogers, Satterfield, Scribner, Spruance, Waples and Mr. Speaker—17.

Nays—None.

Ordered to the Senate for concurrence.

Mr. Spruance, from the committee to whom was referred the petition of George W. Cummins, reported a bill entitled "An act to incorporate a company to improve the navigation of Duck Creek;" which,

On his motion,

Was read.

On motion of Mr. Chambers,

The bill entitled "A supplement to an act entitled 'An act to amend the act directing the manner of choosing commissioners to regulate and repair the streets of Milford, and for other purposes,'" was read a second time, by its title.

Mr. Scribner, from the committee to whom was referred the petition of Lemuel Draper and others, reported a bill entitled "A further supplement to an act entitled 'An act providing for the draining of certain marshes and low grounds in Slaughter Neck, passed the 1st day of February, 1823;'" which,

On his motion,

Was read.

* On motion of Mr. Boys,

The bill entitled "An act to repeal part of the first section of an act entitled 'An act to prevent certain nuisances,'" was read a third time, by paragraphs, and *Lost.*

Mr. Spruance presented the petition of Isaac S. Short and others, which,

On his motion,

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

Whereupon,

Messrs. Spruance, Derrickson and Scribner, were appointed said committee.

Mr. Lodge, from the committee on enrolment, reported the following bills as duly and correctly enrolled, viz:—

"An act to confirm the title of John R. Price to certain lands in New Castle county, in the State of Delaware."

"An act for the relief of John Pope and Elizabeth, his wife, of the State of Tennessee."

"An act for the relief of the Delaware City Bank."

On motion of Mr. Pride,

The bill entitled "An act to incorporate Rechabite Division, No. 22, of the Sons of Temperance, Georgetown, Delaware," was read a second time, by its title.

Mr. Scribner, from the committee to whom was referred the petition of E. D. Cullen and others, reported a bill entitled "An additional supplement to the act entitled 'An act for incorporating and extending the navigation of that part of the Pocomoke river, which is situated in the State of Delaware;'" which,

On his motion

Was read.

On motion of Mr. Pride,

The bill entitled "An act to authorize John W. Davis to change the course of a road in Broadkilm hundred, in Sussex county," was read a second time, by its title.

On motion of Mr. Harper,

The bill entitled "An act for the relief of Rebecca Durham, late Rebecca Dean and others;" was read a second time, by its title.

Mr Marsh presented the petition of Charles Wilson and others, praying for an act incorporating the Sea Bathing Company, at Lewes, Delaware; which,

On his motion,

Was read and referred to the committee already raised upon that subject.

On motion,

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

MONDAY, 10 o'clock, A. M., February 9, 1851.

The House met pursuant to adjournment.

Prayer by Mr. Bradford.

Mr. Newton presented the petition of Joab Allston and forty-six others, in regard to extending the basis of taxation; which,

On his motion,

Was read and laid on the table.

Mr. Newton gave notice that on to-morrow he should ask leave to introduce a bill entitled "An act to incorporate Patrick Henry Lodge, No. 11, of the I. O. O. F., at Delaware City, in New Castle county."

Mr. Newton presented the petition of J. W. Morgan and thirty-two others, praying for an act to compel the collector of school taxes to pay over the amount of taxes after sixty days; which,

On his motion,

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

Whereupon,

Messrs. Newton, Hosea and E. Smithers, were appointed said committee.

Mr. C. Smithers presented the petition of Thos. B. Coursey and others, praying for an alteration in the license laws; which,

On his motion,

Was read and referred to the committee already raised on that subject.

Mr. Rogers presented the petition of Joseph Hassinger and others, upon the same subject; which,

On his motion,

Was referred to the same committee.

Mr. Lodge, from the committee to whom was referred the petition of William M. Day and others, reported a bill entitled "An act to incorporate Buena Vista Division, No. 26, of the Sons of Temperance of the State of Delaware, in Brandywine hundred; which,

On his motion,

Was read.

Mr. Lodge presented the petition of Jacob Pusey and thirty-seven others; also, the petition of George W. Churchman and fifty-five others, praying for an act to appoint a commissioner, to act in conjunction with a commissioner on the part of Pennsylvania, for determining and marking the northern boundary line; which,

On his motion,

Was read and referred to the standing committee on that subject.

Mr. Harper gave notice, that on to-morrow he should ask leave to introduce a bill entitled "An act authorizing the recorder of deeds and the prothonotary of the Superior Court, in and for Kent county, to procure certain index books."

Mr. C. Smithers presented the petition of William Virden and Rachel B. Virden, praying for a law to enable them to make a deed for certain land; which,

On his motion,

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

Whereupon,

Messrs. C. Smithers, Scribner and Derrickson, were appointed said committee.

On motion of Mr. Newton,

The bill entitled "An act to divorce Joseph H. Wilson and Emaline Wilson, a vinculo matrimonii," was read a second time.

Mr. Boys, from the committee to whom was referred the petition of Robert B. McDonnell, asked, and

On motion of Mr. Scribner,

Obtained further time to report.

On motion of Mr. Scribner,

The bill entitled "A further supplement to an act providing for the draining of certain marshes and low grounds in Slaughter Neck, passed the 1st day of February, 1823," was read a second time.

Mr. Powell, from the committee to whom was referred the petition of Nathaniel H. Johnson and others, asked, and

On motion of Mr. Harper,

Obtained further time to report.

Mr. Newton presented the petition of Elijah R. Parsons and others, praying the appointment of three commissioners in Sussex county, to lay off a ditch or ditches, which,

On his motion,

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

Whereupon,

Messrs. Hosea, Newton and Powell, were appointed said committee.

On motion of Mr. Newton,

The bill entitled "An act for the relief of united school districts Nos. 23 and 75, in New Castle county," was read a second time.

Mr. Scribner, from the committee to whom was referred the petition of Amos Stayton, reported a bill entitled "An act to enable Amos Stayton

to locate certain vacant lands, situate in North West Fork hundred, Sussex county, and to complete his title to the same," which,

On his motion,
Was read.

On motion,
The House adjourned until 3 o'clock this afternoon.

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

The House met pursuant to adjournment.

Mr. Rogers presented the petition of Thomas Challenger respecting an alteration of the license laws, which,

On his motion,
Was read and referred to the committee already raised on that subject.

Mr. Boys moved,

That the bill entitled "A further additional supplement to the act entitled 'An act to enable all the religious denominations in this State to appoint trustees, who shall be a body corporate, for the purpose of taking care of the temporalities of their respective congregations,'" be taken up for consideration.

Which motion

Prevailed.

On motion of Mr. Boys,
The bill was postponed for further consideration.

Mr. Newton from the committee to whom was referred the petition of Benjamin Melson, reported a bill entitled "An act to enable Benjamin Melson to locate certain vacant land, situate in Broad Creek hundred, in the county of Sussex, and to complete his title to the same," which,

On his motion,
Was read.

Mr. Boys presented sundry resolutions of the city council, in relation to vacating certain streets 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. Boys, E. Smithers and Satterfield, were appointed said committee.

On motion of Mr. Newton,

The bill entitled "An act to divorce Martin Walls and Frances Ann Walls, a vinculo matrimonii," was read a second time, by its title.

Mr. Newton presented the petition of Wilson Knowles and seventeen others, praying an act to authorize the Levy Court of Sussex county to appoint an additional constable in Broad Creek hundred, which,

On his motion,

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

Whereupon,

Messrs. Newton, Harrington and Waples were appointed said committee.

Mr. Chambers presented the petition of Isaac Godwin and others, praying for a new 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. Chambers, Rogers and Marsh, were appointed said committee.

Mr. Boys presented the remonstrance of Lewis Thompson and others, against the appointing a commission to mark the boundary line between this State and the State of Pennsylvania, which,

On his motion,

Was read and referred to the committee already raised on that subject.

Mr. Chambers presented the remonstrance of Samuel L. Cooper and others, against dividing school district No. 23, Kent county, which,

On his motion,

Was read and referred to the committee already raised on that subject.

Mr. Boys moved,

That the bill entitled "An act to establish a map of the city of Wilmington," be taken up for consideration.

Which motion

Prevailed.

Mr. Boys then offered an amendment, which,

On his motion,

Was read, as follows, to wit:—

Amend the bill in the first section and twenty-first line, by inserting between the words 'Delaware avenue' and the word 'which,' the words 'and Wilmington avenue, between Front and Fourth streets.'

Mr. Boys moved,

That the amendment be adopted.

Which motion

Prevailed.

When,

On motion of Mr. Boys,

The bill, as amended, was read a second time.

Mr. Boys presented the petition of Ezra Fell and fifty-one others, praying for an alteration in the license laws, which,

On his motion,

Was read and referred to the committee already raised on that subject.

Mr. Chambers presented the petition of John Bailey, on the same subject, which,

On his motion,

Was read and referred to the same committee.

On motion of Mr. Scribner,

The bill entitled "An additional supplement to the act entitled 'An act for improving and extending the navigation of that part of Pocomoke river, which is situated in the State of Delaware,'" was read a second time.

On motion of Mr. E. Smithers,

The bill entitled "A supplement to the act entitled 'An act to amend the act entitled An act directing the manner of choosing commissioners to regulate and repair the streets of Milford, and for other purposes,'" was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Lodge, from the committee to whom was referred the petition of George W. Churchman and others, asked, and

On motion of Mr. Scribner,

Obtained further time to report.

On motion of Mr. Spruance,

The bill entitled "An act to incorporate a company to improve the navigation of Duck Creek," was read a second time, by its title.

On his motion also,

The bill entitled "An act to incorporate Smyrna Division, No. 4, of Sons of Temperance, at Smyrna Delaware," was read a second time.

On motion,

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

TUESDAY, 10 o'clock, A. M., February 10, 1851.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Pride,

The bill entitled "An act to incorporate the Cape Henlopen Sea Bathing Company," was read a third time, by paragraphs, and

Passed the House,

By yeas and nays as follows, to wit:—

Yeas—Messrs. Boys, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Marsh, Newton, Pride, Rogers, Satterfield, Scribner, Spruance, C. Smithers, E. Smithers, Waples and Mr. Speaker—19.

Nays—None.

Ordered to the Senate for concurrence.

Mr. Lodge presented the claim of Robert H. Moor, which,

On his motion,

Was read and referred to the committee on claims.

Mr. Newton, in accordance with notice previously given, asked, and

On motion of Mr. Rogers,

Obtained leave to introduce a bill entitled "An act to incorporate Patrick Henry Lodge, No. 11, of the I. O. O. F., at Delaware City, in the county of New Castle," which,

On his motion,

Was read.

Mr. Whiteley, 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 Benjamin R. Hanson and Lucretia, his wife, from the bonds of matrimony."

Also, that the Senate had concurred in the passage of a bill entitled "An act to re-incorporate the trustees of Delaware College."

Also, that the Senate had concurred in the passage of a bill entitled "An act binding the Delaware and Chesapeake Canal Company to keep in repair the road known as the St. George's mill-dam, in New Castle county." with an amendment.

Also, that the Senate had concurred in the passage of a bill entitled "A supplement to an act entitled 'An act to amend the act directing the manner of choosing commissioners to regulate and repair the streets of Milford, and for other purposes.'"

Also, that the Senate had concurred in the passage of a bill entitled "An act allowing an additional constable to Wilmington city, in New Castle county."

Also, that the Senate had concurred in the passage of a bill entitled "An act for the relief of the citizens of the town of Laurel, in Sussex county."

And he withdrew.

Mr. Newton moved,

That the amendments of the Senate to the bill just returned be read.

Which motion

Prevailed.

Whereupon,

The amendments were read as follows, to wit:—

"IN SENATE, February 10, 1851.

Amend the bill by inserting between the word 'therefore' and the word 'be' the word 'Sections.'

Also, by striking out the word 'bound' in the seventh line, and insert in lieu thereof, the words 'required and compelled.'

Also, by striking out the words 'Delaware and Chesapeake' in the fifth and sixth lines, and inserting in lieu thereof the names 'Chesapeake and Delaware.'

Also, amend the title of the bill by striking out all after the words 'An act' and inserting in lieu thereof the following words, viz: 'requiring and compelling the Chesapeake and Delaware Canal Company, to keep in repair the road known as the St. George's mill-dam, in New Castle county.'

Extract from the Journal,

W. G. WHITELEY, *Clerk.*

For concurrence."

On motion of Mr. Newton,
The amendments were

Concurred in.

On motion of Mr. Boys,

The bill entitled "An act to establish the map of the city of Wilmington," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Lodge gave notice that on to-morrow he should ask to introduce a bill entitled "An act for the benefit of public schools in Wilmington."

Mr. Powell, from the committee to whom was referred the petition of the Marshy-hope Division, No. 36, of the Sons of Temperance, reported a bill entitled "An act to incorporate the Marshy-hope Division, No. 36, of the Sons of Temperance of the State of Delaware;" which,

On his motion,

Was read.

Mr. Harper, in accordance with notice previously given, asked, and

On motion of Mr. C. Smithers,

Obtained leave to introduce a bill entitled "An act authorizing the recorder of deeds and the prothonotary of the Supreme Court, in and for Kent county, to procure certain index books;" which,

On his motion,

Was read.

On motion of Mr. Newton,

The bill entitled "An act to divorce Martin Walls and Frances Ann Walls, a vinculo matrimonii" was read a third time, by paragraphs, and

Lost.

