

*Supplement to the State of del
Dec 1879*

JOURNAL
OF THE
SENATE
OF THE
STATE OF DELAWARE,

AT A SESSION OF
THE GENERAL ASSEMBLY.

COMMENCED AND HELD AT DOVER,

ON TUESDAY THE FOURTH DAY OF JANUARY,

IN THE YEAR OF OUR LORD,

ONE THOUSAND EIGHT HUNDRED AND FIFTY-THREE

AND OF THE

INDEPENDENCE OF THE UNITED STATES

THE SEVENTY-SEVENTH.



WILMINGTON, DELAWARE:

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1853.

JOURNAL
OF THE
SENATE
OF THE
STATE OF DELAWARE.



At a Session of the General Assembly commenced and held at Dover, the fourth day of January, in the year of our Lord one thousand eight hundred and fifty-three, and of the Independence of the United States of America the seventy-seventh.

On which day the following members of the Senate attended, to wit :

Messrs. Charles I. Dupont, Basset Ferguson and William Smith from New Castle County.

Messrs. Daniel Currey, William Temple and Isaac Jump from Kent County.

Messrs. John Ponder, John Sorden and John M. Phillips from Sussex County.

A quorum of members being present, the returns of the election of Senators of the respective counties of the State was read.

By the returns from the County of New Castle, it appeared that Charles I. Dupont was duly elected to represent the said county, in the Senate of this State, for the ensuing term of four years.

By the returns from Kent County, it appeared that Daniel Currey was duly elected to represent the said county in the Senate of this State for the ensuing term of four years.

By the returns from Sussex County, it appeared that John Ponder was duly elected to represent the said county, in the Senate of this State for the ensuing term of four years.

The Senate then proceeded to elect a Speaker by ballot, and John M. Phillips, Esquire, was duly elected, and an oath to perform the duties of Speaker of the Senate of the State of Delaware having been administered to him by John Sorden, Esquire, a member of the Senate, he took his seat, and administered the usual oaths of qualification to Messrs. Du Pont, Currey and Ponder, and also the oath prescribed by law (Revised Statutes, p 71,) which was taken and subscribed by them respectively, and is in the following words, viz :

"I do solemnly swear (or affirm) that I have not, since the first day of July, one thousand eight hundred and fifty-two, given, offered or promised any money, goods, chattels or other valuable thing, or matter, or released or offered to release any debt or obligation by way of bribe, gift, benefit or reward, for the purpose, or with the object of influencing any elector in giving his vote or in refusing to give his vote, or in absenting himself from the polls at any election.

So help me God, or }
So I affirm. }

Certificate of the oath administered by John Sorden, Esquire, to the Hon. John M. Phillips, Speaker :

"I, John Sorden, member of the Senate of the State of Delaware, do hereby certify that upon the fourth day of January, in the year of our Lord one thousand eight hundred and fifty-three, upon the assembling of the members of the Senate, in the Senate Chamber, and upon the election of John M. Phillips, Esquire as Speaker of the Senate, I administered to the said John M. Phillips, the oath to perform his duties as Speaker of the Senate of the State of Delaware, with fidelity."

JOHN SORDEN.

Certificate of the oaths administered by the Hon. John M. Phillips to Messrs. Du Pont, Currey and Ponder, members elect of the Senate

"I, John M. Phillips, Speaker of the Senate of the State of Delaware, do hereby certify that on this fourth day of January, in the year of our Lord one thousand eight hundred and fifty-three, upon the assembling of the Senate in the Senate Chamber after my election as Speaker of the Senate, I administered to Charles I. Du Pont, a member of the Senate for the county of New Castle; to Daniel Currey, a member of the Senate for the county of Kent, and to John Ponder, a member of the Senate for the county of Sussex, the oath to support the Constitution of the United States, the Constitution of the State of Delaware, and to per-

form their duties as members of the General Assembly of the said State with fidelity, as is required by the first section of the act of the General Assembly of the said State of Delaware, entitled "An act to regulate the time and manner of administering certain oaths," passed at Dover, Jan. 13, 1849: And I do further certify, that in addition to the above qualifications in obedience to an act of the General Assembly of the said State entitled, Chapter 24, "General Provisions respecting Public Officers," Revised Statutes of the State of Delaware, page 71-2, I administered to the said Charles I. Du Pont, Daniel Currey and John Ponder, the oath therein prescribed and which is in the following words:

"I do solemnly swear (or affirm) that I have not, since the first day of July, one thousand eight hundred and fifty-two, given, offered or promised any money, goods, chattels, or other valuable thing or matter, or released or offered to release any debt or obligation by way of bribe, gift, benefit or reward, for the purpose, or with the object of influencing any elector in giving his vote, or in refusing to vote, or in abetting himself from the polls, at any election.

