

Which,

On his motion,

Was read.

On motion of Mr. Clements,

The bill entitled "An act authorizing Samuel F. Hewes to change the public road in Dover Hundred,"

Was read a second time by its title.

On motion of Mr. Higgins,

The bill entitled "An act to authorize the Levy Court of New Castle County to purchase or acquire a lot of land in Appoquinimink Hundred near to Taylor's Bridge."

Was read a second time by its title.

On motion of Mr. Higgins,

The bill entitled "An act to revive the act entitled 'An act to amend the act entitled A further supplementary act to the act entitled An act for the stopping St. Georges 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 Georges 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.

On motion of Mr. Rickards,

The bill entitled "An act declaring inoperative so much of an act entitled 'An act in relation to public roads and highways in St. Georges and Appoquinimink Hundreds in New Castle County,' passed at Dover February 21, 1859, as relates to Appoquinimink Hundred,"

Was read a second time by its title.

On motion of Mr. Rickards,

The bill entitled "An act to authorize Elijah Satterfield to change a certain public road in Milford Hundred, Kent County, Delaware,"

Was read a second time by its title.

On motion of Mr. Robinson,

The House adjourned.

SAME DAY, 3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Betts moved,

That the bill entitled "An act declaring the cesser of the grants, liberties and privileges contained and specified in the act of the General Assembly of the State of Delaware, entitled 'An act for the en-

couragement of internal improvements in the State of Delaware,' passed at Dover, January 26, 1859, and to resume and revest the same in the said State:'

The further consideration of which was postponed,

Be taken up for consideration.

Which motion

Prevailed.

The question being,

"Shall this bill pass the House?"

Pending which,

Mr. Phillips moved,

That the further consideration be postponed till Wednesday next.

The yeas and nays were ordered,

Which being taken, were as follows:

Yeas—Messrs. Boyce, Calhoon, Collins, Davis, Phillips, Rickards, Robinson, Virden, Waples, C. Williamson—10.

Nays—Messrs. Appleton, Betts, Broadaway, Chandler, Churchman, Clements, Cochran, Higgins, J. A. Moore, Jonathan Moore, Mr. Speaker—11.

So the motion was

Lost.

The question recurring being,

"Shall this bill pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows:

Yeas—Messrs. Appleton, Betts, Boyce, Broadaway, Calhoon, Chandler, Churchman, Clements, Cochran, Davis, Higgins, J. A. Moore, Jonathan Moore, Virden, C. Williamson, Mr. Speaker—16.

Nays—Messrs. Collins, Phillips, Rickards, Robinson, Waples—5.

So the bill

Passed the House.

Ordered to the Senate for concurrence.

Mr. Higgins gave notice that he would, on to-morrow, or some future day, ask leave to introduce a bill entitled "An act to amend the act entitled "An act to establish Inferior Courts in the several Counties in this State."

Mr. Phillips from the committee to whom was referred the petition of Henry Maloy and others,

Reported a bill entitled "An act to amend chapter 55, of the Revised Statutes of the State of Delaware,"

Which,

On his motion,

Was read.

Mr. Pratt, Clerk of the Senate being admitted, informed the House that the Senate had concurred in the bill entitled "An act to amend section 7, of chapter 59, of the Revised Code of the State of Delaware."

Also, that the Senate had passed and requested the concurrence of the House in a bill entitled "An act authorizing Deputy Sheriffs to administer oaths."

Also, returned the following enrolled Joint Resolutions, they having received the signature of the Speaker of the Senate :

"Joint Resolution allowing the Auditor to provide additional conveniences for papers, &c."

"Joint Resolution of inquiry as to effecting a loan."

Also, the bill entitled "An act to amend an act entitled 'An act

securing to mechanics and others payment for labor and materials in erecting or repairing any building or structure within the State of Delaware.”

And he withdrew.

On motion of Mr. Clements,

The bill entitled “An act for the relief of the officers of volunteer companies and persons from whom arms have been taken,”

Was read a second time by its title.

On motion of Mr. Betts,

The “Joint Resolution declaring the State Treasurer authorized to pay certain moneys therein named,”

Was taken up for consideration.

On his further motion,

It was

Adopted.

Ordered to the Senate for concurrence.

On motion of Mr. Churchman,

The Senate bill entitled “An act authorizing Deputy Sheriffs to administer oaths,”

Was taken up and read.

Mr. Waples gave notice that he would, on to-morrow, or some future day, ask leave to introduce a bill entitled “An act to authorize the making a direct and reverse index to the mortgages recorded in the office of the Recorder of Deeds in Sussex County prior to March 1, 1861.”

On motion of Mr. Churchman,

Rule 13th of the House was suspended in order to read a bill by special order.

Whereupon,

On motion of Mr. Higgins,

The bill entitled "An act to revive the act entitled An act to amend the act entitled A further supplementary act to the act entitled 'An act for the stopping St. Georges 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. Georges 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 in order to pass the House.

The question being,

"Shall this bill pass the House?"

Pending which,

Mr. Churchman moved,

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

The yeas and nays being ordered,

Which being taken, were as follows :

Yeas—Messrs. Betts, Boyce, Broadaway, Calhoon, Chandler, Churchman, Clements, J. A. Moore, Jonathan Moore, Phillips, Virden, C. Williamson—12.

Nays—Messrs. Appleton, Cochran, Collins, Davis, Higgins, Rickards, Robinson, Waples, Mr. Speaker—9.

So the motion

Prevailed.

And the further consideration of the bill was postponed till to-morrow.

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

ture day, ask leave to introduce a bill entitled "An act authorizing the laying out a public road in Murderkill Hundred, Kent County."

Mr. Clements from the committee to whom was referred the petition of Edward Willey, praying remuneration for certain services as Constable,

Reported the following Joint Resolution :

Which,

On motion of Mr. Clements,

Was read :

WHEREAS, for the purpose of indemnifying Edward Willey for expenses incurred by him, while a Constable in New Castle County, in endeavoring to procure a requisition upon the Governor of Maryland for George Bowers and Jacob Henry, charged with an offence against the laws of this State. Therefore,

Resolved, by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That Samuel B. Hitch, the State Treasurer, be and he is hereby authorized and directed to pay to Edward Willey the sum of twenty dollars, the acceptance of which sum by said Willey shall be in full for all claims on his part against the State."

Mr. Clements moved

Its adoption.

Pending which motion,

Mr. Robinson moved,

That the further consideration be postponed till to-morrow.

Which,

On being put,

Was

Lost.

The question recurring on the motion to adopt,

Which,

On being put,

Prevailed.

Ordered to the Senate for concurrence.

Mr. Appleton from the committee on so much of the Governor's message as refers to this State's assuming its share of the direct tax laid by the General Government, asked leave for further time to report.

Mr. Higgins moved,

That leave be granted.

Whereupon,

Mr. Churchman moved,

To amend by striking out all after the word "that," and inserting in lieu thereof the words "the committee be directed to report a Resolution declaring the assumption by this State of its share of the direct tax imposed by the General Government."

Which,

On leave,

He withdrew.

The question being on the motion that leave be granted,

On being put,

Prevailed.

On motion of Mr. Boyce,

The House adjourned.

FRIDAY, *January 24, 1862, 10 o'clock, A. M.*

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in a bill entitled "An act to vacate a portion of a certain public road in Milford Hundred in Kent County."

Also, in a bill entitled "An act to enable Isaac G. Phillips to locate certain vacant lands in Little Creek Hundred, Sussex County, and complete his title to the same."

And he withdrew.

Pursuant to previous notice,

Mr. Robinson asked, and,

On motion of Mr. Betts,

Obtained leave to introduce a bill entitled "A supplement to the act entitled 'An act to authorize the laying out a public road in Kent County,' passed at Dover January 24, 1861."

Which,

On motion of Mr. Robinson,

Was read.

On motion of Mr. Rickards,

The bill entitled "An act appointing commissioners to lay out a public road partly in New Castle and partly in Kent Counties,"

Was taken up for consideration.

The question being,

"Shall this be section 2 of the bill?"

Mr. Churchman moved,

To amend by striking out the word "shall" in the seventh line of said section 2, and inserting in lieu thereof the word "may."

Which motion

Prevailed.

And the section was so amended.

The bill as amended, then

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Phillips,

The bill entitled "An act to amend chapter 55, of the Revised Statutes of the State of Delaware,"

Was read a second time by its title.

Pursuant to previous notice,

Mr. Waples asked, and,

On motion of Mr. Phillips,

Obtained leave to introduce a bill entitled "An act to authorize the making a direct and reverse index to the mortgages recorded in the office of the Recorder of Deeds in Sussex County, prior to March 1st, 1861."

Which,

On motion of Mr. Waples,

Was read.

Pursuant to previous notice,

Mr. Higgins, asked, and,

On motion of Mr. Churchman,

Obtained leave to introduce a bill entitled "An act to amend the act entitled 'An act to establish Inferior Courts in the several Counties of this State.'"

Which,

On his motion,

Was read.

On motion of Mr. Waples,

The bill entitled "An act to amend chapter 59, of the Revised Statutes of the State of Delaware,"

Was taken up, read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Churchman,

The bill entitled "An act to revive the act entitled 'An act to amend the act entitled A further supplementary act to the act entitled An act for the stopping St. Georges Creek, and for embank-

ing 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. Georges Hundreds and County of New Castle, and for keeping the dykes and dams belonging to the same in good order and repair.' ”

Was taken up for consideration.

The question being,

“Shall this bill now pass the House?”

The yeas and nays were ordered,

Which being taken, were as follows :

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

Nays—None.

So the bill having received the constitutional majority,

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Betts,

The bill entitled “An act for the relief of the officers of volunteer companies and persons from whom arms have been taken,”

Was taken up for consideration.

On his further motion,

The bill was amended by striking out the word “act” in the thirteenth line of section 1, and inserting in lieu thereof the word “section.”

Mr. Betts moved,

To further amend the said bill by adding thereto :

SECTION 2. And be it further enacted, That it shall be lawful for any volunteer company supplied with arms under the laws of this State; on the requisition or request of the government of the United States, or any duly authorized officer or agent thereof, to deliver the same to such officer or agent for the use of the government of the United States during the continuance of the war in which it is now engaged; and such delivery shall exonerate and exempt any officer of said company so complying with such requisition or request, and his sureties from all liability on their bond for the safe custody, preservation and return of said arms to the State."

Pending which motion,

On motion of Mr. J. A. Moore,

The further consideration of the bill was postponed till Tuesday next.

Mr. Waples moved,

That when this House adjourns this afternoon, it adjourns to meet on Monday afternoon at 3 o'clock.

Which,

On being put,

Prevailed.

On motion of Mr. Higgins,

The bill entitled "An act to authorize the Levy Court of New Castle County to purchase or acquire a lot of land in Appoquinimink Hundred near to Taylor's Bridge,"

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

Pending the question,

" Shall this be section 2 of the bill ?"

On motion of Mr. Churchman,

The further consideration of the bill was postponed till this afternoon.

Pursuant to previous notice,

Mr. Virden asked, and,

On motion of Mr. Robinson,

Obtained leave to introduce a bill entitled "An act authorizing the laying out a public road in Murderkill Hundred, Kent County."

Which,

On motion of Mr. Virden,

Was read.

Mr. Betts gave notice that he would, on to-morrow, or some future day, ask leave to introduce a bill entitled "An act in relation to Chancery Jurisdiction in reference to relief from forfeiture."

Also, a bill entitled "An act relating to arrests in civil cases in the State of Delaware."

Pursuant to previous notice,

Mr. Betts asked, and,

On motion of Mr. Chandler,

Obtained leave to introduce a bill entitled "An act supplementary to the act entitled 'An act regulating the sale of intoxicating liquors,' passed at Dover March 3d, 1857."

Which,

On motion of Mr. Betts,

Was read.

Mr. Cochran from the committee to whom was referred the petition of Levi W. Lattomus and others, praying an act changing the name of "Townsend" to "Laheaster,"

Reported a bill entitled "An act to change the name of the village of Townsend."

Which,

On his motion,

Was read.

Mr. Davis from the committee to whom was referred the petition of citizens of Smyrna Station, praying an act to change the name to "Clayton,"

Reported a bill entitled "An act to change the name of the place called Smyrna Station."

On motion of Mr. Higgins,

The bill entitled "An act to amend section 28th, of chapter 60, of the Revised Statutes of the State of Delaware,"

Was read a second time by its title.