Ordered that the Senate be informed thereof.

On motion of Mr. Boys,

The bill entitled "An act for the relief of united school districts Nos. 23 and 75, in New Castle county," was read a third time, by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Pride,

The bill entitled "An act to authorize John W. Davis to change the course of a road in Broadkilm hundred, in Sussex county," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Scribner,

The bill entitled "An act to enable Amos Stayton to locate certain vacant lands, situate in North West Fork hundred, Sussex county, and to complete his title to the same," was read a second time.

Mr. Pride, from the committee to whom was referred the petition of Nicholas V. Short and others, reported a bill entitled "An act to enable Nicholas V. Short, Jeremiah Legates, Noble Timmons and Josiah W. Collins to locate certain vacant lands in Broad Creek hundred, Sussex county, and to complete their title to the same," which,

On his motion,
Was read.

On motion of Mr. Newton,

The bill entitled "An act to divorce Joseph H. Wilson and Emaline Wilson, a vinculo matrimonii," was read a third time, by paragraphs, and

Passed the House,

By yeas and nays, as follows:—

Yeas.—Messrs. Chambers, Derrickson, Harper, Harrington, Hosea, Marsh, Newton, Powell, Pride, C. Smithers and Mr. Speaker—11.

Nays.—Messrs. Boys, Lodge, Rogers, Satterfield, Scribner, C. Smithers and Waples—4.

Mr. Pride presented the petition of James F. Kollock, praying to be divorced from his wife, Matilda; which,

On his motion,

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

Whereupon,

Messrs. Pride, Chambers and Derrickson, were appointed said committee.

Mr. Boys, from the committee to whom was referred the resolutions of the city council of Wilmington, reported a bill entitled "An act to confirm and establish certain ordinances of the city of Wilmington; vacating a part of Eleventh street and Monroe street, and for another purpose therein mentioned; which,

On his motion,
Was read.

Mr. Waples presented the petition of the members of the Temple of Honor, at Georgetown, praying for an act of incorporation; which,

On his motion,

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

Whereupon,

Messrs. Waples, Powell and Rogers, were appointed said committee.

On motion of Mr. Newton,

The bill entitled "An act to enable Benjamin Melson to locate certain vacant land, situate in Broad Creek hundred, in the county of Sussex, and to complete his title to the same," was read a second time, by its title.

On motion,

The House adjourned until 3 o'clock this afternoon.

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

The House met pursuant to adjournment.

Nr. Rogers presented the petition of Elihu Jefferson, praying for an act to secure his title to a certain lot of land in New Castle, for the purpose of erecting a wharf thereon; which,

On his motion,

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

Whereupon,

Messrs. Rogers, Spruance and Marsh, were appointed said committee.

Mr. Newton moved,

That the resolution concerning the boundary of the State, be taken up for consideration.

Which motion

Prevailed.

Mr. Chambers moved,

That the amendment of the Senate be concurred in.

Which motion was decided in the

Negative,

By yeas and nays, as follows, to wit;—

Yeas.—Messrs. Chambers, Powell, Spruance, C. Smithers, E. Smithers—5.

Nays.—Messrs. Boys, Derrickson, Harper, Harrington, Hosea, Lodge, Marsh, Newton, Pride, Rogers, Satterfield, Scribner, Waples and Mr. Speaker—14.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in a bill entitled "An act to authorize the Levy Court and Court of Appeal of New Castle county, to purchase or acquire the drawbridge over the Christiana river, at Wilmington, for the purpose of making the same a public and free bridge," with an amendment.

And he withdrew.

On motion of Mr. Newton,

The amendment to the bill just returned from the Senate was read, as follows, to wit:—

"IN SENATE, *February 11, 1851.*

Amend the bill by striking out the second section, and inserting the following, viz:—

Section 2. *And be it further enacted*, That if the said Levy Court and Court of Appeal and the said Wilmington Bridge Company shall not agree upon the terms of the said purchase, the Superior Court in and for New Castle county, upon application of the said Levy Court and Court of Appeal, made by a resolution of said body, duly certified to the said Superior Court, shall by an order appoint five judicious and substantial freeholders of said county, not being inhabitants of the city of Wilmington, nor stockholders in said Wilmington Bridge Company, who being first duly sworn or affirmed to perform the duties enjoined upon them by said order, faithfully and impartially, according to the best of their skill and judgment, shall view the said Wilmington Bridge and the causeway therewith connected; and the said freeholders or a majority of them shall assess the damages which the said Wilmington Bridge Company will sustain by reason of the said bridge and the causeway therewith connected being condemned and taken for the use of the public, free from charge or toll. **The said freeholders, or a majority of them, shall make return of their proceedings in the premises, under their hands, to the said court, on the first day of the term next after the making of said order.**

• If upon the return of an original order as aforesaid, application be made to the said Superior Court, by the said Levy Court and Court of Appeal in manner aforesaid, or by the said Wilmington Bridge Company, at the term to which the original order shall be returned, the said Superior Court shall by an order of review appoint five other judicious and substantial freeholders, not being inhabitants of the said city of Wilmington, nor stockholders in said Wilmington Bridge Company, who being first sworn or affirmed as aforesaid, shall review the premises and assess the damages as aforesaid, and make return under their hands, or the hands of a majority of them to the said Superior Court, on the first day of the term next after the making of such order of review.

If there be no application for such order of review as aforesaid, the return of freeholders upon the original order shall be conclusive, and upon payment by the said Levy Court and Court of Appeal to the president or

treasurer of said Wilmington Bridge Company of the damages thereby assessed, the said Wilmington bridge and the causeway therewith connected shall become a public bridge and highway, free for the use of the public, without toll or charge. Upon the refusal of the said president or treasurer to receive the amount of said damages when so tendered, the same may be deposited in the branch of the Farmers' Bank of the State of Delaware at Wilmington, to the credit of the said Wilmington Bridge Company, and such deposit shall operate as payment of the amount of said damages to the said Wilmington Bridge Company, to all intents and purposes.

Upon a return of an order of review as aforesaid, in case such order be applied for and issued, and payment of the amount of damages thereby assessed, or deposit of said amount as above provided, the said Wilmington bridge and causeway therewith connected, shall become a public bridge and highway free for the use of the public, without toll or charge as aforesaid.

Provided nevertheless, That upon application by the said Levy Court and Court of Appeal in manner aforesaid, or by the said Wilmington Bridge Company to the said Superior Court, at the term to which an order of review shall be returned, the said Superior Court shall direct an issue to be tried at the bar of said court, at the term next after such application by a jury of twelve men of the petit jury for the time being, empannelled and sworn or affirmed as for the trial of civil actions, to determine what damages the said Wilmington Bridge Company will sustain by reason of the said Wilmington bridge and the causeway therewith connected being condemned and taken for the public use, free from toll or charge, and the verdict of the said jury and the judgment of the court thereon shall be final in the premises; and upon payment of the amount of damages assessed by such verdict to the president or treasurer of the Wilmington Bridge Company, or upon deposit of said amount as aforesaid, the said Wilmington bridge and causeway therewith connected shall become a public bridge and highway, free for the use of the public, without toll or charge.

Also, by adding the following section, viz:—

Section 6. *And be it further enacted,* That the said Levy Court and Court of Appeal may raise the money necessary for payment of the purchase money of said Wilmington Bridge or of the damages assessed as aforesaid by taxation, or by loan in its discretion.

Extract from the Journal.

W. G. WHITELEY, Clerk.

For concurrence."

Mr. Boys moved,

That the amendment be concurred in,

Which motion

Prevailed.

Ordered, That the Senate be informed thereof.

Mr. Newton, from the committee to whom was referred the petition of John Whiteley and others, reported a bill entitled "An act to incorporate a bank in Cantwell's Bridge, under the name of the Farmers' and Mechanics' Bank of Delaware," which,

On his motion,
Was read.

Mr. C. Smithers presented the petition of Dagworthy Derrickson and others, praying for an act to repeal a certain act creating a new school district in Sussex county, which,

On his motion,

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

Whereupon,

Messrs. Waples, C. Smithers and Lodge, were appointed said committee.

Mr. Waples presented the remonstrance of Henry Lingo and fifty-nine others, against the repeal of the above mentioned law, which,

On his motion,

Was read and referred to the same committee.

Mr. Pride presented the petition of John Richardson and sixty-five others, praying for an act to incorporate the village of Georgetown, 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. Pride, Harper and Boulden, were appointed said committee.

On motion of Mr. Pride,

The bill entitled "An act to incorporate Rechabite Division, No. 22, of the Sons of Temperance, Georgetown, Delaware, was read a third time, by paragraphs, and

Passed the House,

By yeas and nays as follows, to wit:—

Yeas.—Messrs. Boys, Chambers, Derrickson, Harper, Harrington, Lodge, Marsh, Newton, Powell, Pride, Rogers, Satterfield, Scribner, Spruance, C. Smithers, E. Smithers, Waples and Mr. Speaker—18.

Nays.—None.

On motion of Mr. Rogers,

The bill entitled "An act to confirm the title of Elihu Jefferson in a certain lot of land in the town of New Castle, and for other purposes," was read a second time.

Mr. Pride, from the committee to whom was referred the petition of Joshua J. Lambden, reported a bill entitled "An act to enable Joshua J. Lambden to locate certain vacant lands in Nanticoke and Broad Creek hundreds in Sussex county, and to complete his title to the same;" which,

On his motion,

Was read.

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

He also informed the House that the Senate had concurred in the passage of a bill entitled "An act to provide for the erection of a public bridge across Broad Creek, at the town of Laurel, in the county of Sussex," with an amendment.

And he withdrew.

Mr. Scribner moved,

That the amendment to the bill just returned from the Senate be read.

Which motion

Prevailed.

And the amendment was read as follows, to wit:—

"IN SENATE, February 13, 1851.

Amend the bill by striking out all after the enacting clause of the first section, and insert in lieu thereof the following, viz:—

That William W. Dulaney, Jonathan Cathell and John Moore, of the said county, be and they are hereby appointed commissioners to erect and build a new bridge across Broad Creek, in the county of Sussex, at the town of Laurel, at the place where the present bridge is now located, or at such other place as the freeholders hereinafter named, or a majority of them may designate; or should the said freeholders, hereinafter appointed, or a majority of them, deem it expedient and proper to repair the bridge now across the said creek at the town aforesaid, then and in that case, the commissioners aforesaid shall proceed to repair the same, so as to render it a firm, safe and durable bridge; and the said commissioners, or a majority of them, are hereby authorized and empowered to cause to be made or improved all necessary causeways leading to and from the said bridge for such distance as the said freeholders hereinafter named, shall direct; and also to erect, build and make all proper and necessary abutments, wings, banks, ways and other works for the use, support and preservation of said bridge and causeway.

Section 2. *And be it further enacted*, That the said commissioners, or a majority of them, are hereby authorized to make contracts, procure materials, employ workmen, and do all other things necessary to effect the purposes of this act.

Section 3. *And be it further enacted*. That Isaac Willen, Lot Rawlins and Rhodes Hazzard, Charles Wright, James Stewart, Laban L. Lyons and Wm. W. Morgan, be and are hereby appointed freeholders to attend and view the premises in the presence of the parties interested, or such of them as may attend at such time as the commissioners aforesaid may appoint; and the said freeholders, after viewing the premises as aforesaid, shall report to the said commissioners whether it is expedient and proper to repair the old bridge now across said Broad Creek at the town aforesaid. or whether it is necessary to build a new bridge in the place of the old one, or at such other place as the said freeholders, or a majority of them, may deem proper; and the said freeholders, or a majority of them, shall survey and lay out the necessary roads and causeways to and from the said bridge, and shall also determine whether any and what amount of damages the owner or owners of any land through which the said causeways may be laid shall be entitled to. And the said freeholders, or a majority of them, are hereby commanded to make return of their acts and doings under this act to the Court of General Sessions of Sussex county, at the next term thereof, after they shall have performed the services above stated; where, if the said return shall be approved by the said court, the same shall be and remain upon record, and be deemed and taken to be a public bridge, road and causeway.

Section 4. *And be it further enacted*, That the said bridge shall be so constructed as to admit boats without masts, scows and stocks to pass under with ease and convenience; that the abutments and causeways shall be at least twenty feet wide; and the said bridge, if built anew, shall be at least sixteen feet wide, and that there shall be on each side of said bridge a railing at least three and one-half feet high.

Section 5. *And be it further enacted*, That the said commissioners, before entering upon the duties assigned them under this act, shall give bond to the Governor, for the use of the State, in the penal sum of two thousand dollars, with such security as he shall direct and approve; and the said commissioners, or a majority of them, shall account to the Levy Court or Court of Appeal of Sussex county, at their meeting, to be held on the first Tuesday of February, one thousand eight hundred and fifty-two, and at such other times as said Levy Court may appoint.

Section 6. *And be it further enacted*, That for the purpose of carrying this act into effect, the sum of one thousand dollars, or such sum as may be necessary to carry into effect and complete the purposes of this act, be and is hereby appropriated out of the fifteen thousand dollars raised and appropriated under and by virtue of an act entitled "An act

for the benefit of Sussex county," passed at Dover, February, 13, 1835, which said sum of money shall be liable to the order or orders of said commissioners, or a majority of them; and the trustees of said lottery authorized by virtue of the act aforesaid, are hereby directed and required to pay to the above named commissioners such sum or sums as they or a majority of them may order, not exceeding one thousand dollars.