So help me God, or so I affirm.

JOHN M. PHILLIPS.

On motion of Mr. Sorden,

The Senate then proceeded to elect by ballot a Clerk, and on counting the votes, it appeared that William Huffington, was elected. He appeared, was duly qualified according to the Constitution and Laws of the State, and took his seat at the Clerk's table.

On motion of Mr. Sorden,

The Senate then proceeded to ballot for the election of a Sergeant-at-Arms and Door-Keeper. Samuel Brown was duly elected and qualified according to the Constitution and Laws of the State.

Clayton A. Cowgill, Clerk of the House of Representatives, being admitted, informed the Senate, that a quorum of the members of the House of Representatives had convened, organized, and were ready to receive any communication that the Senate might see proper to make.

On motion of Mr. Jump,

It was *ordered* that the Clerk proceed to inform the House of Representatives, of the organization of the Senate, and their readiness to attend any communication they might see proper to make.

Mr. Temple, introduced the following resolution, which was read and adopted:

Resolved, That the Clerk of the Senate, be, and he is hereby directed to furnish each member of the Senate with one daily copy of a newspaper of his choice, and one copy of each of the papers of the State, for the use of the Senate.

Mr. Cowgill, Clerk of the House, being admitted, informed the Senate, that the House had passed, and requested the concurrence of the Senate, in the following resolution :

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

On motion of Mr. Sorden,

Said resolution was read and concurred in, and Messrs. Sorden and Du Pont, appointed a committee on the part of the Senate, to act jointly with the committee of the House.

Ordered to be returned to the House.

On motion,

Adjourned, to 2 o'clock, this afternoon.



Same day, 2 o'clock, P. M.

The Senate met, pursuant to adjournment.

Mr. Sorden, from the joint committee, appointed to wait on the Governor, reported that they had performed that duty, and that the Governor would make a written communication by his Secretary of State, to the Senate forthwith.

Alfred P. Robinson, Esquire, the Secretary of State, being admitted, delivered to the Senate, a written communication from His Excellency, with sundry accompanying documents.

And he withdrew.

On motion of Mr. Smith,

The communication from the Governor, was read as follows, to wit:
Fellow-Citizens of the Senate,

and House of Representatives :

The swiftly rolling years have again brought us to the period indicated by the Constitution, for your biennial assemblage, for the purpose of

consulting upon such measures as may best tend to promote the interests and secure the happiness of the people. It is a source of unmingled satisfaction, that I am again permitted to congratulate you, not only upon the continued welfare of the State of Delaware, but also upon the increased prosperity of the Federal Union. Peace and plenty smile throughout our enlarged territories—order tranquility and contentment characterize the separate communities of the Republic. The voice of internal discord, recently so ominous of disruption, no longer jars the general harmony of our happy system; and the seeming clashes of opinion, and conflict of views, engendered by a Presidential election, have subsided into an universal acquiescence and satisfaction in the result. Good government, adherence to the great principles of international law, the extraordinary progress of our industry, the useful inventions and productive improvements of that mechanical skill which has ever distinguished the American people, together with a general and steady advance in scientific attainments and literary culture, have combined to elevate us in the scale of nations and in the estimation of the world; and we may yet trust, notwithstanding the apparently retrogressive tendency of free principles from the advance of absolutism, that our tried and trusted spirit of civil liberty, teaching by the silent but cogent persuasion of example, may ere long reform the oppressors or regenerate the oppressed in all portions of the habitable world.

In the midst of this general prosperity and happiness, the nation has been called to mourn the death of two of her most distinguished citizens. Ripe in years, and rich in the honors and rewards of civic merit, they have rested from the labors which had devoted and sanctified their respective lives to the cause of a grateful country; and more than twenty millions of freemen, in emulous respect and sorrow, have spontaneously combined to appreciate their services and do honor to their memories. To the observant mind, there is no fact more significant of the true unity of our institutions, and the perfect oneness of the whole American people: The echoes of grief come with as strong an emphasis from the remotest bounds of California or Oregon, as from the stricken heart of Massachusetts, for the eloquent expounder of a common Constitution.

The people of Delaware were as ardent in their affection, as sincere and demonstrative in their expressions of respect, as Virginia or Kentucky, for the great Pacificator of the Union.