On motion of Mr. Churchman,

The Senate bill entitled "An act to authorize the Clerk of the Orphan's Court, in and for New Castle County, to procure a new seal of office,"

Was read a third time by paragraphs, and

Passed the House.

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

On the further motion of Mr. Churchman,

The Senate bill entitled "An act to authorize the Register in Chancery in and for New Castle County, to procure a new seal of office,"

Was read a third time by paragraphs, and

Passed the House.

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

On motion of Mr. Chandler,

The House adjourned.

SAME DAY, 3 o'clock, P. M.

The House met pursuant to adjournment.

It appearing that there was not a quorum of members present,

On motion of Mr. Betts,

The House adjourned until Monday afternoon at three o'clock.



MONDAY, *January 27*, 1862, 3 o'clock, P. M.

House met pursuant to adjournment.

The Speaker being absent,

On motion of Mr. Betts,

Mr. Churchman was appointed temporary Chairman.

Prayer by the Chaplain.

On calling the roll, it appeared that there was not a quorum of members present.

Whereupon,

On motion of Mr. Appleton,

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

ie



TUESDAY, *January* 28, 1862, 10 o'clock, *A. M.*

The House met pursuant to adjournment.

Prayer by the Chaplain:

The Speaker being absent,

On motion of Mr. Betts,

Mr. Appleton was appointed Speaker *pro tem.*

Mr. Robinson presented the account of Isaac Tunnell, Jr., for advertising.

Which,

On his motion,

Was read, and referred to the Committee on Claims.

Mr. Rickards presented the account of George W. Mahan, for advertising.

Which,

On his motion,

Was read, and referred to the Committee on Claims.

On motion of Mr. Boyce,

The Senate bill entitled "An act to enable Isaac G. Phillips to locate certain vacant lands in Little Creek Hundred, Sussex County, and complete his title to the same,"

Was taken up and read.

Mr. Rickards presented the petition of Eliza A. S. Scott, praying an act divorcing her from the bonds of matrimony.

Which,

On his motion,

Was read, and referred to the Committee on Divorce.

On motion of Mr. Churchman,

The bill entitled "An act to authorize the Levy Court of New Castle County to purchase or acquire a lot of land in Appoquinimink Hundred near to Taylor's Bridge,"

Was taken up for consideration.

The question being,

"Shall this be section 2 of the bill?"

On motion of Mr. Churchman,

Rule 12th of the House was suspended to enable an amendment to the bill.

On the further motion of Mr. Churchman,

The bill was amended by striking out in section 2, all said section between the word "order" in the 28th line to the word "In" in the 33d line, and inserting in lieu thereof the following words:

"The return of said freeholders shall not be conclusive, but in case either party shall be dissatisfied with the damages, such party may, on the said return being made, apply to the Court for the appointment of five other suitable and impartial freeholders as aforesaid, not being residents in Appoquinimink Hundred, to review the determination of the preceding freeholders, and make return to the next term of the said Superior Court.

"The return of such last mentioned freeholders shall be conclusive, and upon the payment of the damages assessed by them, in case a review be asked, or in case of no review being demanded upon payment of the damages awarded by the return of the freeholders first appointed, then said land shall become and be the property of the said Levy Court for the purposes before mentioned."

The bill as amended,

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Robinson,

The Senate bill entitled "An act to vacate a portion of a certain public road in Milford Hundred, in Kent County,"

Was taken up and read.

Mr. Cochran presented the petition of John Appleton and others, praying an act to lay out a certain public road in Appoquinimink Hundred.

Which,

On his motion,

Was read, and,

On motion of Mr. Betts,

Was referred to the Committee on Roads and Highways.

On motion of Mr. Clements,

The bill entitled "An act to authorize Samuel F. Hewes to change the public road in Dover Hundred,"

Was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Betts,

The bill entitled "An act further to amend the act entitled 'An act allowing an additional Constable in St. Georges Hundred, New Castle County, passed at Dover January 21, 1851,' "

Was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Higgins,

The bill entitled "An act to amend section 28th, of chapter 60, of the Revised Statutes of the State of Delaware,"

Was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Betts,

The bill entitled "An act amending the act incorporating the town of Middletown, passed at Dover February 12, 1861,"

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

Pending the question,

"Shall this be section 1 of the bill?"

On motion of Mr. Betts,

The further consideration of the bill was postponed till to-morrow.

On motion of Mr. Waples,

The bill entitled "An act to authorize the making a direct and reverse index to the mortgages recorded in the office of the Recorder of Deeds in Sussex County prior to March 1, 1861,"

Was read a second time by its title.

On motion of Mr. Rickards,

The bill entitled "An act to authorize Elijah Satterfield to change a certain public road in Milford Hundred, Kent County, Delaware,"

Was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Chandler presented the petition of Aaron Klair and others, praying an alteration of the assessment laws.

Which,

On his motion,

Was read, and referred to the committee on the petition of Joseph Cleaver and others concerning general Assessment.

On motion of Mr. Robinson,

The bill entitled "A supplement to the act entitled 'An act to authorize the laying out a public road in Kent County,' passed at Dover January 24, 1861,"

Was read a second time by its title.

On motion of Mr. Cochran,

The bill entitled "An act to change the name of the village of Townsend,"

Was read a second time by its title.

Mr Cochran presented the remonstrance of Samuel Townsend against passing an act to change the name of the village of Townsend.

Which,

On his motion,

Was read.

Pursuant to previous notice,

Mr. Betts asked, and,

On motion of Mr. Chandler,

Obtained leave to introduce a bill entitled "An act relating to arrests in civil cases in the State of Delaware."

Which,

On motion of Mr. Betts,

Was read.

On motion of Mr. Betts,

The bill entitled "An act supplementary to the act entitled 'An act regulating the sale of intoxicating liquors,' passed at Dover March 3d, 1857,"

Was read a second time by its title.

On motion of Mr. Higgins,

The bill entitled "An act to amend the 'act entitled "An act to establish Inferior Courts in the several Counties in this State,"

Was read a second time by its title.

Mr. Boyce from the Committee on Vacant Lands to whom was referred the petition of Theodore D. Price, praying an act authorizing the locating of certain vacant lands,

Reported that it was deemed inexpedient to grant the prayer of the petitioner.

Whereupon,

On motion of Mr. Robinson,

The report was accepted and the committee relieved from further consideration of the matter.

Pursuant to previous notice,

Mr. Betts asked, and,

On motion of Mr. Chandler,

Obtained leave to introduce a bill entitled "An act in relation to Chancery Jurisdiction in reference to relief from forfeiture."

Which,

On motion of Mr. Betts,

Was read.

Mr. Betts gave notice that he would, on to-morrow, or some future day, ask leave to introduce a bill entitled "An act to authorize the Prothonotary of New Castle County to record a certain paper in his office."

Also, a bill entitled "A supplement to the act entitled 'An act to create a Board of Fire Wardens in the city of Wilmington,' passed at Dover March 5, 1861."

On motion of Mr. Davis,

The bill entitled "An act to change the name of the place called Smyrna Station,"

Was read a second time by its title.

Mr. Collins presented the petition of J. R. Lofland and others, praying an act authorizing the laying out of a public road in Kent County,

Which,

On his motion,

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

On motion of Mr. Betts,

The House adjourned.

SAME DAY, 3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Chandler from the committee to whom was referred the petition of Thomas Lynam, praying an act authorizing him to lay out and vacate certain roads in Christiana Hundred,

Reported a bill entitled "An act to authorize Thomas Lynam to lay out a private road in Christiana Hundred, New Castle County."

Which,

On his motion,

Was read.

Mr. Betts gave notice that he would, on to-morrow, or some future day, ask leave to introduce a bill entitled "An act authorizing the Levy Court of the respective Counties of this State to appoint vaccine physicians."

Mr. Clements gave notice that he would, on to-morrow, or some future day, ask leave to introduce a bill entitled "An act to amend section 42, chapter 99, of the Revised Statutes of the State of Delaware."

On motion of Mr. Robinson,

The bill entitled "An act to amend chapter 55, of the Revised Statutes of the State of Delaware,"

Was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Higgins from the special committee to whom was referred the petition of Joseph Cleaver and others, and Aaron Klair and others, praying an alteration in the general assessment laws,

Reported a bill entitled "An act to amend chapter 11 of the Revised Code, relating to the valuation of property."

Which,

On his motion,

Was read.

On motion of Mr. Higgins,

The Clerk was directed to have one thousand copies of the bill printed for the use of the House and Senate.

Mr. Betts from the Committee on Corporations, to whom was referred the Senate bill entitled "An act to establish the Brandywine and Centreville Cemetery of Christiana Hundred,"

Reported the bill with a recommendation that it may be concurred in and passed.

Whereupon,

On motion of Mr. Betts,

The bill was read a second time by its title.

On motion of Mr. Virden,

The bill entitled "An act authorizing the laying out a public road in Murderkill Hundred, Kent County,"

Was read a second time by its title.

On the further motion of Mr. Virden,

The bill was amended by adding the following as section 6th :

SECTION 6. And be it further enacted, That if any person or persons shall injure or destroy the gates authorized to be erected by this act during the period for which they are hereby authorized to be erected, or either of them, or open them or either of them, and leave them or either of them open, he, she, or they, shall forfeit and pay for every such offence a sum not exceeding five dollars, which may be recovered as debts of like amount are recoverable by the laws of this State, by any person who shall sue for the same, and shall also pay to the person or persons injured all damages that may be sustained by reason of such neglect or wilfulness. Provided, it shall be the duty of the owner or owners through whose lands the said road shall pass to keep the respective gate or gates upon or between their said lands in good repair and convenient to be opened and shut."

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

Reported adversely to granting the prayer of the petitioners.

Mr. Virden presented the petition of John W. Hall and others, praying an amendment to an act passed January 22, 1810.

Which,

On his motion,

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

Whereupon,

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

Mr. Rickards from the Committee on Roads and Highways, to whom was referred the petition of John Appleton and others,

Reported a bill entitled "An act to lay out a public road in Appoquinimink Hundred in New Castle County."

Which,

On his motion,

Was read.

Mr. Clements from the committee to whom was referred the petition of Joshua P. Hayes, to locate certain vacant lands,

Reported a bill entitled "An act to enable Joshua P. Hayes, to locate certain vacant lands in Little Creek and Dover Hundreds in Kent County, and complete his title to the same."

Which,

On his motion,

Was read.

Mr. Broadaway gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled "An act calling a Convention to abolish life tenures in office and property qualifications for office, and to cause more of the public officers to be elected by the people; and also to effect such other amendments to the Constitution of this State, as may be necessary and proper."

On motion of Mr. Betts,

Rule 12th of the House was suspended in order to read a bill a third time by special order.

On his further motion,

The bill entitled "An act to change the name of the villagg of Towns^dend,"

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

The question being,

"Shall this bill pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows :

Yeas—Messrs. Appleton, Broadway, Calhoon, Chandler, Clements, Cochran, Collins, Davis, Virden, C. Williamson—10.

Nays—Messrs. Betts, Boyce, Churchman, Higgins, J. A. Moore, Jonathan Moore, Phillips, Rickards, Robinson, Waples—10.

So the bill was

Lost.

Mr. Boyce from the Committee on Vacant Lands, made the following report, accompanied by a bill entitled "An act in relation to certain Vacant Lands :"

"The Committee on Vacant Lands to whom was referred the resolution of the House, passed on the 22d instant, directing a report 'upon the propriety of the State, charging a nominal rent for the occupancy of all vacant lands, with a view to prevent title being obtained to certain lands, by occupancy merely,' respectfully report, that they have had the subject under consideration, and have come to the conclusion that a proper law ought to be passed, which shall apply to vacant lands surrounded by navigable water, for the reason that those lands or portions of them may be needed for purposes of defence against armed aggression ; they therefore have concluded to submit to the House, the accompanying bill, and ask to be discharged from the further consideration of the subject. The Committee, however, deem it due to themselves to say : that in their opinion no length of mere occupancy will give a title to the occupant against the State in cases of salt marsh, beach or shore, although the salt marsh may be an island in the Delaware ; still to

avoid all possibility of question, the accompanying bill is reported.

Respectfully submitted, by

JAMES H. BOYCE,
CHARLES WILLIAMSON,
ABRAM CHANDLER.

Which,

On his motion,

Was read.

On motion of Mr. Broadaway,

The report was adopted and the committee discharged from further consideration on the subject.

On motion of Mr. Boyce,

The bill accompanying said report entitled "An act in relation to certain vacant land,"

Was read.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in and passed sundry House bills, entitled as follows :

"An act to incorporate Wilmington Council, No 1, United American Mechanics, of Wilmington, Delaware."