Section 7. *And be it further enacted*, That the said commissioners shall pay to the said freeholders the sum of two dollars, for each and every day's attendance and service under this act; and the said payments shall be allowed in their settlement with the Levy Court as above provided for, out of the money hereinbefore appropriated for the purposes aforesaid. And the Levy Court of Sussex county shall make a reasonable allowance to the said commissioners for their services, to be paid out of the fund aforesaid.

Section 8. *And be it further enacted*, That if any one or more of the said commissioners hereinbefore appointed, shall refuse to serve, die, or remove to any distance, exceeding five miles from said bridge, the Levy Court aforesaid shall fill such vacancy or vacancies, and the person or persons thus appointed to fill such vacancy or vacancies, are hereby authorized and empowered to act in the premises as fully as if he or they had been appointed by this act.

Section 9. *And be it further enacted*, That the said bridge, abutments, causeways and roads, when they shall have been completed, shall thereafter be maintained, repaired and kept up at the expense of Sussex county, and shall be under the care and direction of the Levy Court of said county.

Section 10. *And be it further enacted*, That the act entitled "An act to provide for the erection of a public bridge across Broad Creek, in the county of Sussex, passed at Dover, January 16, 1798, be and the same is hereby repealed, made null and void.

Extract from the Journal,

W. G. WHITELEY, Clerk.

For concurrence."

Mr. Scribner moved,

That the amendment be laid on the table for further consideration.

Which motion

Prevailed.

Mr. Derrickson presented the petition of James B. Moore and others, praying for a law granting the erection of a bridge over Appoquinimink Creek, which,

On his motion,

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

Whereupon,

Messrs. Derrickson, Harper and Pride, were appointed said committee.

Mr. Newton presented the remonstrance of William A. Cochran and one hundred and twenty-five others, against the passage of a law to erect a bridge over Appoquinimink Creek, which,

On his motion,

Was read and referred to the committee already raised on that subject.

Mr. Boys presented the remonstrance of Peter Sassamons and four hundred and forty-three others, remonstrating against any alteration in the present license laws of this State, which,

On his motion,

Was read and referred to the committee already raised on that subject.

Mr. C. Smithers presented sundry petitions praying for a change in the license laws, which,

On his motion,

Were read and referred to the committee already raised on that subject.

Mr. Powell, from the committee to whom was referred the petition of Nathaniel H. Johnson and others, reported a bill entitled "An act concerning fish, oysters and game," which,

On his motion,

Was read.

Mr. Newton offered the following resolution, which,

On his motion,

Was read, as follows, to wit:—

Resolved, That a committee of conference be appointed, to consist of three members on the part of the House, to act with a like committee of two on the part of the Senate, upon the subject of the disagreement of the two Houses in relation to the resolution concerning the boundary of the State.

Mr. Newton moved,

That the resolution be adopted.

Which motion

Prevailed.

Whereupon,

Messrs. Newton, Harper and Scribner, were appointed said committee.

Ordered to the Senate for concurrence.

Mr. Waples, from the committee to whom was referred the petition of C. S. Layton and others, reported a bill entitled "An act to incorporate Sussex Temple of Honor, No. 2, Georgetown, Delaware," which,

On his motion,

Was read.

Mr. Boulden presented the petition of Dr. Alexander Lowber and thirty other citizens of the village of Newark. Also, the petition of Elizabeth Thompson and other ladies of the same village, praying for an act to incorporate said village, which,

On his motion,

Were read and referred to the committee already raised on that subject.

Mr. Harper presented the claim of Edward W. Wilson, which,

On his motion,

Was read and referred to the committee on claims.

On motion of Mr. Boys,

The bill entitled "An act to ratify an amendment proposed to the Constitution of this State," was read a third time, by paragraphs, and

Lost,

By yeas and nays, as follows :—

Yeas—Messrs. Chambers, Harrington, Marsh, Powell, Spruance, C. Smithers and E. Smithers—8.

Nays—Messrs. Boys, Boulden, Derrickson, Hosea, Lodge, Martin, Newton, Pride, Rogers, Satterfield, Scribner, Waples and Mr. Speaker—13.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the resolution on the subject of the disagreement of the two Houses in relation to the resolution concerning the boundary of the State; and that the committee on the part of the Senate were Messrs. Jump and Sorden.

On motion of Mr. Newton,

The bill entitled "An act to incorporate Patrick Henry Lodge, No. 11, of the I. O. O. F., at Delaware City, in the county of New Castle," was read a third time, by paragraphs, and

Passed the House,

By yeas and nays as follows, to wit:—

Yeas.—Messrs. Boys, Boulden, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Marsh, Martin, Newton, Powell, Pride, Rogers, Satterfield, Scribner, Spruance, C. Smithers, E. Smithers, Waples and Mr. Speaker—21.

Nays.—None.

Ordered to the Senate for concurrence.

On motion of Mr. Spruance,

The bill entitled "An act to incorporate a company to improve the navigation of Duck Creek," was read a third time, by paragraphs, and

Passed the House,

By yeas and nays as follows, to wit:—

Yeas.—Messrs. Boys, Boulden, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Marsh, Martin, Newton, Powell, Pride, Rogers, Satterfield, Scribner, Spruance, C. Smithers, E. Smithers, Waples and Mr. Speaker—21.

Nays.—None.

Ordered to the Senate for concurrence.

On motion of Mr. Newton,

The bill entitled "An act to divorce Benjamin R. Hanson and Lucretia, his wife, from the bonds of matrimony," was read a third time, by paragraphs, and

Passed the House.

Ordered, That the Senate be informed thereof.

On motion,

The House adjourned until three o'clock, this afternoon.

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

The House met pursuant to adjournment.

Mr. Satterfield, from the committee to whom was referred the petition of Amos Stayton, reported a bill entitled "An act to change the name of 'Tea Town' to 'Staytonville,'" which,

On his motion

Was read.

Mr. Boulden, from the committee to whom was referred the petition of James S. Martin and others, asked, and

On motion of Mr. Scribner,

Obtained further time to report.

On motion of Mr. Martin,

The bill entitled "An act to enable Josiah W. Collins, John W. Short

and Burton West, to locate certain vacant lands in Broad Creek hundred, Sussex county, Delaware, and to complete their titles to the same," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Newton, from the committee to whom was referred the petition of James McMullen, and others, reported a bill entitled "An act for the better regulation of the streets of Delaware City, and for other purposes," which,

On his motion,

Was read.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of 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.'"

Also, that the Senate had concurred in the passage of a bill entitled "An act to repeal an act entitled 'An act to compel certain testimony in cases of contested elections.'"

Also, that the Senate had refused to concur in the passage of a bill entitled "An additional supplement to an act entitled 'An act for the more effectual preservation of all such ships or other vessels, and the goods thereof, as shall be forced on shore, or stranded upon the coasts of this State, and for other purposes therein mentioned.'"

Also, that the Senate had passed and requested the concurrence of the House in the passage of a bill entitled "An act to authorize the sale of certain real estate, late of Thomas B. Rees, deceased."

Also, that the Senate had passed and requested the concurrence of the House in a bill entitled "An act in relation to school district No. 8, in Kent county."

Also, that the Senate had passed and requested the concurrence of the House in the passage of a bill entitled "An act to enable William H. Cannon to locate certain vacant lands, situate in North West Fork hundred, Sussex county, and to complete his title to the same."

And he withdrew.

On motion of Mr. Martin,

The communications from the Senate were read.

Mr. Pride presented the petition of David Lofland and others, praying for a general law in regard to roads, which,

On his motion,

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

Whereupon,

Messrs. Pride, Chambers and Rogers were appointed said committee.

Mr. Chambers, from the committee to whom was referred the petition of James R. Clement and others, reported a bill entitled "An additional supplement to the act entitled 'An act to prevent the use of fire arms by free negroes and free mulattoes and for other purposes,'" which,

On his motion,
Was read.

Mr. Newton gave notice that on to-morrow he should ask leave to introduce a bill entitled "An act in relation to free negroes and slaves."

Mr. Satterfield, in accordance with notice previously given, asked, and

On motion of Mr. Marsh,

Obtained leave to introduce a bill entitled "A supplement to the act entitled 'A further supplement to the act entitled An act providing for the punishment of certain crimes and misdemeanors,'" which,

On his motion,
Was read.

Mr. Newton presented a communication from John P. Marvill, Esq., respecting the gold, silver, lead and copper mines of Sussex county, which,

On his motion,
Was read and laid on the table.

Mr. Martin presented the petition of Peter D. Shockley, praying for a law to enable him to locate certain vacant lands in Dagsborough hundred, 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, Harrington and Lodge, were appointed said committee.

On motion of Mr. Powell,

The bill entitled "An act to incorporate the Marshy-hope Division, No. 36, of the Sons of Temperance of the State of Delaware," was read a third time, by paragraphs, and

Passed the House unanimously.

Ordered to the Senate for concurrence.

Mr. Waples gave notice, that on to-morrow he should ask leave to in-

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.'"

Mr. Derrickson, from the committee appointed on the subject of weights and measures, reported a bill entitled "An act regulating weights and measures," which,

On his motion,

Was read.

Mr. Rogers presented the petition of the members of the Levy Court of New Castle county upon the subject of the equalization of public taxes; which,

On his motion,

Was read and referred to the committee already raised on that subject.

Mr. Boulden, from the committee on enrolment, reported the following bills as duly and correctly enrolled, viz:—

"An act to authorize the Levy Court and Court of Appeal of New Castle county, to appoint a road commissioner for Appoquinimink hundred, in said county."

"A further additional supplement to the act entitled 'An act to restrain persons from suffering swine to go at large within certain limits.'"

"An act to incorporate Milton Division, No. 13, of the Sons of Temperance, at Milton, Delaware."

"An act to revive and re-establish an act entitled 'An act to enable James Hopkins, of Kent county, to locate certain vacant lands in Kent county and to complete his title to the same.'"

"An additional supplement to the act entitled 'An act regulating the general elections.'"

"An act concerning the division of school districts Nos. 40, 38 and 39, in Sussex county."

On motion of Mr. Lodge,

The bill entitled "An act to incorporate the Union Wharf Company in Brandywine hundred, New Castle county," was read a second time, by its title.

On motion of Mr. Pride,

The bill entitled "An additional supplement to the act establishing certain fees for the use of the State," was read a second time.

Alfred P. Robinson, Esq., Secretary of State, being admitted, presented sundry communications from His Excellency the Governor.

And he withdrew,

On motion of Mr. Boys,

The communications from His Excellency the Governor, were read as follows, to wit:—

*Gentlemen of the Senate,
and of the House of Representatives:*

I herewith submit to you a communication from the Secretary of the Commonwealth of Pennsylvania, received by me, covering the copy of an act of the General Assembly of that State providing for the joint re-survey of the circular boundary line between the States of Delaware and Pennsylvania, all of which I submit to you, to adopt such measures in the premises as in your judgment the circumstances require.

I also present to you a schedule of books and public documents received at the Executive Department of this State, since the 21st day of January, ultimo.

WM. H. ROSS.

Dover, Feb. 13, 1851.

SECRETARY'S OFFICE,
HARRISBURG, Pa., Feb. 6, 1851.

*His Excellency,
The Governor of the State of Delaware.*

SIR,—By direction of the Governor, I have the honor to transmit to your Excellency the enclosed copy of an act of the last General Assembly of Pennsylvania, and would request that your Excellency would cause early information of any concurrent action in the premises, on the part of the State of Delaware, to be forwarded to the Executive of this State.

I have the honor to be,

Your Excellency's ob't. serv't.,

A. L. RUSSELL,
Sec'y. of the Commonwealth.

Section 22. WHEREAS, The boundary line between the States of Pennsylvania and Delaware, has never been surveyed and marked since the separation of the three low-land counties, now forming the State of Delaware, from the province of Pennsylvania; all knowledge of its location up to the present time being dependent entirely upon vague and conflicting traditions :

AND WHEREAS, This uncertainty of the exact location of the line is a source of great inconvenience and loss, as well to the public as to individuals owning lands upon or near the same; creating difficulties in the

assessment and collection of taxes, and rendering titles derived from judicial proceedings unsafe; throwing obstacles in the way of the purchase and sale of real estate, and the loaning and borrowing of money thereon; and by these means retarding the improvement of lands in the vicinity of the said boundary; therefore,

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Governor of this Commonwealth be and he is hereby authorized and empowered to appoint a commissioner, to act in conjunction with a commissioner appointed, or to be appointed by the State of Delaware, with power to survey and determine the said line, from the point of junction of the boundary line of the States of Pennsylvania, Delaware and Maryland, to the river Delaware, and to fix suitable marks or monuments of stone or iron thereupon; the first monument to be set up and fixed at the distance of twelve English statute miles, measured horizontally, from the centre of the circle forming the said boundary line, and at the distance of one quarter of a mile from the stone set up and fixed by Mason and Dixon, in the year seventeen hundred and sixty-five, at the point of junction aforesaid; and which point of junction was re-marked with a new stone by the commissioners of the State of Pennsylvania, Delaware and Maryland, in the year one thousand eight hundred and forty-nine; and the remaining monuments to be set up and fixed at the distance of twelve English statute miles, measured horizontally from the centre of the circle aforesaid, and one quarter of a mile apart, upon the curved line thus produced and ascertained, if the same can be conveniently placed, or at such other points and distances apart, upon the curved line aforesaid, as they may deem most proper, whereby the line of boundary between the said State may be hereafter indicated; and when the line of boundary so surveyed and marked shall have been approved on the part of the State of Pennsylvania, by the Governor and a majority of the Senate thereof, and on the part of the State of Delaware, in such manner as shall be determined by the Legislature thereof, then the said line of boundary so surveyed, produced, ascertained and marked, shall forever thereafter be deemed and taken to be the dividing line of boundary between the States of Pennsylvania and Delaware.