In our own domestic concerns we have undiminished causes for mutual congratulations. Abundance, health and general contentment have continued to prevail throughout our limits. Plentiful harvests have rewarded the labors of our principal branch of industry, and all divisions of business and employment are blessed with increased prosperity. Not unhappily confined in territory, we possess, within our narrow boundaries, all the essential elements necessary to provide for the interests and secure the welfare of our community. Enjoying a remarkably fruitful

soil and genial climate—happy in a most fortunate geographical position, with an energetic, industrious and highly intelligent population, endowed with an ample fund for the promotion and universal diffusion of the benefits of education, possessing sufficient means, if economically administered, for the support of government without resort to taxation, except for local objects,—having throughout an entire identity of popular interests, free from all sectional disturbances, with a simple and well settled State policy, undisturbed by conflicting views and safe from the interference of rash experiment, Delaware ought to present to the associated members of the Union, both in her institutions of government and the corresponding prosperity and character of her citizens, the perfect example of a model Republic; and I feel entirely satisfied, that with the due and diligent use of the means within our power, such proud and happy results may easily and permanently be accomplished. An earnest spirit of progress and improvement has, of late been rapidly developed among us, and although in some instances it may have lapsed into extravagant theories and doubtful expedients, its concomitant good effects are abundantly exhibited in social and agricultural advancement, in an increased attention to the important interests of education, in the attempt to perfect the civil and criminal code, and the desire to amend and more perfectly adapt to the requirements of the times, the principles and provisions of the fundamental law of the State.

The completion of the labours of the Commissioners, appointed to revise and digest the laws, and the action of the last General Assembly in relation to this important subject, will, it is presumed, materially lessen your present labours; as it may be reasonably expected that very little legislation will be necessary immediately after an examination and re-arrangement of the whole code, and the rectification of such defects and omissions as may have appeared upon the recent investigation. This action in reference to the revision of our system of Statute Law, together with the probable action of the Convention organized and elected to amend the existing Constitution, will not only have their natural effect of rendering little present legislation either necessary or expedient, but also, as connected therewith, will almost entirely supersede the obligation imposed upon the Executive of recommending to your consideration such measures as he may judge expedient.

The propriety of abstaining from all action which could possibly come in opposition to probable changes and amendments of the fundamental law, or contravene the provisions or principles of the revised code, not yet published, is so obvious as to need no comment or enforcement. At the same time there are questions of general policy, and some small matters of merely formal amendment, which may with propriety, and without danger of the interference alluded to, be presented to your notice.

If there be any prominent feature peculiarly characteristic of the present age, it is the rapid development and application of the princi-

ples of science to the inventions and improvements of mechanical ingenuity; especially as connected with the means of intercommunication throughout the world. It would be out of place and foreign to my present purpose to speculate upon the probable results upon the destinies of mankind to be effected by this new agent of power and civilization; but it will be evident to the most superficial observer of actual consequences, that it must very speedily be productive of more important issues in the advancement of commerce, the promotion of national industry, the social intercommunication and fraternization of nations, than all the efforts of the most enlightened diplomacy have ever been able to accomplish. But apart from these estimated and probable results, in an international point of view, there is no doubt, because the inference is drawn from actual and sound experience, that the increase and perfection of the means of internal communications constitute the most rapid and efficient means for the development of the industry and natural wealth and resources of a State or community. These are the familiar consequences found to flow in every portion of the Union, from the direction of the means and influence of the State governments to the cause of their own internal improvement.

The Geographical position of our own State is very happily adapted to the application and development of this important element of prosperity. Already possessing great local and natural advantages—fortunately placed between the broad waters of the Delaware and Chesapeake and penetrated by many of their tributaries, as well as by works of public utility emanating from individual enterprize—our limited territory needs but a comparatively small assistance from the means and credit of the State to perfect a scheme of complete internal communication which nature itself appears most beautifully to have indicated and commenced.

The General Assembly, at their last session, have already laid the foundation of such a policy by the subscription on behalf of the State, to the Capital Stock of the Delaware Rail Road Company, of the sum of one hundred and thirty thousand dollars, part of the sum accruing under the "Act to provide for the payment of certain sums of money to the State by the New Castle and Frenchtown Turnpike and Rail Road Company, and for other purposes," and by authorizing the issue of the bonds of the Company, endorsed by the State Treasurer, and payable at the Treasury out of the funds specified and provided for that object. They also appropriated the further sum of fifty thousand dollars out of the money to be raised under the act entitled, "An act for the benefit of the State of Delaware," for the same purpose.

The effect of these liberal measures, and the assistance given, at the same session to other works of public utility, is already visible in a renewed spirit of improvement, and the enhanced value of land, not merely in the immediate vicinity of the several projects directly benefitted, but throughout a great portion of the peninsula.