"An act to amend an act entitled 'An act authorizing the Recorder of Deeds of New Castle County to make an indirect mortgage index.'"

Also, "An act to annul the marriage contract between James W. and Ann Jane Birnie."

Also, that the Senate had passed and requested the concurrence of the House in a bill entitled "An act to amend section 63, of chapter 111, of the Revised Code, in relation to the lien of executions as against subsequent execution creditors."

And he withdrew.

Mr. J. A. Moore gave notice that he would, on to-morrow, or some future day, ask leave to introduce a bill entitled "An act to authorize the Prothonotary of Kent County to bring up the entry of the Sheriff's returns to final executions."

On motion of Mr. Churchman,

The Senate bill entitled "An act to amend section 63, of chapter 111, of the Revised Code in relation to the lien of executions as against subsequent execution creditors,"

Was taken up and read.

Mr. J. A. Moore gave notice that he would, on to-morrow, or some future day, ask leave to introduce a bill entitled "An act to amend chapter 66, of the laws passed at Dover February 28, 1861."

On motion of Mr. Churchman,

The bill entitled "An act to amend the act entitled 'An act to create a Board of Fire Wardens in the city of Wilmington,'"

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

On the question,

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows :

Yeas—Mr. Collins—1.

Nays—Messrs. Appleton, Betts, Boyce, Broadaway, Calhoon, Chandler, Churchman, Clements, Cochran, Davis, Higgins, J. A. Moore, Jonathan Moore, Phillips, Rickards, Robinson, Vir-den, Waples, C. Williamson—19.

So the bill was

Lost.

Mr. Chandler moved,

That the House do now adjourn.

Which motion was

Lost.

On motion of Mr. Robinson,

The vote by which the bill entitled "An act to change the name of the village of Townsend," was lost,

Was reconsidered.

The question being,

"Shall this bill pass the House?"

Pending which,

On motion of Mr. Robinson,

The further consideration of the same was postponed till to-morrow.

On motion of Mr. J. A. Moore,

The House adjourned.

WEDNESDAY, *January 29, 1862, 10 o'clock, A. M.*

The House met pursuant to adjournment.

The Speaker being absent, Mr. Appleton the Speaker *pro. tem.* in the Chair.

Prayer by the Chaplain.

Mr. Robinson from the Committee on Enrollment, reported the bill entitled "An act to amend section 7, of chapter 59 of the Revised Code of the State of Delaware," as duly and correctly enrolled, and presented the same for the signature of the Speaker.

Mr. Robinson presented the account of Isaac Tunnel, Jr., for subscription to the Messenger.

Which,

On his motion,

Was read, and referred to the Committee on Claims.

Mr. Rickards from the committee to whom was referred the petition of George W. Groves and others,

Report that they deem it inexpedient to report a bill granting the prayer of the petitioners,

On motion of Mr. Betts,

The report was

Adopted.

Pursuant to previous notice,

Mr. Clements asked, and,

On motion of Mr. Chandler,

Obtained leave to introduce a bill, entitled "An act to amend section 42, of chapter 99, of the Revised Statutes of the State of Delaware."

Which,

On motion of Mr. Clements,

Was read.

On motion of Mr. Rickards,

The bill entitled "An act to lay out a public road in Appoquinimink Hundred in New Castle County,"

Was read a second time by its title.

On motion of Mr. Higgins,

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

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

Pending the question,

"Shall this bill pass the House?"

On motion of Mr. Rickards,

The further consideration of the bill was postponed till Friday morning next.

On motion of Mr. Chandler,

The bill entitled "An act to authorize Thomas Lynam to lay out a private road in Christiana Hundred, New Castle County,"

Was read a second time by its title.

On motion of Mr. Clements,

The bill entitled "An act to enable Joshua P. Hayes, to locate certain vacant lands in Little Creek and Dover Hundreds in Kent County, and complete his title to the same,"

Was read a second time by its title.

Pursuant to previous notice,

Mr. Betts, asked, and,

On motion of Mr. Higgins,

Obtained leave to introduce a bill entitled "An act to authorize the Prothonotary of New Castle County to record a certain paper in his office."

Which,

On motion of Mr. Betts,

Was read.

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

On motion of Mr. Chandler,

Obtained leave to introduce a bill entitled "A supplement to the

act entitled "An act to create a Board of Fire Wardens in the city of Wilmington," passed at Dover March 5, 1861."

Which,

On motion of Mr. Betts,

Was read.

On motion of Mr. Boyce,

The Senate bill entitled "An act to enable Isaac G. Phillips to locate certain vacant lands in Little Creek Hundred, Sussex County, and complete his title to the same,"

Was read a second time by its title.

On motion of Mr. Rickards,

The bill entitled "An act declaring inoperative so much of an act entitled 'An act in relation to public roads and highways in St. Georges and Appoquinimink Hundreds in New Castle County,' passed at Dover February 21, 1859, as relates to Appoquinimink Hundred,"

Was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Betts,

The bill entitled "An act relating to arrests in civil cases in the State of Delaware,"

Was read a second time by its title.

On the further motion of Mr. Betts,

The bill entitled "An act in relation to Chancery Jurisdiction in reference to relief from forfeiture,"

Was read a second time by its title.

On motion of Mr. Waples,

The bill entitled "An act to authorize the making a direct and reverse index to the mortgages recorded in the office of the Recorder of Deeds in Sussex County, prior to March 1st, 1861,"

Was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Chandler from the Committee on Divorce, to whom was referred the petition of Eliza A. S. Scott,

Reported a bill entitled "An act to annul the marriage contract between David and Eliza A. S. Scott."

Which,

On his motion,

Was read.

On motion of Mr. Betts,

The Senate bill entitled "An act to amend section 63, of chapter 111, of the Revised Code in relation to the lien of executions as against subsequent execution creditors,"

Was read a second time by its title.

On motion of Mr. Virden,

The bill entitled "An act authorizing the laying out a public road in Murderkill Hundred, Kent County,"

Was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Robinson,

The Senate bill entitled "An act to vacate a portion of a certain public road in Milford Hundred, in Kent County,"

Was read a second time by its title.

On motion of Mr. Betts,

The Senate bill entitled "An act to establish the Brandywine and Centreville Cemetery of Christiana Hundred,"

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

The question being,

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows :

Yeas—Messrs. Appleton, Betts, Boyce, Broadaway, Calhoon, Chandler, Churchman, Clements, Cochran, Collins, Davis, Higgins, Jonathan Moore, Phillips, Rickards, Robinson, Virde, Waples, G. Williamson—19.

Nays—None.

So the bill having received the constitutional majority,

Passed the House.

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

On motion of Mr. Churchman,

The Senate bill entitled "An act authorizing Deputy Sheriffs to administer oaths,"

Was read a second time by its title.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in, and passed the House bill entitled "An act declaring the cesser of the grants, liberties and privileges contained and specified in the act of the General Assembly of the State of Delaware, entitled 'An act for the encouragement of internal improvements in the State of Delaware,' passed at Dover, January 26, 1859, and to resume and revest the same in the said State."

And he withdrew.

On motion of Mr. Boyce,

The bill entitled "An act in relation to certain vacant land,"

Was read a second time by its title.

On motion of Mr. Betts,

The bill entitled "An act amending the act incorporating the town of Middletown, passed at Dover February 12, 1861,"

Was taken up for consideration.

The question being,

"Shall this be section 1 of the bill?"

On the further motion of Mr. Betts,

Rule 15th was suspended to enable the amendment of the bill on the third reading.

On motion of Mr. Betts,

The bill was amended by striking out section 1, and inserting in lieu thereof the following:

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met, (two

thirds of each branch of the Legislature concurring,) That the fourth section of the act entitled "An act to incorporate the town of Middletown," passed at Dover February 12, 1861, be and the same is hereby amended, to wit, by striking out the words, "Levy Court of New Castle County but the said Levy Court," in line 6, of said section, and inserting in lieu thereof the words, "Road Commissioners of St. Georges Hundred but the said Road Commissioners." Also, by striking out the word "fifty" in line 8, of the same section and inserting in lieu thereof the words "one hundred," and by striking out the words "Levy Court," in line 11, of the same section, and inserting in lieu thereof the words, "Road Commissioners of St. Georges Hundred."

The question being,

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows :

Yeas—Messrs. Appleton, Betts, Boyce, Broadway, Calhoon, Chandler, Churchman, Clements, Cochran, Davis, Higgins, Jonathan Moore, Phillips, Rickards Robinson, Virden, Waples, C. William-son—18.

Nays—None.

So the bill having received the constitutional majority,

Passed the House.

Ordered to the Senate for concurrence.

Mr. Robinson gave notice that he would, at some early day, ask leave to introduce a Resolution for the appointment of a Joint Committee to inquire into and report whether the passage of the act entitled "An act for the encouragement of Internal Improvements in the State of Delaware," was promoted by the use of improper means and whether any person or persons, before or after the passage of said act have entered into any engagement, either expressed or implied, to resist the passage of any legislation hostile to said act or

the interest created by it, and the nature of such engagement, and the names of such person or persons; and whether any person or persons either before or after the passage of said act have accepted any present or gift either of money or an obligation to pay money, with the understanding, express or implied, that the same should be regarded as in the nature of compensation or retainer for the performance of service for the grantee under said Statute, or any one having or to have an interest therein, in favor or resistance of such legislation; and further, that if the said committee should find that any of such engagements were made, that they then further inquire and report whether any payments have been made on account of said engagement since the said act was passed, and by, and to whom, and when; and that said committee have power to send for persons and papers.

On motion of Mr. Higgins,

The House adjourned.

SAME DAY, 3 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Robinson,

The bill entitled "A supplement to the act entitled 'An act to authorize the laying out a public road in Kent County,' passed at Dover January 24, 1861,"

Was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Pursuant to previous notice,

Mr. J. A. Moore asked, and,

On motion of Mr. Churchman,

Obtained leave to introduce a bill entitled "An act to authorize the Prothonotary of Kent County to bring up the entry of the Sheriff's returns to final executions."

Which,

On motion of Mr. J. A. Moore,

Was read.

Mr. Betts presented the petition of Alexander Montgomery, praying an act to divorce his son, John C. Montgomery, from the bonds of matrimony.

Which,

On his motion,

Was read.

Mr. Churchman moved,

To refer the same to a special committee of three, with leave to report by bill or otherwise.

Whereupon,

Mr. J. A. Moore moved,

To amend by striking out "special committee of three," and inserting "Committee on Divorce."

Which motion

Prevailed.

And the petition was so referred to the Committee on Divorce.

Pursuant to previous notice,

Mr. J. A. Moore asked, and,

On motion of Mr. Churchman,

Obtained leave to introduce a bill entitled "An act to amend chapter 66, of the laws, passed at Dover February 28, 1861."

Which,

On his motion,

Was read.

Mr. Betts moved,

That Rule 7th be suspended to enable the member from Appoquinimink, to introduce a bill entitled "A supplement to the act entitled 'An act for the measurement and inspection of lime.'"

Mr. Churchman moved

To amend by rescinding the rule during the session.

Which,

On being put,

Was

Lost.

The question recurring on the original motion to suspend,

Prevailed.

By special order,

Mr. Cochran asked, and,

On motion of Mr. Churchman,

Obtained leave to introduce a bill entitled "A supplement to the act entitled 'An act for the measurement and inspection of lime.'"

Which,

On motion of Mr. Cochran,

Was read.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in and passed sundry House bills, entitled as follows :

"An act to divorce Mary Elizabeth Townsend, formerly Mary Elizabeth Wheatly, from the bonds of matrimony."

Also, "An act to revive the act entitled An act to amend the act entitled A further supplementary act to the act entitled 'An act for the stopping St. Georges 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. Georges 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 non-concurred in the bill entitled "An act to authorize the appointment of an additional Justice of the Peace in New Castle County to reside at Christiana."

Also, that the Joint Resolution for the relief of Edward Willey, had been indefinitely postponed.

Also, that the Senate had passed and requested the concurrence of the House in a bill entitled "An act to revive an act entitled 'An act to enable Waitman Jones to locate certain vacant land in North West Fork Hundred in Sussex County, and complete his title to the same.'"

And he withdrew.

Mr. Rickards from the Committee on Roads and Highways, to whom was referred the petition of James R. Lofland and others,

Reported a bill entitled "An act to open a public road in Milford Hundred, in Kent County."

Which,

On his motion,

Was read.