SECRETARY'S OFFICE,

PENNSYLVANIA, SS.



I do hereby certify that the foregoing and annexed is a true and correct copy of Section No. twenty-two of the original act of the General Assembly entitled "An act for the erection of a house for the support of the poor in the county of Mifflin; authorizing the overseers of the poor of Lycoming county to sell certain property belonging to Walter Potts, an insane pauper; relative to the boundary line between the States of Pennsylvania and Delaware; to elections in Philadelphia county; and to holding courts in Juniata county, and to taking excessive interest from the Bank of Lewis-

town, approved, the twenty-second day of April, one thousand eight hundred and fifty," as the same remains on file in this office.

In testimony whereof, I have hereunto set my hand and caused to be affixed the seal of the Secretary's office, at Harrisburg, this fifth day of February, in the year of our Lord, one thousand eight hundred and fifty-one.

A. L. RUSSELL,
Secretary of the Commonwealth.

A schedule of books and public documents received at the Executive Department of this State, since the 21st day of January, ult., viz:

Thirty-six copies of the acts of the 1st session of the 31st Congress, thirty of which have been distributed among the members of the Senate and House of Representatives, and six deposited in the State library.

One copy of Latin bible, published in 1532, folio, 1 vol.

do History of the World, published in 1615, folio, 1 vol.

do Guthrie's History of Scotland (in English,) published in 1767—octavo, 10 vols.

do Cardinal Fluery's Cheude History (in French,) 36 vols.

A number of unbound volumes on Agriculture, Statistics, &c. &c. in French. (From M. Alexandre Vattemare, intern'l. exchanges.)

One vol. Cases in Supreme Court of Florida.

One copy of Fourth Annual Report of the Regents of the Smithsonian Institute, 1849.

One copy of Pennsylvania Journal of Prison Discipline and Philanthropy, January, 1851.

One copy of the American Law Journal, Nov. 1851.

Two copies of acts of the Gen. Assembly of Rhode Island; passed at the October session, 1850.

One copy of 2d vol. Comstock's Reports of Cases in Court of Appeals of New York.

One copy of 11th vol. Illinois Reports.

One do 14th vol. New Hampshire Judicial Reports.

One do Charter, rules and regulations of Cincinnati House of Refuge, 1850, (pamphlet.)

One do Strobhart's Reports of Cases, Court of Appeals of South Carolina.

Mr. Lodge, from the committee on enrolment, reported the following bills, as duly and correctly enrolled:—

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

"An act for the relief of Rebecca Worrell, Edward Worrell, Priscilla B. Smith, Elizabeth Merriken, Mary L. Merriken and Joseph R. Merriken."

"An act to re-enact the act entitled 'An act to incorporate the New Castle Manufacturing Company.'"

"A further supplement to the act entitled 'An act for the benefit of Sussex county.'"

On motion of Mr. Lodge,

The bill entitled "An act to incorporate Buena Vista Division, No. 26, Sons of Temperance of the State of Delaware, in Brandywine hundred," was read a second time, by its title.

On motion of Mr. Spruance,

The bill entitled "An act to incorporate Smyrna Division, No. 4, Sons of Temperance, at Smyrna, Delaware," was read a third time, by paragraphs, and

Passed the House.

By yeas and nays, as follows:—

Yeas.—Messrs. Boys, Boulden, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Marsh, Martin, Newton, Powell, Pride, Rogers, Satterfield, Scribner, Spruance, Waples and Mr. Speaker—19.

Nays.—None.

Mr. Waples presented the petition of Bayard Jones and Nathaniel Jones, praying a law granting them a title to certain real and personal property; which,

On his motion,

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

Whereupon,

Messrs. Waples, Powell and Derrickson, were appointed said committee.

On motion,

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

FRIDAY, 10 o'clock, A. M., February 14, 1851.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Bradford.

Mr. Newton presented the claim of Daniel Wolfe against the State, which,

On his motion,

Was read and referred to the committee on claims.

On motion of Mr. Harper,

The bill entitled "An act for the relief of Rebecca Durham, late Rebecca Dean and others;" was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Newton, in accordance with notice previously given, asked, and

On motion of Mr. Rogers,

Obtained leave to introduce a bill entitled "An act in relation to free negroes and slaves;" which,

On his motion,

Was read.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of a bill entitled "An act to amend the act entitled 'A further supplementary act to the act entitled 'An act for stopping St. George's creek, and for embanking and draining a quantity of marsh and cripple on both sides of said creek, being deemed about three thousand acres, situate in Red Lion and St. George's hundreds and county of New Castle, and for keeping the dykes and dams belonging to the same in good order and repair.'"

Also, that the Senate had concurred in the passage of a bill entitled "An act vesting in the school commissioners of school district No. 58, in New Castle county, the title to a certain lot of land therein described."

Also, that the Senate had passed and requested the concurrence of the House in the passage of a bill entitled "A supplement to the act to incorporate the Delaware Railroad Company."

On motion of Mr. Newton,

The communications from the Senate were read.

On motion of Mr. Rogers,

The bill entitled "An act to confirm the title of Elihu Jefferson in a certain lot of land in the town of New Castle, and for other purposes," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Derrickson, from the committee to whom was referred the petition of James V. Moore and others, reported a bill entitled "An act to empower the Levy Court and Court of Appeal of New Castle county, to erect a pivot bridge over Appoquinimink Creek, in New Castle county," which,

On his motion,
Was read.

Mr. Pride, from the committee to whom was referred the petition of Emaline Maxwell, reported a bill entitled "An act to divorce Emaline Maxwell and her husband, Elias Maxwell, from the bonds of matrimony," which,

On his motion,
Was read.

On motion of Mr. Powell,
The bill entitled "An act concerning fish, oysters and game," was read a second time, by its title.

On motion of Mr. Boys,

The bill entitled "An act to confirm and establish certain ordinances of the city of Wilmington; vacating a part of Eleventh street and Monroe street, and for another purpose therein mentioned," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Harper,

The bill entitled "An act authorizing the recorder of deeds and the prothonotary of the Superior Court, in and for Kent county, to procure certain index books;" was read a second time, by its title.

Mr. Pride, from the committee to whom was referred the petition of James F. Kollock, reported a bill entitled "An act to divorce James F. Kollock and Matilda, his wife, late Matilda P. Bowman, from the bonds of matrimony," which,

On his motion
Was read.

On motion of Mr. Scribner,

The bill entitled "An act to provide for the erection of a public bridge across Broad Creek, at the town of Laurel, in the county of Sussex," was taken up for consideration.

Mr. Scribner then moved,

That the Senate amendment to the bill be adopted.

Which motion

Prevailed.

Ordered that the Senate be informed thereof.

On motion of Mr. Lodge,

The bill entitled "An act to extend the rights and privileges of poor white taxables of this State," was taken up for consideration; when he offered the following amendment, which,

On his motion,

Was read, as follows, to wit:—

Amend the second section of the bill, by striking out all after the word 'that,' in the first line thereof and inserting the following:—"the act entitled "A supplement to the act entitled 'An act to amend the election laws of the State of Delaware,'" passed at Dover, February 16, 1847, and so much of the second section of the act entitled "An act to amend the election laws of this State," passed at Dover, February 27, 1843, as relates to striking the names of delinquent taxables from the assessment lists and the collectors duplicates, be and the same are hereby repealed, made null and void."

Mr. Boys moved,

The adoption of the amendment.

Which motion

Prevailed.

On motion of Mr. Lodge,

The bill, as amended, was read a second time.

Mr. Spruance, from the committee to whom was referred the petition of Gideon E. Barlow, reported a bill entitled "An act granting the title to certain lands in New Castle county to the persons therein named," which,

On his motion,

Was read.

On motion of Mr. Newton,

The bill entitled "An act to incorporate a bank at Cantwell's Bridge, under the name of the Farmers' and Mechanics' Bank of Delaware," was taken up for consideration.

Mr. Newton offered an amendment, which,

On his motion,

Was read, as follows, to wit:—

Amend the bill by striking out the tenth section, and inserting the following as sections 10, 11, 12, 13, 14 and 15:—

Section 10. *And be it further enacted*, That if at any time the said corporation shall become insolvent, and the assets of said bank shall be insufficient for the payment and redemption of the notes which have been

issued by the said bank and which remain unpaid, such deficiency of assets being evidenced by a judgment and execution against the said corporation and a return thereon, then and in such case each stockholder shall be liable in his individual capacity to pay to such noteholders his proportional part of such deficiency; provided that such proportional part shall not amount to more than the par value of the stock which he may own at the time such deficiency occurred.

Section 11. *And be it further enacted*, That such liability shall be enforced in the following manner:—The directors of the said corporation shall within sixty days after receiving notice of such deficiency, file in the office of the prothonotary of the county in which the said bank is located, a statement, verified by oath or affirmation, specifying the amount of the notes of the said bank in circulation and unpaid, the amount of stock, the amount of stock owned by each stockholder, and the proportion which each stockholder shall rateably contribute to make good the deficiency; and the said directors shall cause to be issued by the prothonotary aforesaid a writ of scire facias, in the name of the State of Delaware, against all the stockholders of the said bank, therein reciting the amount of the deficiency, the amount of stock and the proportion due from each of the said stockholders, and requiring them to appear at the next term of the Superior Court in and for said county, to show cause why judgment should not be rendered against them for such proportional amounts respectively; and it shall be the duty of the sheriff of said county to serve the said writ upon all stockholders therein named, residing within his bailiwick; and the Superior Court, if in session at the time of issuing said writ, or any judge in vacation, may make such order in reference to serving notice upon stockholders named in said writ and non-residents as the case may require.

Sec. 12. *And be it further enacted*, That on the return of said writ of scire facias, it shall be the duty of the said court to render judgment against the stockholders named in said writ, for the several amounts for which they are respectively liable, if no sufficient cause be shown to the contrary; but if any such amount be disputed, the court shall direct an issue to try the same, and such judgment when entered shall be for the use and benefit of the noteholders respectively.

Sec. 13. *And be it further enacted*, That any noteholder after the rendition of judgment as aforesaid, may apply to any stockholder against whom judgment has been rendered, and upon the production of any note or notes of said bank unpaid as aforesaid, may demand payment of the same from such stockholder, and in case of his neglect or refusal to pay the same (so far as he is liable) for the space of ten days after such demand, the said noteholder upon producing the note or notes before the said prothonotary, and affidavit of such demand and refusal, and that the same is unpaid, may have execution therefor against such stockholder upon the said judgment; or in case such stockholder be a non-resident,

may have an action of debt as in other judgments. *Provided*, that no such execution shall be sued out or such action of debt be commenced after the lapse of one year from the rendition of such judgment.

Sec. 14. *And be it further enacted*, That any noteholder who shall receive payment from any such stockholder, whether such payment be voluntary or by execution process, shall give to such stockholder a receipt therefor, specifying the letter, number and denomination of the said note or notes, and shall also place the amount received as a credit on the record of the said judgment, also thereon specifying the letter, number and denomination thereof; and shall at the same time deposit the said note or notes with the prothonotary, to be delivered up to be cancelled, and any noteholder who shall neglect or refuse so to do, shall forfeit and pay to such stockholder double the amount of such note or notes, to be recovered by an action of debt; and where any such stockholder shall have paid the amount of the judgment against him, such stockholder shall be exempt and discharged from any further liability.

Sec. 15. *And be it further enacted*, That if the directors shall neglect or refuse to perform the duties hereinbefore imposed in filing such statement and causing such scire facias to be issued, such directors shall be jointly and severally liable to pay to the noteholders of said bank the amount of notes in circulation and unpaid, to be recovered by action of debt.

Mr. Newton moved,

That the amendment be adopted.

Which motion

Prevailed.

Mr. Boys offered the following joint resolution; which,

On his motion,

Was read, as follows, to wit:—

Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, That both Houses of the Legislature will adjourn on Tuesday, the 25th day of February, instant, sine die.

Mr. Boys moved,

That the resolution be adopted.

Which motion

Prevailed.

Ordered to the Senate for concurrence.

Mr. Waples, in accordance with notice previously given, asked, and

On motion of Mr. Scribner,

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 his motion,
Was read.

On motion of Mr. Pride,

The bill entitled "An additional supplement to the act establishing certain fees for the use of the State," was read a third time, by paragraphs, and

Passed the House,

By yeas and nays as follows, to wit:—

Yeas—Messrs. Boulden, Chambers, Harper, Harrington, Hosea, Marsh, Newton, Pride, C. Smithers, E. Smithers, Waples and Mr. Speaker—12.

Nays—Messrs. Boys, Derrickson, Lodge, Martin, Powell, Rogers, Scribner, Spruance—8.