There are, as you are well aware, already in operation, passing through the county of New Castle, two rail roads and a canal; important links of the great chain of intercommunication between the Southern and Western and Northern and Eastern States.

The Railroad between New Castle and Wilmington connecting the other two roads, is also now just completed and open for travel. These works are the result of individual enterprise, and so far from the State having contributed to their construction, or in any way assisted them, with the exception of a small loan to the Chesapeake and Delaware Canal, and the investment of a portion of the surplus revenue in the loan of the Wilmington and Susquehanna Railroad—she is the recipient of considerable sums received by way of bonus or tax for the powers and privileges granted under their charters.

The construction of the rail road from Dona to Seaford, is a project which must ultimately be accomplished, not merely as an isolated and local improvement, but as a part of a great continuous road traversing the whole Peninsula from Wilmington to a point opposite Norfolk, and forming one of the great thoroughfares of travel between the Northern and Southern portions of the Union. Through the aid of Maryland and Virginia, that portion of this important route which lies beyond our own limits, will ere long unquestionably be put in operation; but for the purpose of completing the chain, the assistance of this State will be necessary to construct that part of the line which lies upon her territory. For the full development of our own resources and the encouragement of our industry there should also be a branch road passing through Milford and Milton, and terminating at the town of Lewes—a work which would not only place the eastern portions of Kent and Sussex in direct communication with a market; but would prove a most important subsidiary to the whole commerce and trade of the Delaware.

I have no hesitation in recommending that the means and credit of the State, in such mode as the wisdom of the Legislature may devise, should be applied to these great objects. There are no projected improvements through the whole of our broad country which present greater facilities for economical construction, or offer stronger inducement for investment, or better founded assurances of ultimate success and profit. The character of the country through which these roads would be located is almost uniformly favorable; lying at nearly a dead level, very little grading would be necessary; and the streams to be crossed are so inconsiderable that the requisite bridges could be built at a very small expense. The land necessary to be occupied either would be given, or could be purchased at very low prices, and the best timber may be procured with great facility, and at the most reasonable rates.

The wonderful increase of travel, and the constantly augmenting and free interchange of products between the different States of the Union, render it scarcely questionable that this, the most direct and speedy mode

of transmission between the north and the south, would immediately secure a great and rapidly increasing amount of business, rendering the project not merely a safe but highly desirable means of investment and profit. So far, however, as the action of the State is involved, the mere incidental advantages of the enhanced value of land, and other consequent benefits, would be in a proper and comprehensive point of view of the question, quite a sufficient return to the citizens for such aid as she might bestow. Should the States of Maryland and Virginia defeat the expectations which have been formed, by declining to proceed with the continuous line of road throughout the Peninsula, the Delaware portion of the route, connecting with Norfolk by steamboats from Seaford, would still be a work of great public utility, equally effectual in the development of our internal resources, and offering nearly equal hopes of comparative success.

It is not necessary or advisable upon the present occasion, to enter into the statistical data or economical arguments by which the feasibility of the scheme suggested may be forcibly illustrated; or to indicate to the Legislature the mode and measure of assistance which the State might reasonably and safely advance. But honestly believing, that where much benefit and revenue has been derived to the people and the State from the labors of private enterprise, that she, in her sovereign capacity, should do something, and without stinted means, to further the great policy of internal improvement, I would earnestly urge that, should you agree with me upon this subject, no half way measures be adopted, but that instant and effectual aid should be offered, so that the scheme may be carried into speedy and efficacious operation.

The temper of the times does not favor hesitation or delay—we live in an age, and a country which are emphatically progressive. Population, both from immigration and natural increase, is moving forward with stupendous strides—with a corresponding demand for increased facilities in the transmission of persons and property—new means and improved modes of travel, and novel agents of locomotion are every day devised and perfected—and if we desire to go onward with the great current of improvement we must not stand idly gazing from the shore, but go with the tide and participate in the movement, in order to partake the glory and the profit of success.

In my inaugural address, I adverted to certain evils and defects supposed to exist in some of the financial provisions of our system for the support of free schools, and submitted suggestions which I believed to be remedial of the difficulties alluded to. Subsequent reflection has effected no change in my views upon this important matter, and I therefore beg leave to refer to, and again commend to your consideration, the statements and views formerly presented.