On motion of Mr. Robinson,

The bill entitled "An act to change the name of the village of Townsend,"

Was taken up for consideration.

The question being,

“Shall this bill pass the House?”

The yeas and nays were ordered,

Which being taken, were as follows :

Yeas—Messrs. Appleton, Broadway, Calhoon, Cochran, Davis, Robinson, Virden—7.

Nays—Messrs. Betts, Boyce, Chandler, Churchman, Clements, Collins, Higgins, J. A. Moore, Jonathan Moore, Phillips, Rickards, Waples, C. Williamson—13.

So the bill was

Lost.

On motion of Mr. Davis,

The bill entitled “An act to change the name of the place called Smyrna Station,”

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

The question pending,

“Shall this bill pass the House?”

On motion of Mr. J. A. Moore,

The further consideration was postponed till Friday morning next.

Mr Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had adopted and requested the concurrence of the House in a “Joint Resolution to adjourn both branches of the Legislature.”

And he withdrew.

Whereupon,

On motion of Mr. Broadaway,

The "Joint Resolution to adjourn both branches of the Legislature,"

Was taken up and read :

Resolved, by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the two Houses of this General Assembly do adjourn on Friday next the 31st day of January, 1862, *sine die*."

On motion of Mr. Betts,

The further consideration of the same was postponed till to-morrow afternoon.

Mr. Rickards gave notice that he would, on to-morrow, or some future day, ask leave to introduce a bill entitled "An act to repeal an act entitled 'An act to amend chapter 89, section 25, of the Revised Statutes of the State of Delaware,' passed at Dover February 7th, 1861."

On motion of Mr. Appleton,

Rule 7th of the House was suspended to enable the introduction of a bill without previous notice.

Whereupon,

Mr. Appleton asked, and,

On motion of Mr. Betts,

Obtained leave to introduce a bill entitled "An act proposing an amendment to the Constitution of the State of Delaware."

Which,

On motion of Mr. Appleton,

Was read.

Mr. Robinson gave notice that he would, on to-morrow, or some future day, ask leave to introduce a bill entitled "An act to suppress a great and growing evil."

Pursuant to previous notice,

Mr. Betts asked, and,

On motion of Mr. Chandler,

Obtained leave to introduce a bill entitled "An act authorizing the Levy Court of the respective Counties of this State to appoint vaccine physicians."

Which,

On motion of Mr. Betts,

Was read.

Mr. Betts presented the petition of Philemma Chandler and others, praying the passage of an act to encourage and support a militia or volunteer force.

Which,

On his motion,

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

Whereupon,

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

On motion of Mr. Waples,

The Senate bill entitled "An act to revive an act entitled 'An act to enable Waitman Jones to locate certain vacant land in North West Fork Hundred in Sussex County, and complete his title to the same,'"

Was taken up and read.

On motion of Mr. Churchman,

Rule 12th of the House was suspended to read a bill by special order.

Whereupon,

On the further motion of Mr. Churchman,

The Senate bill entitled "An act authorizing Deputy Sheriffs to administer oaths,"

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

Pending the question,

"Shall this bill pass the House?"

On motion of Mr. Waples,

The further consideration of the same was postponed till to-morrow.

On motion of Mr. Chandler,

The House adjourned.

THURSDAY, *January* 30, 1862, 10 o'clock, *A. M.*

The House met pursuant to adjournment.

Prayer by the Chaplain.

The Speaker in the Chair.

Pursuant to previous notice,

Mr. Broadaway asked, and,

On motion of Mr. Clements,

Obtained leave to introduce a bill entitled "An act calling a Convention to abolish life tenures in office and property qualifications for office, and to cause more of the public officers to be elected by the people; and also to effect such other amendments to the Constitution of this State, as may be necessary and proper."

Which,

On motion of Mr. Broadaway, 14*

Was read.

Mr Phillips from the Committee on Enrollments, reported the following bills as correctly enrolled, and presented the same to the Speaker for his signature, entitled:

"An act to divorce Mary Elizabeth Townsend, formerly Mary Elizabeth Wheatly, from the bonds of matrimony."

Also, "An act to annul the marriage contract between James W. and Ann Jane Birnie."

Also, "An act to revive the act entitled 'An act to amend the act entitled A further supplementary act to the act entitled An act for the stopping St. Georges 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. Georges Hundreds and County of New Castle, and for keeping the dykes and dams belonging to the same in good order and repair.'"

Also, "An act authorizing the Recorder of Deeds of New Castle County to make an indirect mortgage index.'"

On motion of Mr. Chandler,

The bill entitled "An act to authorize Thomas Lynam to lay out a private road in Christiana Hundred, New Castle County,"

Was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Robinson,

The Senate bill entitled "An act to vacate a portion of a certain public road in Milford Hundred in Kent County,"

Was read a third time by paragraphs, and

Passed the House.

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

The Speaker laid the following communication from the State Treasurer, upon the Clerk's table, which was read :

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

By a Joint Resolution of the General Assembly, passed on the 16th inst., I was authorized to ascertain for their information, whether the Banks of this State can loan the State the sum of \$65,385 23 for a period of six months: I have the honor to report, that in accordance with said resolution, I have communicated with the President, Directors & Co., of all the Banks of the State, and have up to this date received replies from eight of said Banks, which replies I beg leave very respectfully to submit herewith for the information of the General Assembly.

I have the honor to be very respectfully,

Your obedient servant,

SAMUEL B. HITCH,

State Treasurer.

DOVER, Delaware, January 30, 1862.

BANK OF WILMINGTON AND BRANDYWINE, }
Wilmington, Delaware, January 27th, 1862. }

SAMUEL B. HITCH, Esq.,

State Treasurer, Dover, Del.

Dear Sir:—Your communication of 24th inst., is received. In reply, I would state that this bank has agreed to loan the State the

sum of Ten Thousand Dollars, for a period of six months, if applied for during the present session of the Legislature.

Very Respectfully,

Your obedient servant,

GEORGE BUSH, President.

BANK OF SMYRNA, }
January 27, 1862. }

SAMUEL B. HITCH, Esq.,

State Treasurer :

Dear Sir:—Your letter of the 24th inst., with a copy of a Joint Resolution of the the General Assembly, requiring you “to ascertain whether the Banks of this State can loan to the State the sum of \$65,385 23, for a period of six months,” has been received, and will be submitted to our board of Directors on Thursday next.

I may now say that this Bank will probably be able and willing at all times to loan to the State such a proportion of the sum which the General Assembly may require the State to borrow, as her paid up capital will bear to the whole amount of paid up capital of the Banks within the State. I am not, however, authorized to state as you request any specific sum we can now take of the \$65,385 23, and presume that a definite reply may be postponed until after the General Assembly shall have adopted some decisive measure on the subject.

Yours very respectfully,

W. M. BELL, Cashier.

MECHANICS BANK,
Wilmington, Del., January 27, 1862. }

Dear Sir:—I have the honor to acknowledge the receipt of your communication bearing date the 24th inst. Also, the accompanying joint resolution of the General Assembly, which were this day presented to the Board of Directors. And most respectfully refer you to the enclosed resolution passed by the Board, as the most satisfactory reply to your enquiry, &c.

Yours most respectfully,

SAMUEL BIDDLE, Cashier.

Samuel B. Hitch, Esq., State Treasurer, Dover.

MECHANICS BANK,
Wilmington, Del., January 27, 1862. }

At a regular meeting of the Board of Directors of the Mechanics Bank, held this day at the Banking House, a communication from the State Treasurer, with the accompanying Joint Resolution of the General Assembly, passed at Dover January 16th, 1862, were presented and read; and it was unanimously,

Resolved, That the Cashier be directed to inform the State Treasurer, that this Bank will loan the State the sum of Ten Thousand Dollars for six months, as requested; but are not willing to continue the offer for an indefinite period of time.

(Signed,) WILLIAM TATNALL, Secretary.

A true copy from the minutes.

Attest, SAMUEL BIDDLE, Cashier.

BANK OF DELAWARE, }
 Wilmington, January 28, 1862. }

SAMUEL B. HITCH, Esq.,

State Treasurer:

Sir:—Your letter of the 24th inst., with copy of the resolution passed by the General Assembly, came duly to hand, and was laid before our Board of Directors this morning. I am instructed to reply that this Bank will loan the State Ten Thousand Dollars, for the period named in the resolution.

Very Respectfully,

S. FLOYD, Cashier.

FARMERS BANK, }
 At Dover, January 28, 1862. }

WHEREAS, the State of Delaware, through its agent the State Treasurer, has applied to the Board to ascertain what portion of the sum of sixty-five thousand three hundred and eighty-five dollars and twenty-three cents, can be loaned by the Board to the said State, under the resolution of the General Assembly, passed on the 16th instant: And whereas, the duty of aiding the State under the circumstances is deemed obligatory, and its performance is acceptable to the Board. Therefore,

Resolved, That this Board will accommodate the State with such amount of loan, and for such time as the General Assembly may deem it equitable to require at our hands.

Resolved, That a copy of the foregoing be communicated by the Cashier to the State Treasurer.

(Signed,)

H. RIDGELY, President.

Attest, J. P. WILD, Cashier.

UNION BANK OF DELAWARE, }
Wilmington, January 28, 1862. }

SAMUEL B. HITCH, Esq.,

State Treasurer, Dover, Delaware :

Your communication under date of the 24th inst., has been laid before the Board of Directors, and I am instructed by the President to say to you that the Union Bank of Delaware will cheerfully loan to the State for the time indicated her proportion of the said sum of sixty-five thousand three hundred and eighty-five dollars and twenty-three cents, taking the aggregate banking capital of the State as determining the ratio. Our capital already paid in is two hundred and three thousand dollars.

Very Respectfully,

J. T. WARNER, Cashier.

DELAWARE CITY BANK, }
January 28, 1862. }

SAMUEL B. HITCH, Esq.,

State Treasurer :

Dear Sir :—Your letter of the 24th inst., has been laid before the Board of Directors of this Bank, and, in reply to your inquiry, I am directed to say that we will cheerfully unite with the other Banks of the State in furnishing the amount, specified and for the time mentioned in the resolution of the General Assembly, each Bank contributing to the loan in proportion to the amount of its Capital Stock.

Very Respectfully,

Yours, &c.

WM. W. FERRIS, Cashier.

NEWARK, January 28th, 1862.

MR. SAMUEL B. HITCH :

Dear Sir :—Yours of the 24th inst., was laid before the Directors of the Bank of Newark to-day. It was unanimously

Resolved, That we would take such portion of the loan asked for, in proportion with the other Banks, as our capital is to theirs.

Yours truly,

C. W. BLANDY, President.

On motion of Mr. Appleton,

The communication with the accompanying letters were referred to the committee "on so much of the Governor's Message as relates to the subject of this State's assuring its share of the direct tax laid by the General Government."

On motion of Mr. Robinson,

The Senate "Joint Resolution authorizing John Green to draw on the State Treasurer for certain expenses therein named,"

Was taken up for consideration.

The question being on the motion to concur,

On motion of Mr. Betts,

The Resolution was amended by adding thereto the words "and that he is hereby directed to present to this or the next Legislature his accounts and vouchers for the money so drawn."

The motion to concur as amended, then *Prevailed.*

Ordered that the Senate be informed thereof, and the Resolution with the amendment returned to that body.

On motion of Mr. Betts,

The bill entitled "An act for the relief of the officers of volunteer companies and persons from whom arms have been taken,"

Was taken up for consideration.

The question being,

"Shall the bill be amended by adding section 2?"

Which,

On being put,

Was

Lost.

Mr. Betts moved,

That the further consideration of the bill be indefinitely postponed.

Which motion was

Lost.

Mr. Clements moved,

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

Pending which,

On motion of Mr. Rickards,

The further consideration was postponed till to-morrow morning.

On motion of Mr. Clements,

The bill entitled "An act to amend section 42, of chapter 99, of the Revised Statutes of the State of Delaware,"

Was read a second time by its title.

On motion of Mr. Clements,

The bill entitled "An act to enable Joshua P. Hayes, to locate certain vacant lands in Little Creek and Dover Hundreds in Kent County, and complete his title to the same,"

Was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Betts,

The bill entitled "An act authorizing the Levy Court of the respective Counties of this State to appoint vaccine physicians,"

Was read a second time by its title.

On motion of Mr. Appleton,

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

Was read a second time by its title.

On motion of Mr. J. A. Moore,

The bill entitled "An act to amend chapter 66, of the laws, passed at Dover February 28, 1861,"

Was read a second time by its title.