On motion,
The House adjourned until three o'clock, this afternoon.

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

The House met pursuant to adjournment.

Mr. Boys, from the joint committee of the Senate and House of Representatives appointed "to examine the revised digest of this State," submitted the following Report; which,

On his motion,
Was read as follows, to wit:—

The joint committee of the Senate and House of Representatives appointed "to examine the revised Digest of the Laws of this State, prepared by the commissioners appointed by a resolution of the last General Assembly to perform that work," Report:

That they have with much interest made a general examination of the revised code reported to the Legislature by the commissioners as the result of their labors. To some of the more important subjects embraced in the revision they have given special attention; and so entirely satisfactory to them has been the result, that they much regret having been withheld by the pressure of other duties, from a detailed examination of the whole work. The committee have no hesitation in expressing the opinion

that the commissioners have discharged their duty with fidelity and ability, and that they have been entirely successful in embodying the laws of the State in a well arranged, accurate and intelligible code.

The examination which the committee have been able to give to the revised code has confirmed the conviction before entertained, of the importance and utility of such a work to the public at the present time. That the people at large should know by what laws they are governed, is an object of the highest concern; yet; it is in a great degree, defeated by the present condition of our legislative code. The legislation of a period of twenty-two years, since the adoption of the Digest of 1829, introducing into the system constant changes affecting many of its leading provisions must, under the best circumstances, somewhat have involved our laws in confusion, and have multiplied obstacles to a general knowledge of them. But these necessary evils have been further aggravated by that mischievous mode of legislation, justly animadverted upon in the Report of the Commissioners, of striking out part of an existing law and inserting substituted provisions, with a clause repealing in general terms, all laws inconsistent with the amendment. The effect of such repealing clauses is not only liable to oversight, but their operation is always a question of construction, and often attended with so much uncertainty as to render it difficult for the public to know, without a judicial decision, what provisions are repealed, and what remain in force. It is also a subject of general and just complaint, that the sense of our laws is needlessly obscured by a redundant phraseology; and that single sections and even single sentences are overloaded with a variety of provisions, distinct in their nature, and when separated, intelligible; but which are so unmethodically commingled as not only to confuse the meaning of the text, but often to render it exceedingly difficult to find the particular provision which may be the object of inquiry.

These inconveniences of the present condition of our statute law are very happily obviated by the revision now before the General Assembly; and all the advantages which the committee can conceive to be realized in a written code, are afforded by this. The arrangement of the whole work into titles and chapters, bringing together kindred subjects under common heads, is not only one of much simplicity and beauty, but of substantial benefit, being convenient for reference, and presenting at a glance the general features of the system of laws. The provisions of a single chapter are further distributed into sections, arranged in natural order, each distinct provision being presented in a distinct section. Thus, not only may a single provision be read more intelligibly, being disencumbered by a multitude of others having no direct connection with it, but with the aid of marginal notes in the publication of the work, it may be found with ease and referred to with precision.

Considering the public benefit which the revision promises, and the general anxiety with which its completion has been awaited, the committee have felt solicitous that, if practicable, it should be enacted at the pre-

sent session of the Legislature. But much of the session has been already consumed in the necessary examination of the code by the committee preparatory to its adoption; and under the pressure of the ordinary business which must occupy the remainder of the session, it is impracticable for the General Assembly to bestow upon the revised code that deliberate attention and patient examination which the magnitude and importance of the work requires. As it is in contemplation to hold an adjourned session in January, 1852, the committee are of opinion that the most favorable opportunity will then be afforded for enacting the revised code and providing for its publication. They therefore recommend that its adoption be made the chief subject of attention at the proposed adjourned session.

The committee deem it but just, further to suggest, that as the commissioners have bestowed great labor in prosecuting the revision, and have fully performed their duty, except so far as the publication of the code may hereafter be made their duty, it is incumbent upon the Legislature to make a suitable appropriation in part payment of their compensation, the residue to be paid upon the final passage and publication of the code.

In conclusion, the committee recommend the adoption of the following resolutions, viz:—

1. *Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met,* That the thanks of this General Assembly be tendered to Samuel M. Harrington, Joseph P. Comegys and Daniel M. Bates, commissioners appointed by the last General Assembly, to revise and digest the laws of the State, for the fidelity and ability with which they have performed that duty.

2. *Resolved,* That the State Treasurer be and he is hereby required to pay to the order of each of the said commissioners the sum of dollars, in part payment of compensation for their services as commissioners as aforesaid.

3. *Resolved,* That an adjourned session of the General Assembly be held, to commence on Tuesday, the day of January, A. D., 1852, for the purpose of adopting the revised code and providing for its publication; and that in the mean time the said commissioners be authorized to cause to be printed such parts of the code as they may deem expedient, preparatory to its adoption.

JOHN SORDEN, }
WM. TEMPLE. } *Senate.*

AB'M. BOYS, }
F. B. HARPER, } *House of*
JNO. MARTIN. } *Reps.*

Committee.

Mr. Boys moved,

That the report be laid on the table for further consideration.

Which motion

Prevailed.

Mr. Lodge presented the petition of Thomas Lamb and two hundred and sixty-one others, praying a change in the manner of electing Levy Court Commissioners, which,

On his motion,

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

Whereupon,

Messrs. Lodge, C. Smithers and Pride were appointed said committee.

Mr. Newton submitted the following report, which,

On his motion,

Was read, as follows, to wit:—

“The committee appointed by the House to meet a similar committee of the Senate, to confer on a disagreement of the two Houses on the resolution concerning the boundary question,” beg leave to report:—That the two committees assembled in joint meeting, and that a majority agreed to recommend that the Senate recede from its amendment to said resolution, and that the said resolution be amended, by striking out nine hundred dollars, and inserting in lieu thereof the sum of six hundred and fifty dollars.

ALBERT O. NEWTON, *Chairman.*

House of Rep's., Feb. 14, 1851.

Mr. Scribner moved,

That the report be adopted; upon which,

The House being divided,

Mr. Chambers called the yeas and nays, which being taken, were as follows, to wit:—

Yeas—Messrs. Boys, Derrickson, Harper, Hosea, Lodge, Marsh, Martin, Newton, Pride, Rogers, Scribner, Waples and Mr. Speaker—13.

Nays—Messrs. Boulden, Chambers, Harrington, Powell, Spruance and C. Smithers—6.

So the motion to adopt

Prevailed.

On motion of Mr. Boulden,

The bill entitled “A further supplement to the act entitled ‘An act concerning landlords and tenants,’” was taken up for consideration.

Mr. Chambers offered an amendment, which,

On his motion,
Was read, as follows, to wit:—

Amend the bill by annexing as an additional section—

Section 2. *And be it further enacted*, That any person or persons moving off demised premises, shall have the right to carry away as much hay, corn fodder or straw, as the said person or persons carried upon said demised premises, at the time of moving on demised premises.

Mr. Chambers moved,
That the amendment be adopted.

Which motion

Prevailed.

On motion of Mr. Boulden,
The bill was then read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Lodge,

The bill entitled “A further supplement to the act entitled ‘An act for the valuation of real and personal property within this State’” was read a second time by its title.

On motion of Mr. Martin,

The bill entitled “An act to enable William D. Waples to locate certain vacant land, situate in Baltimore hundred, in Sussex 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.

On motion of Mr. Pride,

The bill entitled “An act to enable Nicholas V. Short, Jeremiah Legates, Noble Timmons and Josiah W. Collins to locate certain vacant lands in Broad Creek hundred, Sussex county, and to complete their titles to the same,” was read a second time, by its title.

Mr. Powell presented the claim of John Mansfield, which,

On his motion,

Was read and referred to the committee on claims.

Mr. Whiteley, 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 Concord Division, No. 33, of the Sons of Temperance, located at Concord, Sussex county, Delaware.”

Also, that the Senate had concurred in the passage of a bill entitled “An act to establish the map of the city of Wilmington.”

Also, that the Senate had concurred in the passage of a bill entitled "An act to exempt from execution process and distress for rent, a certain amount of personal property."

Also, that the Senate had indefinitely postponed the bill entitled "An act to divorce Elizabeth Fowler, from her husband, Benjamin Fowler."

Also, that the Senate had passed, and requested the concurrence of the House in the passage of 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."

Also, that the Senate had concurred in the passage of a bill entitled "A supplement to the act entitled 'An act to amend the act entitled An act directing the manner of choosing commissioners to regulate and repair the streets of Milford, and for other purposes,' " with an amendment.

And he withdrew.

On motion of Mr. Scribner,

The communications from the Senate were read.

And the Senate's amendment to the bill just returned from the Senate was read as follows, to wit:—

"IN SENATE, *February 14, 1851.*

Amend the bill by adding to section four, the following words: *Provided*, that if any lot or lots on any of the said streets shall be held or owned by a widow or widows, in right of dower, such expenses incurred as aforesaid, for the lot or lots so held, shall be paid by the owner or owners of the reversion in fee simple; and if such owner or owners be minors at the time of such expenses being incurred, then to be paid by the guardian or agent acting for such minor or minors, out of any money or effects of such minor or minors, and a receipt therefor to such guardian or agent, shall be a sufficient evidence of such payment, and be allowed in his or her guardian or agent account; and if not paid by the guardian or agent as aforesaid, on the presentation of the bill, the same to remain on interest from day of presentation, and be a lien against such lot and improvements until paid. All subsequent repairs named in this act, to be kept up at the expense of such holder in right of dower.

Also amend the bill by striking out in the eleventh line of Section 1, the word 'Pear' and insert in lieu thereof the word 'East;' and by inserting between the word 'Street' and 'thence' in the twelfth line, the words 'or lane.'

W. G. WHITELEY, *Clerk.*

Extract from the Journal.

For concurrence."

Mr. Scribner moved,

That the amendment be concurred in.

Which motion

Prevailed.

On motion of Mr. Pride,

The bill entitled "An act to authorize and empower Lot Rawlins and the owners of the mill stream and saw mill at Middleford, in Sussex county, in this State, to build and erect a grist mill on the said stream," was read a second time, by its title.

On motion of Mr. Pride,

The bill entitled "An act to enable Joshua J. Lambden to locate certain vacant lands in Nanticoke and Broad Creek hundreds in Sussex county, and to complete his title to the same;" was read a second time, by its title.

On motion of Mr. Lodge,

The bill entitled "An act to incorporate the Union Wharf Company, in Brandywine hundred, New Castle county," was taken up for consideration.

Mr. Lodge offered an amendment; which,

On his motion,

Was read as follows, to wit:—

Amend the bill by adding another section, as follows:

Section 7. *And be it further enacted*, That this act shall be deemed and taken as a public act.

On motion of Mr. Lodge,

The amendment was

Adopted.

When,

On his motion also,

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

Passed the House,

By yeas and nays, as follows, to wit:—

Yeas.—Messrs. Boys, Boulden, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Marsh, Martin, Newton, Powell, Rogers, Scribner, Spruance, C. Smithers, Waples and Mr. Speaker—18.

Nays.—None.

On motion of Mr. Lodge,

The bill entitled "An act to incorporate Buena Vista Division, No. 26, Sons of Temperance of the State of Delaware, in Brandywine hundred," was read a third time, by paragraphs, and

Passed the House,

By yeas and nays as follows, to wit:—

Yeas—Messrs. Boys, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Marsh, Martin, Newton, Powell, Pride, Rogers, Scribner, Spruance, C. Smithers, Waples and Mr. Speaker—18.

Nays.—None.

On motion of Mr. Chambers,

The bill entitled "An additional supplement to the act entitled 'An act to prevent the use of fire arms by free negroes and free mulattoes and for other purposes,'" was read a second time, by its title.

Mr. Chambers presented the petition of John C. Reed and others, in relation to numbering a 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. Chambers, Waples and Boulden, were appointed said committee.

On motion of Mr. Boys,

The bill entitled "A further additional supplement to the act entitled 'An act to enable all the religious denominations in this State to appoint trustees, who shall be a body corporate, for the purpose of taking care of the temporalities of their respective congregations,'" was taken up for consideration.

Mr. Boys then offered an amendment; which,

On his motion,

Was read, as follows, to wit:—

Amend the second section by adding the following thereto:—

"Provided, the real estate heretofore acquired, or hereafter to be conveyed to the said Francis Patrick Kenrick, Roman Catholic Bishop of Philadelphia aforesaid, in trust as aforesaid, shall not exceed in value the sum of thirty thousand dollars.

Section 3. *And be it further enacted, That the Legislature reserves the power, by a vote of two-thirds of each branch thereof, to revoke and repeal this act at any time hereafter.*

Mr. Boys moved,

That the amendment be adopted.

Which motion

Prevailed.

On motion of Mr. Boys,

The bill was read a second time.

Mr. Boys gave notice that on to-morrow he should ask leave to introduce a bill concerning sheriffs' sales.

Mr. Martin, presented the petition of Joseph B. Cannon and others, praying an act concerning school districts Nos. 36, 40, 41 and 43, 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, Chambers and Rogers, were appointed said committee.

On motion,

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

1 SATURDAY, 10 o'clock, A. M., February 15, 1851.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Boys, in accordance with notice previously given, asked, and

On motion of Mr. Harper,

Obtained leave to introduce a bill entitled "An act concerning sheriffs' sales;" which,

On his motion,

Was read.

On motion of Mr. Newton,

The bill entitled "An act in relation to free negroes and slaves," was read a second time.