Subsequent to the establishment by the Congress of the United States of a uniform time for holding the elections for electors of President and

Vice President, in all the States of the Union, the General Assembly, at the session of 1849, in pursuance of the mode provided, proposed an amendment of the Constitution, for the purpose of fixing the general election of the State upon the same day which had been designated by Congress. The act passed with this object, and the proposed amendments were duly approved by the Governor, and published for the consideration of the people, in accordance with the requirements of the Constitution, but the contemplated change was not ratified by the succeeding Legislature. As the power of ratification resides solely in the General Assembly elected next after the consideration by the people of such proposed amendment, it follows that in order to effect a change the same course must be again pursued, and although the matter is peculiarly proper for the action of the Convention to amend the Constitution, yet as it is perhaps uncertain whether that body, in view of the doubtful and embarrassing questions by which they are surrounded, will determine upon any action whatever, I have thought it advisable, in view of the time which must elapse before such an alteration could be consummated, to suggest that initiatory steps should be taken for that purpose, at the present session. Of the utility, convenience and economy of the proposed change, I presume there will be little difference of opinion. Should it be thought inexpedient to mingle the general politics of the county with questions of mere domestic interest, all practical difficulty might easily be removed by providing that the respective elections shall be determined by separate and different ballots.

I would also recommend the repeal of the sixteenth section of "an act concerning awards," &c., page 117 of the old digest. It provides for a certain oath to be taken by the Sheriff and Coroner, before entering upon the execution of their respective offices, and as the whole system in regard to the mode of summoning and returning juries has been recently changed; it is obviously improper that such officers should be held to the obligation of an oath as to matters with which they can not have any official connexion.

Permit me further to suggest that additional provisions, to remedy a slight defect in the existing laws relative to summoning and returning of juries seem to be required. It may occur, and as I am informed has really happened, that through mistake in the names selected by the Levy Court, or by the death or removal of persons drawn to be summoned, the requisite number of jurors have not actually been returned. This difficulty might easily be remedied by authorizing, in such case, the officers designated in the supplemental act to draw additional names from the boxes provided by the Levy Court, or by empowering the Sheriff, in accordance with the former system, to select and summon such additional persons as may be necessary to make up the entire body.

It has been suggested that the apartment now occupied for the State Library is entirely insufficient for the proper arrangement and preserva-

tion of the books. As this is a matter which will necessarily come within your own inspection, I deem it enough to call your attention to the subject in order that you may determine the necessity or property of providing further accommodation.

Some complaint has heretofore been made, in a portion of the State, in relation to alleged impositions practiced upon the people by public officers through illegal and excessive charges. The safe guards against mal-practices of this character would seem to be now sufficiently ample, were the existing provisions generally known. All costs, both in civil and criminal cases must be fully entered by items upon the docket; and there is the supervisory power of taxation in the respective Courts.—All fees for whatever services are explicitly and precisely fixed, subject to strict construction, not payable until the services shall be performed, and there is no right to charge in any case, unless there is an unequivocal allowance by law. Besides these restrictions, all officers are required to deliver a bill of the fees demanded with every item plainly and distinctly stated—and a receipt upon payment—and on failure or where any fee, illegal, either in character or amount, is taken, they are subject to a considerable penalty and indictment. Although not aware that this evil is complained of at the present time, yet as there can be no objection to more ample guards against its possible re-currence,—and as it is not probable that the subject will, in any event, engage the attention of the Convention, I submit to you the propriety of providing that all public officers, entitled to receive fees, be required to take an oath, in addition to those already prescribed, that they will not demand, receive or take any fee or fees for services not allowed by law, or more than is so specified—and that any violation of such obligation shall be, *ipso facto*, a forfeiture of their office.

I also desire to call your attention to the present attachment law, with the view of its amendment. Upon the service of summons in such case the liability of the garnishee becomes fixed, and no act of either the garnishee, or his creditor can destroy, or in any wise effect the rights of the attaching creditor thus acquired—but if the garnishee dies before answering or pleading according to the construction given to the present law, the attaching creditor loses the lien which he had acquired upon the debtor's effects, and all the costs of the abortive proceedings fall upon him, which would seem to me to be a hardship amounting to a denial of justice. I therefore propose for your consideration such an amendment to this law as will enable attaching creditors to prosecute cases of this sort to effect, by making the executors or administrators of deceased garnishees parties, as in other cases, and to allow them to answer if they choose, with the consent of the plaintiff, and to compel them to plead if required by such plaintiff to do so. Such an amendment would more effectually dispense equal justice without at all interfering with, or disturbing the order of administration of assets.

The New Castle and Frenchtown Turnpike and Rail Road Company, in accordance with the provisions of the act entitled, "An act to provide for the payment of certain sums of money to the State of Delaware by the New Castle and Frenchtown Turnpike and Rail Road Company, and for other purposes," signified their acceptance of the said act to me on the twenty-ninth day of April last, by an instrument in writing under their common seal of incorporation, which I have caused to be recorded in the office of the Secretary of the State.