On motion of Mr. Betts,

The bill entitled "A supplement to the act entitled "An act to create a Board of Fire Wardens in the city of Wilmington," passed at Dover March 5, 1861,"

Was read a second time by its title.

On motion of Mr. Betts,

The bill entitled "An act to authorize the Prothonotary of New Castle County to record a certain paper in his office,"

Was read a second time by its title.

On motion of Mr. Rickards,

The bill entitled "An act to open a public road in Milford Hundred, in Kent County,"

Was read a second time by its title.

On motion of Mr. Boyce,

The Senate bill entitled "An act to enable Isaac G. Phillips to locate certain vacant lands in Little Creek Hundred, Sussex County, and complete his title to the same,"

Was read a third time by paragraphs, and

Passed the House.

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

On motion of Mr. Rickards,

The House adjourned.

SAME DAY, 3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Churchman from the Committee on Enrollments, reported sundry bills duly and correctly enrolled, and presented the same to the Speaker for his signature, entitled as follows:

"An act declaring the cesser of the grants, liberties and privileges contained and specified in the act of the General Assembly of the State of Delaware, entitled 'An act for the encouragement of internal improvements in the State of Delaware,' " passed at Dover January 26, 1859, and to resume and revest the same in the said State.

Also, "An act to incorporate Wilmington Council, No 1, United American Mechanics, of Wilmington, Delaware."

On motion of Mr. Chandler,

The bill entitled "An act to annul the marriage contract between David and Eliza A. S. Scott,"

Was read a second time by its title.

Pursuant to previous notice,

Mr. Robinson asked, and,

On motion of Mr. Clements,

Obtained leave to introduce a bill entitled "An act to suppress a great and growing evil."

Which,

On motion of Mr. Robinson,

Was read.

Mr. Virden from the committee to whom was referred the petition of John W. Hall and others,

Reported a bill entitled "An act to prevent obstructions to the navigation of Murderkill Creek and Spring Creek, and its branches in Kent County."

Which,

On his motion,

Was read.

On motion of Mr. Waples,

The Senate bill entitled "An act to revive an act entitled 'An act to enable Waitman Jones to locate certain vacant land in North West Fork Hundred in Sussex County, and complete his title to the same,'"

Was read a second time by its title.

On motion of Mr. Appleton,

The bill entitled "An act to lay out a public road in Appoquinimink Hundred in New Castle County,"

Was taken up for consideration.

On motion of Mr. Appleton,

The bill was amended by striking out in the 18th line, section 1, the word "across" and insert in lieu thereof the word "to." Also, by striking out all after the word "Landing" in the said 13th line to the word "and" in the 16th line.

On his further motion,

The bill was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Cochran,

The bill entitled "A supplement to the act entitled 'An act for the measurement and inspection of lime,'"

Was read a second time by its title.

On motion of Mr. Churchman,

The Senate bill entitled "An act authorizing Deputy Sheriffs to administer oaths,"

Was taken up for consideration.

The question being,

"Shall this bill now pass the House?"

And the vote being taken thereon,

The bill

Passed the House.

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

On motion of Mr. Clements,

The Senate "Joint Resolution to adjourn both branches of the Legislature,"

Was taken up for consideration, and,

On motion of Mr. Rickards,

The further consideration of the same was postponed till next Tuesday.

Mr. Betts from the committee on the communication of the State Treasurer to whom was referred the memorial of Wood, Eddy & Co., made the following report :

The Committee on Lotteries to whom was referred the memorial of Wood, Eddy & Co., asking the General Assembly to refund them a pro-rata share of their last annual payment on account of the stoppage of their business by the Court of Chancery of this State, or to afford them other relief in the premises, beg leave to report that they have considered the subject and find the assertions therein contained, so far as they can learn, to be substantially true and correct.

While your committee must admit that they believe the spirit of the grant to A. E. Stimpson has been grossly violated by the action (whether legal or otherwise) of the Court, and while they must also admit that the liberality of the assignees of this grant (who paid at the request of interested persons in advance of what they were obli-

gated to do by the terms of the grant) has been shamefully abused instead of being gratefully returned ; yet they feel that no charge of bad faith can be laid to the State itself on account of the pressing requests of persons acting without any authority.

Were the Lottery system to be continued in this State it might be a question for your committee to consider the propriety of grant-some further privilege or grant to said memorialists, in consideration of the circumstances under which their own liberality (now seen to be an error) worked an injury to themselves, but believing the system is now ended in this State, and feeling that this money was of no advantage to the State Treasury in any way, it merely passing through it on its way to the beneficiaries, they are unable to see any way in which the General Assembly could make them any suitable allowance.

Had your memorialists followed closely the provisions of their grant, and then by any action of the State authorities, had been defeated in the enjoyment of their rights and privileges, the General Assembly might very properly accede to their request and refund them the amount asked for, but as the whole trouble comes from their being persuaded to pay their instalments in advance by persons having no authority in the matter thus neglecting the provisions of the grant, and the State having received no benefit whatever from said advanced payments, your committee cannot see that any redress can be given.

They ask respectfully to be discharged from the further consideration of the subject.

All of which is respectfully submitted,

EDWARD BETTS,
A. BROADAWAY,
W. H. RICKARDS,
Committee.

DOVER, January 30, 1862.

On motion of Mr. Appleton,

The report was accepted and the committee discharged from the further consideration of the subject.

Pursuant to previous notice,

Mr. Rickards asked, and,

On motion of Mr. Chandler,

Obtained leave to introduce a bill entitled "An act to repeal an act entitled 'An act to amend chapter 89, section 25, of the Revised Statutes of the State of Delaware,' passed at Dover, February 7th, 1861."

Which,

On motion of Mr. Rickards,

Was read.

On motion of Mr. Betts,

The bill entitled "An act in relation to Chancery Jurisdiction in reference to relief from forfeiture,"

Was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Churchman,

The bill entitled "An act in relation to certain vacant land,"

Was taken up for consideration.

On his further motion,

The bill was amended by inserting in line 5, of section 2, after the word "State" and before the word "to" the words "to any citizen of this State or."•

On the further motion of Mr. Churchman,

The bill was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Chandler from the Committee on Divorce, to whom was referred the petition of Alexander Montgomery,

Reported a bill entitled "An act to annul the marriage contract between John C. and Emma Montgomery."

Which,

On his motion,

Was read.

On motion of Mr. Appleton,

Rule 12th of the House was suspended to enable the reading of a bill by special order.

Whereupon,

On motion of Mr. Cochran,

The bill entitled "A supplement to the act entitled 'An act for the measurement and inspection of lime,'"

Was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Betts,

The bill entitled "An act relating to arrests in civil cases in the State of Delaware,"

Was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. J. A. Moore presented the petition of R. H. Cummins and others, praying an act taxing dogs.

Which,

On his motion,

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

Whereupon,

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

On motion of Mr. Clements,

Rule 12th of the House was suspended to read a bill a third time by special order.

Whereupon,

On motion of Mr. Clements,

The bill entitled "An act to amend section 42, chapter 99, of the Revised Statutes of the State of Delaware,"

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

Pending the question,

"Shall this be section 1 of the bill?"

On motion of Mr. Clements,

The further consideration of the bill was postponed till to-morrow.

On motion of Mr. Betts,

Rule 12th of the House was suspended to read a bill a third time by special order.

Whereupon,

On motion of Mr. Betts,

The bill entitled "A supplement to the act entitled 'An act to create a Board of Fire Wardens in the city of Wilmington,' passed at at Dover March 5, 1861,"

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

The question being,

"Shall this bill pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows:

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

Nays—None.

So the bill having received the constitutional majority,

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Betts,

Rule 12th of the House was suspended to read a bill a third time by special order.

Whereupon,

On the further motion of Mr. Betts,

The bill entitled "An act to authorize the Prothonotary of New Castle County to record a certain paper in his office,"

Was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. J. A. Moore,

The bill entitled "An act to authorize the Prothonotary of Kent County to bring up the entry of the Sheriff's returns to final executions,"

Was taken up for consideration.

On motion of Mr. J. A. Moore,

The bill was amended by adding as section 3, the following :

SECTION 3. And be it also further enacted by the authority aforesaid, That it shall hereafter at all times be the duty of the Prothonotaries of the several Counties of this State, and they are hereby required to enter in the manner described in section 1, of this act, the Sheriff's returns to all final executions which shall hereafter be issued out of the Superior Court of this State, upon the return of the writs to their respective offices by the Sheriff, for which service the said Prothonotaries shall be allowed twelve cents for each return so entered as aforesaid, to be taxed and recovered with their other costs in the case. And if either of the said Prothonotaries shall refuse or neglect, for the space of sixty days, after the return of any writ to his office as aforesaid, to enter the said final return of the Sheriff upon it, hereby enjoined upon him, he shall be liable to the defendant in the judgment upon which the execution was issued in damages to be recovered by an action on the case. The damages shall not be less than five nor more than ten dollars, except when special damages to a larger amount shall be alleged in the declaration, and proved.

On his further motion,

The bill was read a second time by its title.

Mr. Rickards moved,

That when the House adjourns this afternoon it will adjourn to meet to-morrow morning at 9½ o'clock.

On motion of Mr. Waples,

The House adjourned till to-morrow morning at 9½ o'clock.



FRIDAY, *January 31, 1862, 9½ o'clock, A. M.*

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Rickards moved,

That when this House adjourns this afternoon it adjourns till Monday afternoon at 3 o'clock.

The yeas and nays were ordered.

Which being taken, were as follows :

Yeas—Messrs. Appleton, Betts, Chandler, Churchman, Higgins, Jonathan Moore, Phillips, Rickards, Waples, Mr. Speaker—10.

Nays—Messrs. Boyce, Broadaway, Calhoon, Clements, Cochran, Davis, J. A. Moore, Robinson, Virden, C. Williamson—10.

So the motion was

Lost.

Mr. Robinson moved,

That the vote by which the Senate Joint Resolution to adjourn both branches of the Legislature was postponed till Tuesday next, be reconsidered.

The yeas and nays were ordered,

Which being taken, were as follows :

Yeas—Messrs. Boyce, Broadaway, Calhoon, Clements, Collins, Cochran, Davis, J. A. Moore, Robinson, Virden, C. Williamson—11.

Nays—Messrs. Appleton, Betts, Chandler, Churchman, Higgins, Jonathan Moore, Phillips, Rickards, Waples, Mr. Speaker—10.

So the motion

Prevailed.

Mr. Robinson moved,

That the House do now concur in the said Joint Resolution.

Pending which,

Mr. Rickards moved,

To amend the same by striking out "the 31st day of January, 1862," and inserting in lieu thereof the word "week."

The yeas and nays were ordered,

Which on being taken, were as follows :

Yeas—Messrs. Appleton, Betts, Chandler, Churchman, Higgins, Jonathan Moore, Phillips, Rickards, Waples, Mr. Speaker—10.

Nays—Messrs. Boyce, Broadway, Calhoon, Clements, Cochran, Collins, Davis, J. A. Moore, Robinson, Virden, C. Williamson—11.

So the amendment was

Lost.

Mr. Waples now moved,

To amend said Joint Resolution by striking out the words "on Friday next the 31st day of January, 1862," and inserting in lieu thereof the word "to-morrow."

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in and passed sundry House bills, entitled as follows :

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

Also, "An act to amend section 28, of chapter 60, of the Revised Statutes of the State of Delaware."

Also, "An act entitled 'An act authorizing Elijah Satterfield to change a certain public road in Milford Hundred, Kent County, Delaware.'"

Also, that the Senate had passed and requested the concurrence of the House in sundry Senate bills, entitled as follows :

"An additional supplement to an act entitled 'A further supplement to an act entitled An act to enable the owners and possessors of the several tracts of meadow, marsh and cripple on the Augustine Creek and Silver Run in New Castle County, to make and keep the banks, dams and sluices in repair, and to raise a fund to defray the yearly expense accruing thereon.'"

"An act to enable John W. Smith to locate certain vacant salt marsh therein named, and complete his title to the same."

"An act in relation to the almshouse in New Castle County."

Also, that the Senate had concurred in the House "Joint Resolution declaring the State Treasurer authorized to pay certain monies therein named," with an amendment thereto, and requested the concurrence of the House in such amendment.

Also, that the Senate had passed and requested the concurrence of the House in a bill entitled:

"An act to change the place of voting in Mispillion Hundred in Kent County."

Also, "An act to authorize the Levy Court of Kent County to correct certain assessments."