On motion of Mr. Harper,

The bill entitled "An act to extend the provisions of the act entitled 'An act to restrain persons from suffering swine to go at large within certain limits.'" was read a second time, by its title.

Mr. Boys presented the report of the city council of 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. Boys, Powell and Lodge, were appointed said committee.

Mr. Pride, from the committee to whom was referred the petition of James Bishop, reported a bill entitled "An act for the relief of James Bishop;" which,

On his motion,

Was read.

On motion of Mr. Harper,

The bill entitled "An act authorizing the recorder of deeds and the prothonotary of the Superior Court, in and for Kent county, to procure certain index books;" was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Pride presented the petition of Robert A. Houston and others, in regard to the books and public records of the prothonotary's office; which,

On his motion,

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

Whereupon,

Mess. Pride, Spruance and Lodge, were appointed said committee.

On motion of Mr. Boys,

The bill entitled "A further additional supplement to the several acts incorporating and relating to the Swedes' Lutheran church, called Trinity Church, in the borough of Wilmington, and county of New Castle," was taken up for consideration.

Mr. Boys offered an amendment, which,

On his motion,

Was read, as follows, to wit:—

Amend the bill by striking out all after the title, and inserting in lieu thereof the following sections:—

Section 1. *Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met,* That the act passed at Dover, on the twenty-seventh day of February, 1849, to which this is a further additional supplement be and the same is hereby amended by striking out all in the third section thereof, after the words 'And be it further enacted,' and substituting in lieu thereof the following words:—That the rector for the time being shall preside in the vestry, collect the votes, and shall upon an equal division of those present, have a vote except in cases in which he is in any manner particularly interested.

Sec. 2. And be it further enacted, That in every edition of the laws hereafter to be published, the said act shall be published as it is hereby amended.

Mr. Boys moved,
That the amendment be adopted.

Which motion

Prevailed.

On motion of Mr. Boys,
The bill, as amended, was read a second time.

On motion of Mr. Newton,
The bill entitled "An act to enable William H. Cannon to locate certain vacant land, situate in North West Fork hundred, Sussex county, and to complete his title to the same," was read a second time, by its title.

On motion of Mr. Newton,
The bill was postponed for further consideration, until Thursday next.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had refused to concur in the bill entitled "An act to incorporate the Sea Bathing Company."

Also, that the Senate had passed, and requested the concurrence of the House in the passage of a bill entitled "A supplement to the act entitled 'An act concerning roads and bridges.'"

Also, that the Senate had concurred in the passage of a bill entitled "An act to incorporate Rechabite Division, No. 22, of the Sons of Temperance, Georgetown, Delaware," with an amendment.

And he withdrew.

On motion of Mr. Pride,
The communications from the Senate were read.

The amendment of the Senate to the bill just returned amended, was,

On motion of Mr. Boys,
Read, as follows, to wit:—

"IN SENATE, February 13, 1851.

Amend the bill by striking out the name of 'William O. Redden,' wherever it occurs therein.

Extract from the Journal.

W. G. WHITELEY, Clerk.

For concurrence."

Mr. Pride moved,
That the amendment of the Senate be concurred in.

Which motion

Prevailed.

Ordered that the Senate be informed thereof.

On motion of Mr. Scribner,

The bill entitled "An act in relation to school district No. 8, in Kent county," was read a second time.

On motion of Mr. Pride,

The bill entitled "An act concerning notaries public and commissioners of deeds," was read a third time, by paragraphs, and the question being on the final passage of the bill,

Mr. Pride moved,

To postpone the further consideration of the bill, until Monday next.

Which motion

Prevailed.

Mr. Boulden, from the committee to whom was referred the petition of James S. Martin and others, reported a bill entitled "An act for the better regulation of the streets of Newark, and for other purposes," which,

On his motion,

Was read.

On motion of Mr. Pride,

The bill entitled "An act to empower the Levy Court and Court of Appeal of New Castle county, to erect a pivot bridge over Appoquinimink Creek, in New Castle county," was read a second time, by its title.

On motion of Mr. Waples,

The bill entitled "An act to incorporate Sussex Temple of Honor, No. 2, Georgetown, Delaware," was read a second time by its title.

Mr. Spruance, from the committee to whom was referred the petition of the 'Jamison's Branch Company' and others, reported a bill entitled "A supplement to the act entitled 'An act to enable the owners of the marshes, cripple and low grounds situated upon and contiguous to Jamison's branch, in Little Creek and Duck Creek hundreds, to drain and improve the same,' " which,

On his motion

Was read.

Mr. Newton presented the petition of Joseph H. Ware and others, concerning the act to incorporate the town of Delaware City, in New Castle county, which,

On his motion,

Was read and laid on the table.

On motion of Mr. Derrickson,

The bill entitled "An act regulating weights and measures," was read a second time, by its title.

Mr. Smithers, from the committee to whom was referred the petition of William Virden and wife, asked, and

On motion of Mr. Harper,
Obtained further time to report.

Mr. Newton, in accordance with notice previously given, asked, and

On motion of Mr. Scribner,
Obtained leave to introduce a bill entitled "An act to cede to the United States the jurisdiction over a piece of land and beach adjoining the Atlantic ocean," which,

On his motion,
Was read.

On motion,
The House adjourned until three o'clock, this afternoon.

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

The House met pursuant to adjournment.

On motion of Mr. Boys,
The bill entitled "An act to extend the rights and privileges of poor white taxables of this State," was read a third time, by paragraphs, and
Passed the House.

Ordered to the Senate for concurrence.

Mr. Chambers presented the petition of Joel Clement and others, praying for an alteration in the license laws, which,

On his motion,
Was read and referred to the committee already raised on that subject.

Mr. Chambers presented the petition of sundry persons, citizens of Murderkill hundred, praying for a law to drain certain lands, which,

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

Whereupon,

Messrs. Chambers, Derrickson and Scribner, were appointed said committee.

Mr. Pride presented the petition of Reuben Donovan, praying for a law to enable him to locate certain vacant lands in Nanticoke hundred, which,

On his motion,

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

Whereupon,

Messrs. Pride, Harrington and Bonlden, were appointed said committee.

Mr. Chambers, from the committee, to whom was referred the petition of Thomas B. Cabbage and others, asked, and

On motion of Mr. Boys,

Obtained leave for further time to report.

Mr. Pride, from the committee to whom was referred the petition of Ephraim McNeil, reported a bill entitled "An act for the relief of Ephraim McNeil," which,

On his motion,

Was read.

Mr. Martin, from the committee to whom was referred the petition of Peter D. Shockley, reported a bill entitled "An act to enable Peter D. Shockley to locate certain vacant land in Dagsborough hundred, and to complete his title to the same," which,

On his motion,

Was read.

Mr. Derrickson presented the petition of Samuel McNatt and one hundred others, praying a law to authorize the Levy Court to purchase a certain turnpike 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. Derrickson, Harper and Waples, were appointed that committee.

On motion,

The House adjourned until 11 o'clock, on Monday morning.

MONDAY, 11 o'clock, A. M., February 17, 1851.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in the passage of a bill entitled "An act to authorize the sale of the real estate devised by Benjamin Potter, late of Kent county, deceased, to charity."

Also, that the Senate had passed and requested the concurrence of the House in the passage of a bill entitled "An act to enable William V. Coulter to locate vacant lands, in Cedar Creek hundred, Sussex county."

Also, that the Senate had concurred in the passage of a bill entitled "An act to enable Benjamin Melson to locate certain vacant land, situate in Broad Creek hundred, in the county of Sussex, and to complete his title to the same."

Also, that the Senate had concurred in the passage of a bill entitled "An act to incorporate a company to improve the navigation of Duck Creek."

And he withdrew.

On motion of Mr. C. Smithers,

The communications from the Senate were read.

On motion of Mr. Newton,

The bill entitled "An act for the better regulation of the streets of Delaware City, and for other purposes," was read a second time, and amended, as follows, to wit:—

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

Provided, That the said commissioners appointed by this act, as well as those hereafter to be appointed in manner aforesaid, shall have full power and authority, and they are hereby required and directed to lay out, make and repair the proper pavements and gutters for carrying off the water, at the expense of the proprietors of the ground in front of which such pavements and gutters are made.

On motion of Mr. Harper,

The bill entitled "An act to extend the provisions of the act entitled 'An act to restrain persons from suffering swine to go at large within certain limits,'" was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Boulden,

The bill entitled "An act for the better regulation of the streets of Newark, and for other purposes," was taken up for consideration.

Mr. Boulden offered the following amendments; which,

On his motion,

Were read as follows, to wit:—

Amend the bill by striking out in the twelfth line of Sec. 3, the word 'March' and insert in lieu thereof the word 'April.'

Change Section 6 to Section 7.

Add the following as Section 6:—

Section 6. *And be it further enacted*, That the inspector of accounts shall examine and ascertain that all accounts presented to him for approval are just, and were necessary to be expended to defray the expenses of the said commissioners, which shall by them, or a majority of them, be attested by fixing their names thereto. In which case and not otherwise, the said inspector shall endorse upon the bill, order or draft, "allowed," together with the date of the said endorsement and sign his name thereunto; and the said bill, order or draft, thus endorsed, shall be forthwith paid by the treasurer, out of the funds of said town in his hands. After the expiration of twenty days from the posting of a copy of the assessment herein mentioned and directed to be made, the collector shall proceed to collect the taxes levied by said assessment as corrected by said commissioners, or a majority of them; and the collector is hereby authorized and empowered, in case of neglect or refusal to pay said tax, to collect the same in the same manner as is by law provided for the collection of county rates and levies. The said collector, before he enters upon the duties of his office, shall give his bond with sufficient sureties to the said commissioners, conditioned for the faithful performance and discharge of the trust reposed in him. He shall pay over all monies in his hands by orders drawn on him by the treasurer. The treasurer shall annually in the month of February, settle his accounts with the commissioners for the time being, or as often as a majority of them shall require him to do so; and it shall be the duty of the treasurer to pay over to his successor in office within twenty days after his election, all the monies remaining in the treasury at the expiration of his term of office; and in case of his neglect or refusal so to do, the said successor is hereby authorized and directed to sue for and collect the same in the manner provided for the collection of debts, by the laws of this State.

On motion of Mr. Boulden,

The amendments were

Adopted.

Mr. Harper presented the petition of John Denny and others, praying for an alteration in the license laws; which,

On his motion,

Was read and referred to the committee already raised upon that subject.

Mr. Newton presented the petition of Thomas W. Belville and one hundred and sixty-three others, citizens of New Castle county, in relation to blacks; which,

On his motion,

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

Whereupon,

Messrs. Newton, Spruance and Martin, were appointed said committee.

On motion of Mr. Pride,

The bill entitled "An act to enable Nicholas V. Short, Jeremiah Legates, Noble Timmons and Josiah W. Collins to locate certain vacant lands in Broad Creek hundred, Sussex county, and to complete their titles to the same," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Boulden,

The bill entitled "An act for the better regulation of the streets of Newark and for other purposes," was read a second time, by its title.

On motion of Mr. Pride,

The bill entitled "An act to authorize and empower Lot Rawlins and the owners of the mill stream and saw mill at Middleford, in Sussex county, in this State, to build and erect a grist mill on the said stream," was read a third time.

And the question being on the final passage of the bill,

Mr. Newton moved,

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

Which motion

Prevailed.

Mr. Newton presented the remonstrance of Louis Vandegrift and one hundred and thirty-eight citizens of New Castle county, against building a bridge over the Appoquinimink creek; which,

On his motion,

Was read and laid on the table.

On motion,

The House adjourned until three o'clock, this afternoon.

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

The House met pursuant to adjournment.

On motion of Mr. Pride,

The bill entitled "An act to enable Joshua J. Lambden to locate certain vacant lands in Nanticoke and Broad Creek hundreds in Sussex 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.

On motion of Mr. Newton,

The bill entitled "An act to incorporate a bank at Cantwell's Bridge, under the name of the Farmers' and Merchants' Bank of Delaware," was read a third time, by paragraphs, and

Passed the House,

By yeas and nays, as follows, to wit;—

Yeas.—Messrs. Boys, Boulden, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Martin, Newton, Pride, Rogers, Waples and Mr. Speaker—14.

Nays.—Messrs. Marsh, Powell, Spruance, E. Smithers—4.

Ordered to the Senate for concurrence.

Mr. Boys, from the committee to whom was referred the application of the committee of the city council of the city of Wilmington, reported a bill entitled "An additional 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 Mr. Martin,

The bill entitled "An act to cede to the United States the jurisdiction over a piece of land and beach adjoining the Atlantic ocean," was read a second time.

Mr. Pride moved,

That the bill entitled "An act concerning notaries public and commissioners of deeds," be taken up for consideration.

Which motion

Prevailed.

The question being on the final passage of the bill,

Mr. Newton moved,

That the bill be read for the information of the House.

Which motion

Prevailed.

And the question being on the final passage of the bill, and

The House being divided,

The Speaker ordered the yeas and nays, which upon being taken, were as follows:—

Yeas—Messrs. Boys, Boulden, Derrickson, Harrington, Hosea, Lodge, Marsh, Martin, Newton, Pride, Rogers and Waples—12.

Nays—Messrs. Chambers, Harper, Powell, Spruance, C. Smithers, E. Smithers and Mr. Speaker—7.