The same Company, on the twenty-seventh day of July last, delivered to the Secretary of State a return, verified by the affidavit of the President for the time being, of the number of adult passengers conveyed over the said Rail Road to and from the cities of Philadelphia and Baltimore, during the six months next preceding the first day of July, eighteen hundred and fifty-two, setting forth specifically the number of such passengers, who, during the period embraced in the said return, paid the highest rate of toll received by the Company for the conveyance of passengers for the time being, between the places aforesaid, distinguished as first class passengers, and also the aggregate number of all other passengers.

On the nineteenth day of August, A. D., 1852, the Directors of the Milford Bank transmitted to me a statement under oath, from which it appears, that on that day the sum of ten thousand dollars in specie and the further sum of ten thousand dollars in notes of the Banks of the State of Delaware and City of Philadelphia were actually paid in and deposited, in the vaults of the said "Bank of Milford" by the stockholders, which statement now remains on file in the office of the Secretary of State.

The Trustees of Delaware College signified to me their acceptance of the act of Assembly for the benefit of that institution, by transmitting the proceedings of the Board of Trustees containing a resolution to the effect which remains on file in the office of the Secretary of State.

I am not aware of the necessity at this time for any communication from me of a financial character, further than to give you some general idea of the probable state of the Treasury at or about the close of the past year. From the best estimate which can be made at present, notwithstanding the Treasury receipts have very much increased by the annual tax upon the New Castle and Frenchtown Turnpike and Rail Road Company, and the transit duty on its passengers, and by various other means, the liability of the State on the twenty-fourth day of January instant, over and above its available resources, will be about ten thousand dollars; and the expenses of the Legislature, which will then have accrued in part, and those of the Convention, and the new Digest now being published, will greatly increase the demand upon the Treasury; but to what amount remains to be disclosed by the future. Before the adjournment of your session, it will devolve upon you to make

suitable provision for supplying the Treasury with funds to meet these extraordinary demands against it.

I herewith transmit to you a schedule of books and public documents which have been received by me, for the use of the State, and which have been deposited in the State Library.

And now, gentlemen, having briefly adverted to the few topics which, under existing circumstances, it seemed to be advisable to refer to, allow me, with a deep sense of the true significance of the matter, to congratulate you that so little of recommendation is required from me, or of action from yourselves. It has been well said, "happy is the nation whose annals are silent," and surely the spirit and philosophy of the remark applies most peculiarly to that community whose need demands but little and infrequent legislation. Such a state of things infers wisdom, fitness and equality in the existing code of laws, justice in their administration, and a reverential observance of their dictates. It includes a sound and healthy condition of society, a general contentment and prosperity among the people. And these, under Providence, are the happy attributes of our beloved State. May your deliberations still further enhance her position, by fostering the industry, promoting the interests, and securing the happiness of her citizens; and by elevating yet higher, that moral power, and intellectual influence, which she has ever exercised among the sister republics of the Union.

WM. H. ROSS.

Dover, Jan. 4th, 1853.

SCHEDULE.

To the Honorable, the Senate and House of Representatives of the State of Delaware, now in session at Dover.

The following is a list of the books received at the Executive Department of the State of Delaware; from the Executives of the other States and Territories of the Union, &c., &c., since the last session of the General Assembly of this State, viz :

- 1 vol. Maryland Chancery Reports.
- 6th and 7th vols. Gill's Maryland Reports.
- 11th vol. Humphrey's Reports.
- 1 copy Acts of Tennessee for 1851—1852.
- 12th vol. B. Monroe's Reports.
- 1 copy proceedings of House of Delegates of Md., for 1852.