And he withdrew.

Pending the question on the motion of Mr. Waples to amend the Joint Resolution to adjourn both branches of the Legislature,

Mr. Betts moved

That the House do now adjourn.

Which motion was,

By consent,

Withdrawn.

The question being on the amendment,

The yeas and nays were ordered,

Which being taken, were as follows:

Yeas—Messrs. Betts, Appleton, Boyce, Broadaway, Calhoon, Chandler, Churchman, Clements, Cochran, Collins, Davis, Higgins, J. A. Moore, Jonathan Moore, Virden, Waples, C. Williamson, Mr. Speaker—17.

Nays—Messrs. Betts, Phillips, Rickards, Robinson—4.

So the motion

Prevailed.

And the Resolution was so amended.

The question recurring on the motion to concur in the said Resolution as amended,

On motion of Mr. J. A. Moore,

The further consideration of the same was postponed till this afternoon.

On motion of Mr. J. A. Moore,

The bill entitled "An act to change the name of the place called Smyrna Station,"

Was taken up for consideration.

Whereupon,

Mr. J. A. Moore presented a remonstrance of citizens of Smyrna, protesting against the passage of the bill.

Which was read.

The question being,

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows :

Yeas—Messrs. Appleton, Betts, Chandler, Churchman, Cochran, Davis, Jonathan Moore, Phillips, Rickards, Waples—10.

Nays—Messrs. Boyce, Broadaway, Calhoon, Clements, Collins, Higgins, J. A. Moore, Robinson, Virden, C. Williamson, Mr. Speaker—11.

So the bill was

Lest.

On motion of Mr. Clements,

The bill entitled "An act to amend section 42, of chapter 99, of the Revised Statutes of the State of Delaware,"

Was taken up for consideration.

The question being,

"Shall this be section 1 of the bill?"

Pending which,

On motion of Mr. Betts,

Rule 15th of the House was suspended in order to amend the bill on the third reading.

Whereupon,

Mr. Clements moved,

To amend by striking out in the 4th and 5th lines of said section 1, the words "in cases before Justices of the Peace." Also, by inserting in the 4th line after the word "fees," and before the word "for," the words "of Justices of the Peace."

Pending the question thus to amend,

On motion of Mr. Churchman,

The further consideration of the bill was postponed till this afternoon.

On motion of Mr. Robinson,

The bill entitled "An act to suppress a great and growing evil,"

Was read a second time by its title.

On motion of Mr. Appleton,

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

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

Pending the question,

" Shall this bill pass the House ?"

On motion of Mr. Rickards,

The further consideration of the same was postponed till this afternoon.

On motion of Mr. Rickards,

The bill entitled "An act to open a public road in Milford Hundred, in Kent County,"

Was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Tatum, a member of the Senate being admitted returned to the House sundry enrolled bills, they having received the signature of the Speaker of the Senate, entitled as follows :

"An act declaring the cesser of the grants, liberties and privileges contained and specified in the act of the General Assembly of the State of Delaware, entitled 'An act for the encouragement of internal improvements in the State of Delaware,' " passed at Dover January 26, 1859, and to resume and revest the same in the said State.

"An act to amend section 7, chapter 59, of the Revised Code of the State of Delaware."

"An act to amend an act entitled 'An act authorizing the Recorder of Deeds of New Castle County to make an indirect mortgage index.'"

"An act to divorce Mary Elizabeth Townsend, formerly Mary Elizabeth Wheatly, from the bonds of matrimony."

"An act to revive the act entitled An act to amend the act entitled A further supplementary act to the act entitled 'An act for the stopping St. Georges 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. Georges Hundreds and County of New Castle, and for keeping the dykes and dams belonging to the same in good order and repair."

"An act to annul the marriage contract existing between James W. Birnie and Ann Jane his wife."

"An act to incorporate Wilmington Council, No 1, United American Mechanics, of Wilmington, Delaware."

And he withdrew.

On motion of Mr. Betts,

The "Joint Resolution declaring the State Treasurer authorized to pay certain expenses therein named,"

Was taken up for consideration, and,

On his further motion,

The Senate amendments thereto were concurred in, as follows :

Amend the Resolution by striking out the words "is authorized and," in the 3d and 4th lines thereof.

Also, by adding the following as an additional resolution :

2. *Resolved* further, by the authority aforesaid, That the General Assembly having resumed, reclaimed and revested in the said State, the grants, liberties and privileges contained and specified in the act of the General Assembly of said State, entitled "An act for the encouragement of internal improvements in the State of Delaware," passed at Dover January 26, 1859, by declaring the cesser of the said grants, liberties and privileges, for condition broken, and re-

suming the same, and declaring that it shall be unlawful for the said Richard France his assignee or assignees or any other person to have, enjoy or exercise any of the said grants, liberties and privileges, the State Treasurer shall give notice to the said Richard France that the State of Delaware discharges him and his sureties from all further liability on the said bond so far as the said sum of \$720,000, therein mentioned as consideration for the said grant is concerned, and only holds the same for the use and benefit of any person who may be interested therein as security for the payment of any prizes sold and drawn in any of the lotteries authorized by said act during the time when the said grants, liberties and privileges were heretofore legally exercised."

Ordered that the Senate be informed of such concurrence.

On motion of Mr. Waples,

The Senate bill entitled "An act to revive an act entitled 'An act to enable Waitman Jones to locate certain vacant land in North West Fork Hundred in Sussex County, and complete his title to the same,'"

Was read a third time by paragraphs, and

Passed the House.

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

On motion of Mr. Churchman,

The Senate bill entitled "An act in relation to the alms house of New Castle County,"

Was taken up and read.

On the further motion of Mr. Churchman,

The further consideration of the bill was indefinitely postponed.

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

On motion of Mr. Higgins,

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

Was taken up for consideration.

Pending the question,

"Shall this bill pass the House?"

On motion of Mr. Rickards,

The further consideration of the same was postponed till tomorrow.

On motion of Mr. Betts,

The bill entitled "An act to annul the marriage contract between John C. and Emma Montgomery,"

Was read a second time by its title.

On motion of Mr. Virden,

The bill entitled "An act to prevent obstructions to the navigation of Murderkill Creek and Spring Creek, and its branches in Kent County,"

Was read a second time by its title.

On motion of Mr. J. A. Moore,

The House adjourned.

SAME DAY, 3 o'clock, P. M.

The House met pursuant to adjournment.

The Speaker laid upon the Clerk's table, and directed to be read, a communication from the State Treasurer :

FARMERS BANK AT NEW CASTLE, DELAWARE, }
January 30th, 1862. }

Dear Sir:—In reply to your letter of the 24th inst., I am instructed by our Board of Directors to say that this Bank will take five thousand dollars of the loan of the State of Delaware as proposed, provided you will receive in payment the United States Treasury demand notes or other funds that are at par in Philadelphia.

Very Respectfully,

H. J. TERRY, Cashier.

Samuel B. Hitch, Treasurer of the State of Delaware, Dover, Delaware.

Which,

On motion of Mr. Appleton,

Was referred to the committee on so much of the Governor's message as relates to the subject of this State's assuming its share of the direct tax laid by the General Government.

On motion of Mr. Chandler,

The bill entitled "An act to annul the marriage contract between David and Eliza A. S. Scott,"

The bill was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. J. A. Moore,

The bill entitled "An act to authorize the Prothonotary of Kent County to bring up the entry of the Sheriff's returns to final executions,"

Was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in and passed sundry House bills, entitled as follows :

"An act authorizing the laying out a public road in Murderkill Hundred, Kent County."

"An act to amend chapter 59, of the Revised Statutes of the State of Delaware."

"An act to authorize the Levy Court of New Castle County to purchase or acquire a lot of land in Appoquinimink Hundred near to Taylor's Bridge."

Also, that the Senate had passed and requested the concurrence of the House in a bill entitled :

"An act to repeal a certain act hereinafter mentioned."

Also that the Senate had concurred in the House amendment to the "Joint Resolution authorizing John Green to draw on the State Treasurer for certain money therein mentioned."

Also, that the Senate had passed and requested the concurrence of the House in a "Joint Resolution concerning the State Library."

And he withdrew.

On motion of Mr. C. Williamson,

The Senate bill entitled "An act to change the place of voting in Mispillion Hundred in Kent County,"

Was taken up and read.

On motion of Mr. Robinson,

The bill entitled "An act authorizing the Levy Court of the respective Counties of this State to appoint vaccine physicians,"

Was taken up for consideration.

Whereupon,

Mr. Robinson moved;

To amend by striking out in section 2, all after the word "vaccination," in the 8th line thereof. Also, in section 3, by striking out the word "twice," in the 3d line thereof, and insert in lieu thereof the word "once."

Pending which motion,

On motion of Mr. Rickards,

The further consideration of the bill was

Indefinitely Postponed.

On motion of Mr. J. A. Moore,

The Senate bill entitled "An act to amend section 63, of chapter

111, of the Revised Code in relation to the lien of executions as against subsequent execution creditors,"

Was read a third time by paragraphs, and

Passed the House.

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

On motion of Mr. Appleton,

The bill entitled "An act proposing an amendment to the Constitution of the State of Delaware," making it unlawful to pass any law legalizing lottery drawings in this State,"

Was taken up for consideration.

The question being,

"Shall this bill now pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows:

Yeas—Messrs. Appleton, Betts, Broadway, Chandler, Churchman, Clements, Cochran, Davis, Higgins, J. A. Moore, Rickards, Virden, C. Williamson, Mr. Speaker—14.

Nays—Messrs. Boyce, Calhoon, Collins, Jonathan Moore, Phillips, Robinson, Waples—7.

So the bill having received the constitutional majority,

Passed the House.

Ordered to the Senate for concurrence.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House bill entitled "A supplement to the act entitled 'An act to authorize the laying out a

public road in Kent County,' passed at Dover January 24, 1861,'" with an amendment, and requested the concurrence of the House in the same.

And he withdrew.

On motion of Mr. Broadaway,

The bill entitled "An act calling a Convention to abolish life tenures in office and property qualifications for office, and to cause more of the public officers to be elected by the people; and also to effect such other amendments to the Constitution of this State, as may be necessary and proper,"

Was read a second time by its title.

Mr. J. A. Moore from the special committee to whom was referred the petition of R. H. Cummins and others,

Reported a bill entitled "An act for the protection of sheep."

Which,

On his motion,

Was read.

On motion of Mr. J. A. Moore,

The bill entitled "An act to amend chapter 66, of the laws, passed at Dover February 28, 1861,"

Was read a third time by paragraphs, and

Lost.

On motion of Mr. Clements,

The bill entitled "An act to amend section 42, of chapter 99, of the Revised Statutes of the State of Delaware,"

Was taken up for consideration.

The question being,

“ Shall the bill be so amended ?”

On motion of Mr. Churchman,

The further consideration of the bill was

Indefinitely Postponed.

Mr. J. A. Moore presented the account of James W. Wise, for fitting up the halls of the General Assembly,

Which,

On his motion,

Was read, and referred to the Committee on Accounts.

On motion of Mr. Robinson,

The bill entitled “A supplement to the act entitled ‘An act to authorize the laying out a public road in Kent County,’ passed at Dover, January 24, 1861,” which was concurred in by the Senate and returned with an amendment, as follows :

“Senate, January 31, 1861.

“Amend the bill by striking out that portion of the preamble after the word ‘length,’ in 13th line.”

Extract from Journal.

J. L. PRATT,

Clerk of Senate.

On the further motion of Mr. Robinson,

The amendment of the Senate was

Concurred in.

Ordered that the Senate be informed thereof.

On motion of Mr. Appleton,

The Senate "Joint Resolution to adjourn both branches of the Legislature,"

Was taken up for consideration.

The question being on the concurrence in the resolution as amended,

On the further motion of Mr. Appleton,

The further consideration of the same was

Indefinitely Postponed.

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

Mr. Pratt, Clerk of the Senate, being admitted, presented sundry enrolled bills for the signature of the Speaker of the House, the same having received the signature of the Speaker of the Senate, entitled as follows :

"An act to authorize Isaac G. Phillips to locate certain vacant lands in Little Creek Hundred, Sussex County, and complete his title to the same."

"An act to vacate a portion of a certain public road in Milford Hundred, in Kent County."

"An act to authorize the Register of Chancery, in and for New Castle County to procure a new seal of office."

"An act to authorize the Clerk of the Orphan's Court in and for New Castle County to procure a new seal of office."

"An act authorizing Deputy Sheriffs to administer oaths."