So the bill

Passed the House.

Ordered to the Senate for concurrence.

Mr. Waples, from the committee to whom was referred the petition of John C. Hall, reported a bill entitled "An act to authorize John C. Hall to employ his slaves in the State of Maryland, and in the State of Delaware," which,

On his motion,

Was read.

Mr. Boys presented the petition of Israel Townsend, for a grant of 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. Boys, Powell and Marsh, were appointed said committee.

Mr. Lodge presented the petition of A. J. Taylor and thirty eight others, citizens of Kent county, praying a change in the mode of electing Levy Court Commissioners; which,

On his motion

Was read and referred to the committee already raised on that subject.

Mr. Lodge, from the committee to whom was referred the petition of sundry citizens of Kent county, reported a bill entitled "A further supplement to the act entitled 'An act concerning the constitution of the Levy Court and Court of Appeal,'" which,

On his motion,

Was read.

Mr. Pride, from the committee to whom was referred the petition of Robert A. Houston and others, reported a bill entitled "An act appointing

commissioners to examine the records in the office of the prothonotary of Sussex county, and for other purposes," which,

On his motion,

Was read.

On motion of Mr. Newton,

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, by its title.

On motion of Mr. Boys,

The bill entitled "An act concerning sheriffs' sales," was read a second time.

On motion of Mr. Waples,

The bill entitled "An act to enable Ephraim Calhoun to locate certain vacant land, situated in Baltimore hundred, in Sussex 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.

Mr. Powell moved,

That the bill entitled "An act concerning fish, oysters and game," be taken up for consideration.

Which motion

Prevailed.

Mr. Lodge offered an amendment, which,

On his motion,

Was read, as follows, to wit:—

Amend the eleventh section of the bill, by striking out the words 'or snipe,' in the fifth line, between the words 'woodcock' and 'between.'

On motion of Mr. Boys,

The amendment was

Adopted.

Mr. Lodge offered a second amendment, which,

On his motion,

Was read, as follows, to wit:—

Amend the 15th section of the bill by striking out the words 'or river,' following the words 'in the Delaware bay.'

Mr. Rogers moved,

That the amendment be adopted.

Which motion

Prevailed.

When,

On motion of Mr. Powell,
The bill was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Chambers offered the following resolution, which,

On his motion,

Was read as follows, to wit:—

Resolved, That the use of this Hall be granted to the superintendent and managers of the Sabbath School, connected with the Methodist Episcopal Church, in Dover, for an exhibition of their pupils, on Thursday evening next.

On motion of Mr. Newton,

The resolution was

Adopted.

On motion of Mr. Boys,

The bill entitled "A further additional supplement to the acts supplementary to the several acts incorporating and relating to the Swedes' Lutheran church, called Trinity Church, in the borough of Wilmington, and county of New Castle," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Pride,

The bill entitled "An act to divorce James F. Kollock, and Matilda, his wife, late Matilda P. Bowman, from the bonds of matrimony," was read a second time, by its title.

On motion of Mr. Waples,

The bill entitled "An act to amend the act entitled 'An act extending the jurisdiction of justices of the peace to one hundred dollars,' " was read a second time, by its title.

Mr. Newton, from the committee to whom was referred the petition of sundry citizens of Laurel, reported a bill entitled "An act to incorporate a bank at Laurel, under the name of the Bank of Laurel," which,

On his motion,

Was read.

On motion of Mr. Martin,

The bill entitled "An act to repeal an act concerning contested elections in either branch of the Legislature," was read a second time.

On motion of Mr. Pride,

The bill entitled "An act to divorce Emaline Maxwell and her husband, Elias Maxwell, from the bonds of matrimony," was read a second time, by its title.

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

TUESDAY, 10 o'clock, A. M., February 18, 1851.

The House met pursuant to adjournment.

Prayer by the Chaplain.

W^r. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in the passage of a bill entitled "An act concerning sales of real estate under execution process."

Also, that the Senate had passed, and requested the concurrence of the House in a bill entitled "An act to authorize the heirs of William Hill, deceased, to erect a gate across a private road in New Castle county."

Also, that the Senate had concurred in the passage of a bill entitled "An act to incorporate Smyrna Division, No. 4, of Sons of Temperance, at Smyrna, Delaware."

Also, that the Senate had concurred in the passage of a bill entitled "An act to incorporate the Marshy-hope Division, No. 36, of the Sons of Temperance of the State of Delaware."

Also, that the Senate had refused to concur in the bill entitled "An act to divorce Joseph S. Wilson and Emaline Wilson, a vinculo matrimonii."

And he withdrew.

On motion of Mr. Martin,
The communications from the Senate were read.

Mr. Boys moved,

That five hundred copies of the bill entitled "A further supplement to the act entitled 'An act for the valuation of real and personal property within this State,'" be printed for the use of the House.

Which motion

Prevailed.

Mr. Newton presented a communication from Andrew Biddle, requesting the non-action of the Legislature upon the petition of the heirs of William Hill, deceased, for erecting a gate across a private road in New Castle county," which,

On his motion,
Was read and laid on the table.

Mr. Pride, from the committee to whom was referred the petition of Renben Donovan, of Broadkiln hundred, reported a bill antititled "An act to enable Reuben Donovan, to locate certain vacant land in Nanticoke hundred, Sussex county, and to complete his title to the same," which,

On his motion,
Was read.

Mr. Spruance presented the petition of Cornelia V. Newman and two hundred others, ladies of Smyrna, praying for an alteration of the license law of this State; which,

On his motion,
Was read and referred to the committee already raised on that subject.

Mr. C. Smithers presented the petition of Ann Downham and eighteen others, ladies of Kent county, upon the same subject, which,

On his motion,
Was referred to the same committee.

Mr. Martin presented the remonstrance of Abel W. West and others, against the repeal of the law creating school district No. 79, in Sussex county; which,

On his motion,
Was read and referred to the committee already raised on that subject.

Mr. C. Smithers presented the petition of George W. Collier and others, concerning the changing of the time for holding stated meetings of the school voters in Kent county, which,

On his motion,
Was read and referred to the committee already raised on that subject.

Mr. Martin presented the petition of sundry citizens of Sussex county, in favor of the equalization of taxes, which,

On his motion,
Was read and referred to the committee already raised on that subject.

Mr. Pride, from the committee to whom was referred the petition of Levin Pettyjohn and others, reported:—That in the opinion of the committee it is inexpedient to legislate upon the subject mentioned in the petition; which,

On his motion,
Was *Adopted.*

Mr. Chambers presented a communication from Israel Townsend, a jus-

tice of the peace of New Castle county, concerning the use of fire arms by free negroes and free mulattoes, which,

On his motion,
Was read and laid on the table.

Mr. Chambers then moved,

That the bill entitled "An additional supplement to the act entitled 'An act to prevent the use of fire arms by free negroes and free mulattoes and for other purposes,'" be taken up for consideration.

Which motion *Prevailed.*

Mr. Chambers then offered an amendment; which,

On his motion,
Was read, as follows, to wit:—

Amend the bill by adding the following section:

Section 2. *And be it further enacted,* That if any other person or persons shall sell or loan any fire arms or ammunition to any negro or mulatto, he or they shall be deemed guilty of a misdemeanor; and, upon conviction thereof by indictment, shall for every such offence, forfeit to the State a fine of twenty dollars.

On motion of Mr. Newton,
The amendment was *Adopted.*

On motion of Mr. Chambers,
The bill as amended was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Newton,

The bill entitled "An act for the better regulation of the streets of Delaware City, and for other purposes," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Boulden,

The bill entitled "An act for the better regulation of the streets of Newark and for other purposes," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Pride,

The bill entitled "An act to empower the Levy Court and Court of

Appeal of New Castle county, to erect a pivot bridge over Appoquinimink Creek, in New Castle county," was read a third time, by paragraphs, when,

Mr. Derrickson asked to be excused from voting.

Mr. Pride moved,

That he do not be excused; whereupon,

The yeas and nays were called, which upon being taken, were as follows :—

Yeas.—Messrs. Lodge, Newton, Pride, C. Smithers, Waples and Mr. Speaker—6.

Nays.—Messrs. Boys, Boulden, Chambers, Harper, Harrington, Hosea, Marsh, Martin, Powell, Rogers, Spruance, E. Smithers—12.

So the motion not to excuse, was

Non-concurred in.

The question then being on the final passage of the bill,

Mr. Chambers called the yeas and nays, which being taken were as follows, to wit :—

Yeas—Messrs. Chambers, Harper, Harrington, Hosea, Powell, Pride, E. Smithers and Mr. Speaker—8.

Nays—Messrs. Boys, Boulden, Lodge, Marsh, Martin, Newton, Rogers, Spruance, C. Smithers and Waples—10.

So the bill was

Lost.

On motion of Mr. Harper,

The bill entitled "An act to authorize the sale of certain real estate, late of Thomas A. Rees, deceased," was read a second time by its title.

On motion of Mr. Boys,

The bill entitled "An act concerning sheriffs' sales," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Newton,

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; when,

On motion of Mr. Boys,

The bill was postponed for further consideration.

On motion,

The House adjourned until three o'clock, this afternoon.

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

The House met pursuant to adjournment.

On motion of Mr. Spruance,

The bill entitled "An act granting the title of this State to certain lands in New Castle county, to persons therein named," was read a second time, by its title.

On motion of Mr. Spruance,

The bill entitled "An act for changing the permanent bridge over Little Duck Creek, called Martin's Bridge, into a pivot bridge," was read.

On motion of Mr. Marsh,

The bill entitled "An act to enable William V. Coulter to locate vacant lands, in Cedar Creek hundred, Sussex county," was read a second time, by its title.

On motion of Mr. Boys,

The bill entitled "An additional 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. Newton,

The bill entitled "An act to amend the act entitled 'An act concerning imprisonment for debt,'" was read a third time, by paragraphs, and
Lost,

By yeas and nays, as follows:—

Yeas.—Messrs. Boys, Boulden, Derrickson, Hosea, Lodge, Martin, Newton, Rogers, Waples and Mr. Speaker—10.

Nays—Messrs. Chambers, Harper, Harrington, Marsh, Powell, Pride, Satterfield, Spruance, C. Smithers and E. Smithers—10.

On motion of Mr. Pride,

The bill entitled "An act for the relief of James Bishop," was read a second time, by its title.

Mr. Martin, from the committee to whom was referred the petition of sundry citizens of Sussex county, concerning school districts Nos. 36, 20, 41 and 43, reported:—

That it is inexpedient to legislate on the subject mentioned in the petition at this time; which,

On his motion,
Was

Adopted.

On motion of Mr. Waples,

The bill entitled "An act to incorporate Sussex Temple of Honor, No. 2, Georgetown, Delaware," was read a third time, by paragraphs, and
Passed the House,

By yeas and nays, as follows, to wit:—

Yeas.—Messrs. Boys, Boulden, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Marsh, Martin, Newton, Powell, Pride, Rogers, Satterfield, Spruance, C. Smithers, E. Smithers, Waples and Mr. Speaker—20.

Nays.—None.

Ordered to the Senate for concurrence.

Mr. Spruance presented the claim of J. Mason Smith; which,

On his motion,

Was read and referred to the committee on claims.

On motion of Mr. Boys,

The bill entitled “A further additional supplement to the act entitled ‘An act to enable all the religious denominations in this State to appoint trustees, who shall be a body corporate, for the purpose of taking care of the temporalities of their respective congregations,’” was read a third time, by paragraphs, and

Passed the House,

By yeas and nays, as follows, to wit:—

Yeas.—Messrs. Boys, Boulden, Derrickson, Harper, Lodge, Martin, Newton, Rogers, Satterfield, Waples and Mr. Speaker—11.

Nays.—Messrs. Chambers, Harrington, Hosea, Marsh, Powell, Pride, Spruance, C. Smithers and E. Smithers—9.

Ordered that the Senate be informed thereof.

On motion of Mr. Pride,

The bill entitled “An act for the relief of Ephraim W. McNeil,” was read a second time, by its title.

Mr. Derrickson presented the petition of John Ball and sixty-seven others, praying an alteration in the mode of collecting taxes 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. Derrickson, C. Smithers and Waples, were appointed said committee.

Mr. Chambers, from the committee to whom was referred the petition of Thomas D. Cabbage and others, reported a bill entitled “An act to

enable the owners of certain marshes and low grounds, situated on and near to Meredith's Branch, to reclaim and improve the same; which,

On his motion,
Was read.

On motion of Mr. Pride,

The bill entitled "An act to authorize and empower Lot Rawlins and the owners of the mill stream and saw mill at Middleford, in Sussex county, in this State, to build and erect a grist mill on the said stream," was taken up for its final passage, and was

Lost.

By yeas and nays, as follows, to wit:—

Yea.—Mr. Pride—1.

Nays.—Messrs. Boys, Boulden, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Marsh, Martin, Newton, Powell, Rogers, Satterfield, Spruance, C. Smithers, E. Smithers, Waples and Mr. Speaker—19.

Mr. Lodge, from the committee on enrolment, reported the following bills, as duly and correctly enrolled, viz:—

"An act to amend the act entitled 'A further supplementary act to the act entitled 'An act for stopping St. George's creek, and for embanking and draining a quantity of marsh and cripple on both sides of said creek, being deemed about three thousand acres, situate in Red Lion and St. George's hundreds and county of New Castle, and for keeping the dykes and dams belonging to the same in good order and repair.'"