- 1 copy Journal of Senate of Md., for 1852.
- 1 copy Maryland State documents for 1852.
- 2 copies Journal of Senate and House of Representatives of New Hampshire, for 1852.
- 13th vol. Iredell's Report of the Laws of N. Carolina.
- 1 copy Laws of Pennsylvania for 1852.
- 2 copies Laws of Louisiana,
- 22 copies Statutes at large, and treaties of the U. S. A. for the years 1851—1852.
- 1 copy Laws of the Territory of New Mexico.
- 4th and 5th vols. Cushing's Reports.
- 1 copy Code of Alabama, for 1852.
- 1 copy Acts of Assembly, for 1852.
- 3 copies Laws of New York for 1852.
- 1 copy Ohio Reports, vol. 20, for 1852.
- 1 copy Laws of Ditto.
- 2 copies Laws of Kentucky for 1851—1852.
- 1 copy Hartley's Digest of the Laws of Texas.
- 32d vol. Maine Reports.
- 2 copies Acts and Resolutions of Legislature of Maine.
- 3 copies Acts and Resolutions of General Court of Mass.
- 2 copies Laws of Wisconsin for 1852.
- 1 copy Laws United States Courts for 1852.
- 1 copy Acts of first Session of Legislature of Utah, 1851.
- 2nd vol. Green's Reports, Iowa.
- 6 copies Resolutions and private acts of Connecticut for 1852.
- 13th and 14th vols. Missouri Reports,
- 2 copies Compiled Statutes of Vermont for 1851.
- 2 copies Laws of South Carolina for 1851.
- 1 copy Journal of House of Representatives of Vermont for 1851.
- 1 copy " " " " " " " "
- 3 copies Laws " " " " " " " "
- 1 copy Auditor's Rept. " " " "
- 1 copy Cobb's Digest of the Laws of Georgia, 1850.
- 12th vol., Illinois Reports for 1852.
- 11th " " Morris's Reports, " " " "
- 1 copy Maps of City of Washington.
- 1 " Hague's Report, Sup't ct., of Florida, 1852.
- 9th vol., U. S., at large, from 1846 to 1851.
- 1 copy Statutes of Minesota, for 1851.
- 1 " Laws, " " " "
- 1 " Journal of Leg., " " " "
- 1 copy, 1st vol., of Works of Calhoun.
- 1 copy Journal of House of Rep. of Conn., for 1851.
- 12th vol., Iredell's Noreth Carolina Reports.

- 7th vol. IredeU's Equity Reports of N. Carolina, for 1851.
31st " Maine " "
1 copy Acts and Resolutions of Legislature of Rhode Island, 1851.
2 " " " " " " 1852.
1 " " Rhode Island Reports, vol. 1.
1 " " Texas " " 3.
2 copies Laws of Texas for 1852.
65th Annual Report of Regents of University of New York.
1 copy Journal of Senate of Con. for 1851.
3 vols. Cushing's Reports.
7th vol. Vermont Reports.
1 copy Laws of New Jersey for 1852.
1 " " Journal Senate of Connecticut for 1852.
1 copy Journal of House of Representatives of Connecticut for 1852.
1 " " 2nd Report of Ag. Chemist of Maryland.
1 " " " of Sup. of pub. instruction to Legislature of K.
2 copies Report of condition of Public Schools of R. I.
2 " " Acts and Resolutions of Legislature of " for 1852.
1 copy Report of Sup. of public institution to Legislature of Cal.
1 " " " Auditor of State of Ohio, for 1852.
1 " " Acts and Resolutions of Legislature of Rhode I. for 1851.
1 " An. Mes. of the Governor of Maryland for 1852.
1 " Pamphlet form, Ag. Acad. of the U. S. A.
1 " Speech of Mr. Soule on Intervention.
1 " Report of select com. of H. Del. of Md., on the subject of the murder of Edward Gorsuch.
3 copies Owens' Journal on the union of the pop. of World.
1 copy Mes. of Governor of New York, for 1852.
1 " " " Wisconsin for " "
2 copies 33d Gen. Report of P. & Directors of the Ches. and Delaware Canal.
1 copy Mes. of Governor of New Jersey for 1852.
1 " An. Report of man. of the Pa. Institute for the blind.
1 " Report of R. J. Brent, Atty. Gen. of Md., on the Christiana treason cases, in the U. S. Circuit Court.
1 copy of School Law of California.
1 " An. Report of Sec. State of Wisconsin for 1851.
1 " Statutes of California for 1852.
2 copies Debates in Convention of California, 1851.
1 copy 29th vol. Maine Reports.
2 copies Acts and Resolutions of State of Maine.
1 copy An. Report of Directors of Pa. Institute for the blind for 1850.
42 vols. Ex. Doc. of U. S. A. for 1849 and 1850.
36 " Senate " for " "
3 " " " Reports " "