"Joint Resolution appointing a Committee on Claims."

And he withdrew.

Mr. J. A. Moore moved,

That when the House adjourns it adjourns to meet on Monday afternoon at 3 o'clock.

Which motion,

On being put,

Prevailed.

On motion of Mr. Rickards,

The bill entitled "An act to repeal an act entitled 'An act to amend chapter 89, section 25, of the Revised Statutes of the State of Delaware,' passed at Dover, February 7th, 1861,"

Was read a second time by its title.

On motion of Mr. J. A. Moore,

The Senate bill entitled "An act to repeal a certain act hereinafter mentioned,"

Was taken up and read.

On motion of Mr. Phillips,

The Senate bill entitled "An act to enable John W. Smith to locate certain vacant salt marsh therein named, and complete his title to the same,"

Was taken up and read.

On motion of Mr. J. A. Moore,

The Senate bill entitled "An act to authorize the Levy Court of Kent County to correct certain assessments,"

Was taken up and read.

On motion of Mr. J. A. Moore,

The Senate "Joint Resolution concerning the State Library,

Was taken up and read, and,

On motion of Mr. Robinson,

The further consideration of the same was postponed till Tuesday next.

On motion of Mr. Betts,

The House adjourned.



MONDAY, *February 3*, 1862, 3 o'clock, P. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

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

future day, ask leave to introduce a bill entitled "An act securing the enjoyment of the right of suffrage to the volunteers from this State."

Mr Clements presented the petition of citizens of Chapeltown, praying an act to change the name to "Westville."

Which,

On his motion,

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

Whereupon,

Messrs. Clements, Churchman and Waples, were appointed such committee.

Mr. Robinson presented the petition of Samuel M. Vaughan and others, citizens of Sussex, praying an alteration of the general Assessment Laws,

Which was read.

On motion of Mr. Robinson,

The Senate bill entitled "An additional supplement to an act entitled 'A further supplement to an act entitled An act to enable the owners and possessors of the several tracts of meadow, marsh and cripple on the Augustine Creek and Silver Run in New Castle County, to make and keep the banks, dams and sluices in repair, and to raise a fund to defray the yearly expense accruing thereon,'"

Was taken up and read.

On motion of Mr. Phillips,

The Senate bill entitled "An act to enable John W. Smith to locate certain vacant salt marsh therein named and complete his title to the same,"

Was read a second time by its title.

On motion of Mr. Churchman,

The bill entitled "An act for the protection of sheep,"

Was read a second time by its title.

On motion of Mr. Churchman,

The Senate bill entitled "An act to change the place of voting in Mispillion Hundred in Kent County,"

Was read a second time by its title.

On motion of Mr. Higgins,

The bill entitled "An act to amend chapter 11 of the Revised Code, relating to the valuation of property,"

Was read a second time by its title.

On motion of Mr. Phillips,

The bill entitled "An act to repeal a certain act hereinafter mentioned,"

Was read a second time by its title.

On motion of Mr. Broadaway,

The Senate bill entitled "An act to authorize the Levy Court of Kent County to correct certain assessments,"

Was read a second time by its title.

Mr. Clements moved,

To reconsider the vote by which the bill entitled "An act author-

izing the Levy Court of the respective Counties of this State to appoint vaccine physicians," was indefinitely postponed.

Which motion,

On being put,

Was *Lost.*

Mr. Clements moved

To reconsider the vote by which the bill entitled "An act to change the name of the village of Townsend," was lost,

Which motion to reconsider,

On being put,

Was *Lost.*

Mr. Broadaway moved,

That the House do now adjourn.

Which,

On being put,

Was *Lost.*

Mr. Phillips from the Committee on Enrollment, reported as duly and correctly enrolled the bill entitled "An act to authorize Elijah Satterfield to change a certain public road in Milford Hundred, Kent County, Delaware," and presented the same to the Speaker for his signature.

On motion of Mr. Betts,

The House adjourned.

TUESDAY, *February 4, 1862; 10 o'clock, A. M.*

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Phillips from the Committee on Enrollments, reported as duly and correctly enrolled sundry bills, entitled as follows, and presented the same to the Speaker for his signature:

"An act to authorize the Levy Court of New Castle County to purchase or acquire a lot of land in Appoquinimink Hundred near to Taylor's Bridge."

"An act to amend chapter 59 of the Revised Statutes of the State of Delaware."

"An act to amend section 28, of chapter 60, of the Revised Statutes of the State of Delaware."

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

"An act authorizing the laying out a public road in Murderkill Hundred, Kent County."

"A supplement to the act entitled 'An act to authorize the laying out a public road in Kent County, passed at Dover, January 24, 1861.'"

Also, the "Joint Resolution declaring the State Treasurer authorized to pay certain monies therein mentioned."

Mr. Churchman offered a "Joint Resolution of thanks to Captain Samuel F. DuPont."

Which,

On his motion,

Was read.

On the further motion of Mr. Churchman,

The further consideration of the same was postponed till tomorrow morning.

Mr. Robinson presented the petition of James F. Burton and others, praying an alteration in our general Assessment Laws.

Mr. Phillips presented a like petition of Robert Arnell and others.

By order, both petitions were referred to the committee on petition of Joseph G. Cleaver and others, as to an alteration in the general Assessment Laws.

Mr. Appleton from the committee to whom was referred so much of the Governor's message as relates to the subject of this State's assuming its share of the direct tax laid by the General Government,

Reported a "Joint Resolution assuming the quota of the direct tax imposed upon the State of Delaware by the Act of Congress hereinafter mentioned."

Which,

On his motion,

Was read.

"Joint Resolution assuming the quota of the direct tax imposed upon the State of Delaware by the Act of Congress hereinafter mentioned :—"

1. *Resolved*, by the Senate and House of Representatives of the State of Delaware in General Assembly met, That the State of Delaware does hereby assume and will assess, collect and pay into the Treasury of the United States the quota of direct tax imposed upon the said State by the Act of Congress entitled "An act to provide increased revenue from imposts, to pay interest on the public debt and for other purposes," approved August 5, 1861.

2. *Resolved* further, by the authority aforesaid, That the Governor be and is requested to give notice to the Secretary of the Treasury of the United States of the above resolution, as contemplated by the fifty-third section of the Act of Congress aforesaid."

Mr. Robinson presented the following minority report :

The undersigned of the committee to whom was referred so much of the Governor's Message as relates to the subject of this State's assuming its portion of the tax imposed by the Congress of the United States, under and by virtue of an act approved by the President, August 5, 1861; beg leave respectfully to submit the following minority report :

That the Congress has recently passed a Joint Resolution which will greatly increase the portion of the direct tax required to be raised by this State, and that that body is now engaged in maturing a law entirely different in its essential provisions from the act "to provide increased revenue from imposts to pay interest on the public debt and for other purposes," and whereas it is proposed to provide by the action of this Legislature, for the assessment and payment of a permanent annual tax to the General Government; and in view of the importance of this subject to the people of the State of Delaware, and of the fact that the period which will elapse between the adjournment of the present and the election of the Delegates to the succeeding Legislature is but very short; and that the members who would then take our places would be fresh from the people, and would better understand their wishes upon this important question.

Therefore, we would respectfully recommend the adoption of the following resolution :

Resolved, That it is, in the opinion of this General Assembly, inexpedient at this time to legislate upon the subject of the payment or mode of payment of this State's share of the direct tax levied by Act of Congress, approved March 5th, 1861.

P. ROBINSON,
A. BROADAWAY.

Which,

On his motion,

Was read.

Whereupon,

On motion of Mr. Appleton,

The further consideration of the Joint Resolution and the minority report was postponed till to-morrow morning.

Pursuant to previous notice,

Mr. Appleton asked, and,

On motion of Mr. Chandler,

Obtained leave to introduce a bill entitled "An act securing the enjoyment of the right of suffrage to the volunteers from this State."

Which,

On motion of Mr. Appleton,

Was read.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in and passed the House bills, entitled as follows:

"An act to authorize Thomas Lynam to lay out a private road in Christiana Hundred, New Castle County."

"An act to lay out a public road in Appoquinimink Hundred in New Castle County."

Mr. Betts gave notice that he would, on to-morrow, or some future day, ask leave to introduce a bill entitled "An act to allow money to be attached in the hands of a Sheriff."

On motion of Mr. Higgins,

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

Was taken up for consideration.

The question being,

"Shall this bill pass the House?"

And the vote being taken thereon,

The bill

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. J. A. Moore,

The Senate bill entitled "An act to repeal a certain act hereinafter mentioned,"

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

Pending the question,

"Shall this be section I of the bill?"

On motion of Mr. Churchman,

The further consideration of the same was postponed till this afternoon.

On motion of Mr. J. A. Moore,

The Senate bill entitled "An act to authorize the Levy Court of Kent County to correct certain assessments,"

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

Pending the question,

"Shall this be section 1 of the bill?"

On motion of Mr. J. A. Moore,

The further consideration of the same was postponed till this afternoon.

Mr. Waples from the committee to whom was referred so much of the Governor's message as refers to the Coast defences,

Reported a "Joint Resolution requesting an appropriation from the General Government for defending the Coast."

Which,

On motion of Mr. Waples,

Was read, as follows :

Resolved, by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That Congress is hereby requested to make such appropriations as may be necessary to erect a suitable fortification on the Delaware Breakwater or on the Coast adjacent thereto, for the protection of that harbor of refuge, and for the erection of such other defences as may be requisite for the protection of the Delaware Bay and River.

Resolved, That in the opinion of this General Assembly the completion of the Railroad from Milford to the Delaware Breakwater, a distance of some thirty miles, would, in the event of a foreign war become a military necessity, and that Congress is hereby requested to make an appropriation for the completion of said Railroad, as a part of the means of protecting said Breakwater.

Resolved, That a copy of the above resolutions be sent to our Senators and Representative in Congress with the request that they

lay the same before their respective Houses and that they use their endeavors to secure the object of the foregoing resolve.

And,

On his further motion,

Adopted.

Ordered to the Senate for concurrence.

On motion of Mr. Betts,

The bill entitled "An act to annul the marriage contract between John C. and Emma Montgomery,"

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

The question being,

"Shall this be section 1 of the bill?"

Which,

On being put,

Was

Lost.

So the bill was

Lost.

On motion of Mr. Higgins,

The bill entitled "An act to amend chapter 11 of the Revised Code, relating to 'The Valuation of Property,'"

Was taken up for consideration.

On motion of Mr. Churchman,

The further consideration of the same was postponed till this afternoon.

On motion of Mr. Robinson,

The bill entitled "An act to suppress a great and growing evil,"
Was taken up for consideration.

Mr. Churchman moved,

To amend the same by adding thereto the following as sections 3, 4 and 5 :

SEC. 3. And be it further enacted, That the act entitled an act to amend chapter 24, of the Revised Statutes of the State of Delaware, entitled General Provisions respecting Public Offices, passed at Dover, March 3d, 1853, be and the same is hereby repealed.

SEC. 4. And be it further enacted, That the following shall be and is hereby declared to be section 1, of chapter 24, to wit :

SEC. 1. Every person elected or appointed to any public office of trust or profit in this State, before entering upon the duties of such office, shall in addition to the qualifications prescribed by the Constitutions of the United States and of this State, take and subscribe the following oath or affirmation :

I ——— do solemnly swear (or affirm) that I have not since the first day of July one thousand eight hundred and sixty-two, given, offered or promised any money, goods, chattels, or other valuable things or matter, or released or offered to release any debt or obligation, or contributed or promised, or offered to contribute any money, goods, chattels, or other valuable things, by way of, or to be employed as bribe, gift, benefit or reward, directly or indirectly for the purpose, or with the object of influencing any elector in giving his vote, or in refusing to vote, or in absenting himself from the polls at any election. So help me God (or so I affirm.)

And the said section shall hereafter be so read and construed.

SEC. 5. And be it further enacted, That this act shall take effect on the first day of July, one thousand eight hundred and sixty-two.

The yeas and nays were ordered,

Which being taken, were as follows :

Yeas—Messrs. Appleton, Betts, Chandler, Churchman, Cochran, Higgins, J. A. Moore, Mr. Speaker—8.

Nays—Messrs. Broadaway, Calhoon, Clements, Collins, Davis, Jonathan Moore, Rickards, Robinson, Virden, Waples, C. Williamson—11.

So the amendment was

Lost.

On motion of Mr. Waples,

The title of the bill was amended by striking out all after the word "act" and inserting in lieu thereof the words "for the suppression of bribery and corruption."