"An act requiring and compelling the Chesapeake and Delaware Canal Company to keep in repair the road known as the St. Georges' mill-dam, in New Castle county."

"An act to establish a map of the city of Wilmington."

"An act to empower the Levy Court and Court of Appeal of Kent county to erect a bridge over Little Duck Creek, at the village of Leipsic."

On motion of Mr. Waples,

The bill entitled "An act to amend the act entitled 'An act to extend 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 for concurrence.

On motion of Mr. Martin,

The bill entitled "An act to enable Peter D. Shockley to locate certain vacant land in Dagsborough hundred, and to complete his title to the same," was read a second time, by its title.

On motion of Mr. Martin,

The bill entitled "An act to cede to the United States the jurisdiction over a piece of land and beach adjoining the Atlantic ocean," was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Spruance,

The bill entitled "A supplement to the act entitled 'An act to enable the owners of the marshes, cripple and low grounds situated upon and contiguous to Jamison's branch, in Little Creek and Duck Creek hundreds, to drain and improve the same,'" was read a second time, by its title.

On motion,

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

WEDNESDAY, 10 o'clock, A. M., February 19, 1851.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Harper presented the remonstrance of James A. Dunning and one hundred and sixteen other citizens of the State of Delaware, remonstrating against the passage of a bill incorporating the Roman Catholic Bishop, of Philadelphia, with extraordinary power, within this State, which,

On his motion

Was read.

Mr. Harper moved,

To reconsider the vote upon the bill entitled "A further additional supplement to the act entitled 'An act to enable all the religious denominations in this State to appoint trustees, who shall be a body corporate, for the purpose of taking care of the temporalities of their respective congregations,'" upon which motion,

The House being divided,

Mr. Chambers called the yeas and nays, which being taken were as follows, to wit:—

Yeas—Messrs. Chambers, Harrington, Hosea, Marsh, Powell, Pride, Spruance, E. Smithers, and Mr. Speaker—9.

Nays.—Messrs. Boys, Boulden, Derrickson, Harper, Lodge, Martin Newton, Rogers, Satterfield, C. Smithers and Waples—11.

So the motion to reconsider was

Lost.

W^r. Whiteley, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of the following bills, viz:—

“An act to confirm and establish certain ordinances of the city of Wilmington; vacating a part of Eleventh street and Monroe street, and for another purpose therein mentioned.”

“An act to incorporate Buena Vista Division, No. 26, Sons of Temperance of the State of Delaware, in Brandywine hundred.”

“An additional supplement to the act establishing certain fees for the use of the State.”

“An act for the relief of Rebecca Durham, late Rebecca Dean and others.”

Also, that the Senate had refused to concur in the passage of a bill entitled “A further supplement to the act entitled ‘An act concerning landlords and tenants.’”

Also, that the Senate had concurred in the passage of a bill entitled “An act to incorporate Patrick Henry Lodge, No. 11, of the I. O. O. F., at Delaware City, in the county of New Castle,” with an amendment, in the following words, to wit:—

“IN SENATE, *February 15, 1851.*

Amend the bill by striking out the word ‘thirty,’ in the thirteenth line of the first section, and inserting in lieu thereof the word ‘twenty.’ Also, by adding the following as an additional section:—

Section 6. *And be it further enacted,* That the power to revoke this charter is hereby reserved to the Legislature.

Extract from the Journal.

W. G. WHITELEY, *Clerk.*

For concurrence.”

Also, that the Senate had concurred in the passage of a bill entitled “An act to enable Josiah W. Collins, John W. Short and Burton West to locate certain vacant lands in Broad Creek hundred, Sussex county, Delaware, and complete his title to the same,” with an amendment, in the following words:—

“IN SENATE, *February 18, 1851.*

Amend the bill by inserting in the fifth line of section third, after the word ‘of,’ the words ‘one dollar and.’

Extract from the Journal,

W. G. WHITELEY, *Clerk.*

For concurrence.”

Δ

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

“An act for the relief of John D. Eubanks.”

“An act in relation to the action of replevin.”

Also, that the Senate had amended the resolution concerning the boundaries of the State, in pursuance of the recommendation of the report of the committee of conference.

And he withdrew.

On motion of Mr. Newton,
The communications from the Senate were read.

And,

On his motion,
The amendments to the bills just returned, were *Concurred in.*
Ordered that the Senate be informed thereof.

Mr. Newton also moved,

That the amendment of the Senate to the resolution concerning the boundaries of the State, be concurred in.

Which motion *Prevailed.*

Ordered, That the Senate be informed thereof.

On motion of Mr. Harper,

The bill entitled “An act for changing the permanent bridge over Little Duck Creek, called Martin’s bridge, into a pivot bridge,” was taken up for consideration.

Mr. Harper then moved,
That the bill be indefinitely postponed; upon which,
The House being divided,

Mr. Chambers called the yeas and nays, which being taken, were as follows, to wit:—

Yeas.—Messrs. Boys, Boulden, Derrickson, Harper, Harrington, Hosea, Lodge, Newton, Pride, Rogers, Satterfield and Waples—12.

Nays.—Messrs. Chambers, Marsh, Martin, Powell, Spruance, C. Smithers, E. Smithers and Mr. Speaker—8.

So the motion to indefinitely postpone *Prevailed.*

Mr. Pride from the committee to whom was referred the petition of James Anderson and others, reported a bill entitled “A further additional

supplement to the act entitled 'An act for the better regulation of servants and slaves within this government,' " which,

On his motion,
Was read.

On motion of Mr. Martin,

The bill entitled "An act to enable Peter D. Shockley to locate certain vacant land, in Dagsborough hundred, Sussex county, and to complete his title to the same," was taken up for consideration; when he offered an amendment, which,

On his motion,
Was read as follows, to wit:—

Amend the bill by inserting in the sixth line of the third section, after the word 'of,' the words 'one dollar and,' which amendment was,

On his motion,

Adopted.

Mr. Lodge moved,

That four hundred copies of the bill entitled "A further supplement to the act entitled 'An act concerning the constitution of the Levy Court and Court of Appeal,' " be printed for the use of the House.

Which motion

Prevailed.

Mr. Pride presented the petition of John Day, praying for a law to enable him to locate certain vacant land in Nanticoke hundred, 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. Pride, Harrington and Rogers, were appointed said committee.

Mr. Boulden, from the committee on enrolment, reported the following bills as duly and correctly enrolled, viz:—

"An act to authorize the Levy Court and Court of Appeal of New Castle county to purchase or acquire the drawbridge over the Christiana river, at Wilmington, for the purpose of making the same a public and free bridge."

"An act to incorporate the Marshy-hope Division, No. 36, of the Sons of Temperance of the State of Delaware."

"An act vesting in the school commissioners of school district No. 58, of New Castle county, the title to a certain lot of land therein described."

"An act to incorporate Concord Division, No. 33, of the Sons of Temperance, located at Concord, Sussex county, Delaware."

"An act to incorporate the Delaware Union Boot, Shoe and Leather Manufacturing Company of Wilmington, and to extend the provisions of the same to the corporation in and by this act created."

"A further additional supplement to the act entitled 'An act to restrain persons from suffering swine to go at large within certain limits.'"

"An act to repeal an act entitled 'An act to compel certain testimony in cases of contested elections.'"

Mr. Rogers presented the petition of Sarah Silver and thirty-seven other ladies of New Castle county; also, one from William Silver and thirty-five others, praying for an alteration of the license laws of this State; which,

On his motion,

Was read and referred to the committee already raised on that subject.

Mr. Martin presented the petition of Charles C. Stokeley and others, citizens of Sussex county, praying for a law to enable the Levy Court of Sussex county, to build a bridge on a certain mill-dam; which,

On his motion,

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

Whereupon,

Messrs. Martin, E. Smithers and Lodge, were appointed said committee.

Mr. Waples, from the committee to whom was referred the petition of Bayard Jones, asked, and

On motion of Mr. Marsh,

Obtained further time to report.

On motion of Mr. Spruance,

The bill entitled "A supplement to the act entitled 'An act to enable the owners of the marshes, cripple and low grounds situated upon and contiguous to Jamison's branch, in Little Creek and Duck Creek hundreds, to drain and improve the same,'" was read a third time, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Newton,

The 9th rule of the House was suspended, to enable him to introduce a bill.

He then asked, and

On motion of Mr. Rogers,

Obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act providing for the recovery of small debts;' which,

On his motion,
Was read.

On motion,
The House adjourned until three o'clock, this afternoon.

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

The House met pursuant to adjournment.

On motion of Mr. Satterfield,

The bill entitled "An act to change the name of 'Tea Town' to 'Stay-tonville,'" was read a second time.

On motion of Mr. Marsh,

The bill entitled "An act to enable William V. Coulter to locate vacant lands, in Cedar Creek hundred, Sussex county," was read a third time, by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Harper,

The bill entitled "An act to authorize the sale of certain real estate, late of Thomas A. Rees, deceased," was read a third time, by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Newton,

The bill entitled "An act to authorize the sale of the real estate devised by Benjamin Potter, late of Kent county, deceased, to charity," was read a second time, by its title.

Mr. Newton then offered the following amendments to said bill; which,

On his motion,
Were read, as follows, to wit:—

Amend the 1st section of the bill by striking out the first six lines, and inserting in lieu thereof, the following:—"That Charles T. Fleming, William Tharp, Henry B. Fiddeman and Daniel Curry, Esqrs., be and they are hereby appointed trustees and." Also, amend the said section by striking out of the sixteenth line thereof, the word 'he' and insert in lieu thereof the word 'they.' Also amend the 2d section of said bill by adding to the word 'trustee,' in the first line thereof, the letter 's;' and also throughout the following sections of the said bill where the word 'trustee' occurs, amend the same by adding the letter 's,' that the same shall read 'trustees.' Also amend the said 2d section by striking out the word 'his' in the second line thereof, and inserting the word 'their.'

Also, amend the 5th section of the bill by striking out of the fourth, sixth and sixteenth lines thereof the word 'he,' and insert in lieu thereof the word 'they.'

Also, amend the 7th section of the said bill by striking out all of the said section after the words 'Section 7,' and insert in lieu thereof the following:—"The chancellor shall allow the said trustees six per cent. on the amount of the sales as a compensation for their trouble in the premises, and the necessary expenses incurred by the employment of a surveyor and other assistants in dividing the aforesaid lands, preparatory to the sale thereof; which shall form a part of the expenses of the sale."

Also amend the said bill by adding at the end of the interlineation, in the tenth line of the 8th section, the words 'at its next session after said sale shall have been effected.'

Also amend the 10th section by striking out all of said section after the words 'Section 10,' and insert in lieu thereof, the following:—"The said trustees, before entering upon their aforesaid duties, shall take and subscribe an oath or affirmation, to be administered by a justice of the peace or notary and tabellion public, residing in Kent county, and filed in the office of the register of the Court of Chancery at Dover, in Kent county aforesaid, in this form:—" do solemnly swear (or affirm, as the case may be,) that I will honestly and fairly perform every duty imposed or conferred upon me by the act entitled 'An act to authorize the sale of the real estate devised by Benjamin Potter, late of Kent county, deceased, to charity,' and in so doing I will have the interest of the charity estate therein mentioned solely in view: So help me God, (or so I affirm.)"

Also, amend the bill by striking out all the twelfth section thereof, after the words 'Section 12,' and insert in lieu thereof the following:—"That each of the said trustees may be bidders, in common with other bidders, for the said real estate on the day or days of the sale thereof, as hereinbefore authorized; and in case that either shall be the highest bidder, for any part or parts thereof, on the confirmation of the sale as aforesaid, and on the order of the chancellor, three of the said trustees shall execute the deed therefor, which shall be as effectual under this act, as if all had signed."

Also, amend the eighth section of the bill, by inserting in the tenth line thereof the word 'ensuing,' between the words 'the' and 'Legislature.'

Mr. Chambers moved,

That the amendments be laid on the table, until to-morrow afternoon.

Which motion

Prevailed.

Mr. Derrickson presented the petition of James L. Miles and others, citizens of New Castle county, praying for an alteration in the law concerning the construction of public roads; which,

On his motion,

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

Whereupon,

Messrs. Derrickson, Chambers and Satterfield, were appointed said committee.

On motion of Mr. Pride,

The bill entitled "An act appointing commissioners to examine the records in the office of the prothonotary of Sussex county, and for other purposes," was taken up for consideration.

Mr. Pride then offered an amendment to said bill, which,

On his motion,

Was read and adopted, as follows, to wit:—

Amend the bill by filling the blank with the names of Jonathan R. Torbert, James M. Rench and Alfred P. Robinson.

On motion of Mr. Pride,

The said bill was then read a second time.

Mr. Chambers offered the following resolution, to wit:—

Resolved, That the Journal of yesterday, where it declares that the bill entitled "A further additional supplement to the act entitled 'An act to enable all the religious denominations in this State to appoint trustees, who shall be a body corporate for the purpose of taking care of the temporalities of their respective congregations,'" passed the House, shall be and the same is hereby corrected, so as to strike out the words 'passed the House,' and insert in lieu thereof the word 'lost;' which,

On his motion,

Was read.

Mr. Chambers then moved,

That the resolution be adopted; on which,

The House being divided,