Whereupon,

On motion of Mr. Robinson

The bill was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Virden,

The bill entitled "An act to prevent obstructions to the navigation of Murderkill Creek and Spring Creek, and its branches in Kent County,"

Was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Robinson,

The Senate bill entitled "An additional supplement to an act entitled 'A further supplement to an act entitled An act to enable the owners and possessors of the several tracts of meadow, marsh and cripple on the Augustine Creek and Silver Run in New Castle

County, to make and keep the banks, dams and sluices in repair, and to raise a fund to defray the yearly expense accruing thereon,"

Was read a second time by its title.

On motion of Mr. Broadaway,

The Senate bill entitled "An act to enable John W. Smith to locate certain vacant salt marsh therein named and complete his title to the same,"

Was read a third time by paragraphs, and

Passed the House.

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

On motion of Mr. Phillips,

The House adjourned.

SAME DAY, 3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had passed and concurred in sundry bills, entitled as follows:

"An act to authorize the Prothonotary of New Castle County to record a certain paper in his office."

"A supplement to the act entitled 'An act to create a Board of Fire Wardens in the city of Wilmington,' passed at Dover March 5, 1861."

"An act relating to arrests in civil cases in the State of Delaware."

Also, that the Senate had non-concurred in the bill entitled "An act to authorize Samuel F. Hewes to change the public road in Dover Hundred."

Also, that the Senate had adopted and requested the concurrence of the House in a "Joint Resolution authorizing the State Treasurer to pay a certain sum of money to the Secretary of State."

And he withdrew.

On motion of Mr. Churchman,

The bill entitled "An act for the protection of sheep,"

Was taken up for consideration.

Mr. Waples moved,

To refer and recommit the bill to the committee.

Pending which,

Mr. Rickards moved,

That the further consideration of the bill be indefinitely postponed.

Which motion,

On being put,

Was

Lost.

The question recurring on Mr. Waples motion to recommit,

On being put,

Was also

Lost.

Whereupon,

On motion of Mr. Churchman,

The bill was amended as follows :

By striking out in section 2 thereof, and line 3, the words "one dollar," and inserting in lieu thereof the words "fifty cents," and by striking out in line 5 thereof, the words "three dollars," and inserting in lieu thereof the words "two dollars." By striking out the word "only," in the 7th line thereof; further by striking out in said 7th line the words "fifty cents," and inserting in lieu thereof the words "one dollar."

Also, by striking out all after the word "and," in line 23, of sec-

tion 4, and before the word "for," in line 26, of the same section, and inserting in lieu thereof the words, "At the expiration of every two years, and when his term of office shall expire shall pay over to the School Commissioners of the respective School Districts of his Hundred, in equal portions to each of said districts, any balance of said funds remaining in his hands, and the receipt or receipts of said School Commissioners shall be his voucher and acquittance for the amount or amounts so paid."

*Also, by adding the following as section 8, of the bill :

SEC. 8. All persons paying a tax as provided in this act, shall have such a property in the dogs owned, held and paid for by them, as will enable them to sue for and recover any damages that may accrue in consequence of injury to or theft of such dog or dogs."

On motion of Mr. Churchman,

The further consideration of the bill was postponed till to-morrow morning.

Mr. Appleton moved,

That Rule 12th be suspended in order to read a bill a second time by special order.

Which motion,

On being put,

Was

Lost.

Mr. Clements from the committee to whom was referred the petition of citizens of Chapeltown, praying an act to change the name of the place to "Westville,"

Reported a bill entitled "An act to change the name of the place called "Chapeltown," in Dover Hundred, Kent County, Delaware."

Which,

On his motion,

Was read.

On motion of Mr. Waples,

The Senate Joint Resolution authorizing the State Treasurer to pay a certain sum of money to the Secretary of State,"

Was taken up and read.

Mr. Waples moved the concurrence therein.

Pending which,

On motion of Mr. Churchman,

The further consideration was postponed till to-morrow morning.

On motion of Mr. J. A. Moore,

The Senate "Joint Resolution concerning the State Library,"

Was taken up and

Concurred in.

Ordered that the Senate be so informed, and the said Resolution returned to that body.

Mr. Higgins gave notice that he would, on to-morrow or some future day, ask leave to introduce a bill entitled "An act to repeal an act entitled 'An act repealing the act entitled An act taxing dogs in New Castle County and for other purposes,' passed at Dover March 2, 1853, and the supplement thereto, passed at Dover March 2, 1855."

On motion of Mr. Betts,

The bill entitled "An act supplementary to the act entitled 'An act regulating the sale of intoxicating liquors,' passed at Dover March 3d, 1857,"

Was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. J. A. Moore,

The Senate bill entitled "An act to authorize the Levy Court of Kent County to correct certain assessments,"

Was taken up for consideration.

The question being,

"Shall this be section 1 of the bill?"

And the vote being taken thereon,

The bill

Passed the House.

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

On motion of Mr. J. A. Moore,

The Senate bill entitled "An act to repeal a certain act hereinafter mentioned,"

Was taken up for consideration.

The question being,

"Shall this be section 1 of the bill?"

The motion

Prevailed.

The question then being,

"Shall this bill now pass the House?"

On motion of Mr. Robinson,

The further consideration of the same was postponed till tomorrow afternoon.

On motion of Mr. Betts,

Rule 7th of the House was suspended in order to introduce a bill.

Whereupon,

Mr. Betts, asked, and,

On motion of Mr. Waples,

Obtained leave to introduce a bill entitled "An act to allow money to be attached in the hands of a Sheriff."

Which,

On motion of Mr. Betts,

Was read.

Mr. Appleton moved,

That the House do now adjourn.

Which motion was

Lost.

On motion of Mr. Clements,

Rule 12th was suspended in order to read a bill a second time by its title.

Whereupon,

On the further motion of Mr. Clements,

The bill entitled "An act to change the name of the place called "Chapeltown," in Dover Hundred, Kent County, Delaware,"

Was read a second time by its title.

On motion of Mr. Robinson,

The House adjourned.

WEDNESDAY, *February 5, 1862, 10 o'clock, A. M.*

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Higgins presented the claim of Pennell Emerson, Esq., Sheriff of Kent County for services in the Court of Errors and Appeals.

Which was read, and,

On motion of Mr. Higgins,

Was referred to the Committee on Claims.

On motion of Mr. J. A. Moore,

The bill entitled "An act for the protection of sheep."

Was taken up for consideration.

On motion of Mr. J. A. Moore,

The bill was further amended by adding the following words as section 9th thereof:

SEC. 9. The provisions of this act shall apply only to New Castle County and to Duck Creek Hundred in Kent County.

On motion of Mr. J. A. Moore,

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

The question being,

"Shall this be section 1 of the bill?"

Mr. Rickards moved,

That the further consideration of the bill be indefinitely postponed.

Which motion, was

Lost.

On motion of Mr. Betts,

Rule 15th of the House was suspended in order to further amend the bill on the third reading.

Mr. Betts offered the following amendments:

Amend section 1, of the bill, by inserting in the second line thereof, after the word "State," the words "to which this act is made applicable."

Amend section 9, by inserting between the words "County" and "and," in the second line thereof, the words "with the exception of Wilmington Hundred."

Which,

On motion of Mr. Churchman,

Were

Adopted.

And the bill was so amended.

The question being,

"Shall this be the title of the bill?"

On motion of Mr. Betts,

The following words were added thereto as an amendment: "In certain parts of New Castle and Kent Counties."

The question then being,

"Shall this bill pass the House?"

The yeas and nays were ordered,

Which being taken, were as follows:

Yeas—Messrs. Appleton, Betts, Boyce, Broadaway, Calhoon, Churchman, Clements, Cochran, Collins, Davis, Higgins, J. A. Moore, Jonathan Moore, Phillips, Robinson, Virden, Waples—17.

Nays—Messrs. Chandler, Rickards, C. Williamson, Mr. Speaker—4.

So the bill

Passed the House.

Ordered to the Senate for concurrence.

Mr. Phillips from the Committee on Enrollments, reported the following bills as duly and correctly enrolled, and presented the same to the Speaker for his signature. To wit:

"An act to lay out a public road in Appoquinimink Hundred in New Castle County."

"An act relating to arrests in civil cases in the State of Delaware."

"An act to authorize Thomas Lynam to lay out a private road in Christiana Hundred, New Castle County."

"An act to authorize the Prothonotary of New Castle County to record a certain paper in his office."

"A supplement to the act entitled 'An act to create a Board of Fire Wardens in the city of Wilmington,' passed at Dover March 5, 1861."

On motion of Mr. Churchman,

The "Joint Resolution of thanks to Captain Samuel F. du Pont,"

Was taken up for consideration.

On motion of Mr. J. A. Moore,

The said Resolution was

Adopted.

Ordered to the Senate for concurrence.

Mr. Pratt, Clerk of the Senate, being admitted, informed the House that the Senate had indefinitely postponed the House bill entitled "An act declaring inoperative so much of an act entitled 'An act in relation to public roads and highways in St. Georges and Appoquinimink Hundreds in New Castle County,' passed at Dover February 21, 1859, as relates to Appoquinimink Hundred."

Also, that the Senate had non-concurred in the bill entitled "An act to enable Joshua P. Hayes to locate certain vacant lands in Little Creek and Dover Hundreds in Kent County, and complete his title to the same."

Also, that the Senate had passed and requested the concurrence of the House in a bill entitled "An act to repeal the act entitled 'An act to incorporate a Bank at Seaford in the County of Sussex under the name of the Seaford Bank of Seaford.'"

Also, requested the concurrence of the House in a "Joint Resolution assuming the quota of the direct tax imposed on the State of Delaware by the act of Congress, approved August 5, 1861."

Also, returned sundry enrolled House bills, the same having received the signature of the Speaker of the Senate; entitled as follows:

"An act to authorize the Levy Court of New Castle County to purchase or acquire a lot of land in Appoquinimink Hundred near to Taylor's Bridge."

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

"An act authorizing the laying out a public road in Murderkill Hundred, Kent County."

"An act to amend section 28, of chapter 60, of the Revised Statutes of the State of Delaware."

"An act to amend chapter 59, of the Revised Statutes of the State of Delaware."

"An act authorizing Elijah Satterfield to change a certain public road in Milford Hundred, Kent County, Delaware."

"A supplement to the act entitled 'An act to authorize the laying out a public road in Kent County,' passed at Dover January 24, 1861."

Also, a "Joint Resolution declaring the State Treasurer authorized to pay certain monies therein mentioned."

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

"An act to establish the Brandywine and Centreville Cemetery of Christiana Hundred."

Also, "Joint Resolution authorizing John Green to draw on the State Treasurer for certain expenses therein named."

And he withdrew.

On motion of Mr. Clements,

The bill entitled "An act for the relief of the officers of volunteer companies and persons from whom arms have been taken,"

Was taken up for consideration.

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

The question being,

“ Shall this bill pass the House ? ”

The yeas and nays were ordered,

Which being taken, were as follows :

Yeas—Messrs. Appleton, Boyce, Broadaway, Calhoon, Churchman, Clements, Cochran, Collins, Davis, J. A. Moore, Phillips, Robinson, Virden, Waples, C. Williamson, Mr. Speaker—16.

Nays—Messrs. Betts, Chandler, Higgins, Jonathan Moore, Rickards—5.

So the bill

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Robinson,

The “Joint Resolution assuming the quota of the direct tax imposed upon the State of Delaware by the Act of Congress hereinafter mentioned,” together with the minority report on same subject,

Was taken up for consideration.

On motion of Mr. Rickards,

The further consideration of the same was postponed till tomorrow.

On motion of Mr. Betts,

The Senate Joint Resolution assuming the quota of the direct tax imposed on the State of Delaware by the Act of Congress approved August 5, 1861,”

Was taken up and read.

Mr. Churchman moved

That the Resolution be concurred in.

Pending which,

On motion of Mr. Robinson,

The further consideration of the same was postponed till to-morrow.

On motion of Mr. Robinson,

The Senate bill entitled "An additional supplement to an act entitled 'A further supplement to an act entitled An act to enable the owners and possessors of the several tracts of meadow, marsh and cripple on the Augustine Creek and Silver Run in New Castle County, to make and keep the banks, dams and sluices in repair, and to raise a fund to defray the yearly expense accruing thereon,'"

Was taken up for consideration.

Whereupon,

On motion of Mr. Appleton,

The bill was referred to the Committee on Corporations.

On motion of Mr. Waples,

The House adjourned.