- 3 vols. of Journal for 1846 and 1850.
- 6 " " Miscellaneous Doc.
- 3 " " Journal for 1849 and 1850.
- 9 " " Report of com. of Session 1849 and 1850.
- 12 " " An. of Congress " "
- 2 " Journals House of Representatives " "
- 6 " House Miscellaneous Doc, " "
- 5 " Natural History of New York.
- 2 " Acts of Wisconsin.
- 2 " Laws of South Carolina, 1850
- 3 " " of New Hampshire, 1851.
- 1 " Hudson's Bay Ter. & V. C. Island.
- 2 " Laws of New Jersey, 1851.
- 2 Plates Mag. and Met. observations 1840 to 1845.
- 13th and 14th vols. Smedes and Marshal's Reports, C. E. Ap. Mis.
- 3 vols. American Archives.
- 1 copy 13th vol. Reports of cases argued and determined in Superior
Jud. Court of Mass.
- 1 vol. Cushing's Reports of Massachusetts.
- 2nd vol. Chancery Reports of New Jersey.
- 2d " Halstead's " " "
- 4th and 5th vols. South Carolina Equity reports.
- 1 copy An. Reports of com. on Indian affairs.
- 2d and 3d vols. of life and works of John Adams.
- 1 copy U. States Official Register, 1851.
- 3 copies Laws of Missouri.
- 2 " Code of Iowa.
- 1 copy Laws and Journals of the Senate and House of Representa-
tives of the State of Connecticut.
- 1 copy Laws of Iowa for 1851, and the Journals of the two Houses
of the Legislature.
- 1 copy Laws of Michigan for 1851.
- 2nd vol. Texas Reports.
- 20th " Connecticut Reports.
- Executive Documents, 30th vol. for 1850 and 1851.
- Senate U. S. " 15th " " "
- " " Reports 3d vol. 2d Session 31st Congress 1851.
- " " Journal " " " "
- Reports of Com. " " " "
- House, U. S. Journal, 5th " " " "
- " " Miscellaneous vol. 3d. " "
- Senate " " " "
- Annals of Congress 6th vol. from 1797 to 1799.
- " " 2d vol. from 1799 to 1801.
- The life and works of John Adams; vols. 4, 5, 6, for 1851.

- Pennsylvania Laws for 1851.
 Acts and Resolves Legislature of Maine, 1851.
 Laws of Illinois 16th Gen. Assembly, 2d session.
 " " 3d vol. 1849 to 1851.
 Illinois Senate, Journal, 1 vol. 2d Session, 1849 to 1851.
 " House " " " for "
 General Laws of Indiana 2d " 35th Session, 1850 to 1851.
 Journal of the Senate and House of Rep., June Session, 2d vol. 1851.
 Acts of the Gen. Assembly of Arkansas, " 1851.
 Reports of cases in law, argued and determined in the Supreme Court
 of N. Carolina, from June Term, 1850, to Dec. Term, 1850, both in-
 clusive.
 Iredell's Law, vol. 11.
 Acts of a General nature, passed by the 49th General Assembly of
 the State of Ohio, vol. XLIX, 1850, 1851.
 Reports of cases argued and determined in the Supreme Court of the
 State of Ohio; vol. XIX, 1851.
 Strobhart's Law Reports of South Carolina; vol. IV, 1850.
 Strobhart's Equity, vol. 3, 1850.
 Public Laws of Rhode Island, 3 copys, 1848 to 1851, inclusive.
 Acts and Resolves of the Gen. Assembly of Rhode Island, 3 copys,
 May Session, 1851.

STATE OF ILLINOIS.

JOINT RESOLUTIONS

*Passed by the Seventeenth General Assembly of the State of Illinois,
 at the Session thereof, begun and held at the City of Springfield,
 January 6, 1851.*

*Resolved by the Senate and House of Representatives of the General
 Assembly of Illinois,* That the constitution of the United States was
 the result of compromise, and could not have been formed without con-
 cessions made by the different states represented in the convention, of
 1787, and under which this confederacy of sovereign states was brought
 together, and consummated as an union for certain general and limited
 purposes; and that the federal government, as a consequence of the
 constitution, is one of limited powers, derived exclusively from that in-
 strument, and in order to its preservation, all the grants of power therein
 contained, should be strictly construed by all the departments and agents
 of the general government so constituted; and that all the concessions
 and compromises therein contained, should be faithfully observed and

maintained by all sections of our common country ; and that it is at all times dangerous and inexpedient to exercise doubtful constitutional powers, unless the necessities and exigences of the nation should manifestly surmount questions of doubt and expediency.

Resolved, That the institution of slavery was one of the principal subjects of compromise embraced in the constitution, and this general assembly, without committing itself upon the question of the constitutional power of congress to legislate upon the subject of slavery in the territories of the United States, deem the exercise of such power unnecessary and inexpedient, because the exercise of the same is calculated to impair the happiness of the people, and to endanger the perpetuity of our glorious Union.

Resolved, That regarding the constitution of the United States as not conflicting with the divine law as revealed to us, we as citizens of the American Union, know no higher law than the constitution of our country ; and that as members of the general assembly of Illinois, when we take an oath to support the constitution of the United States, do not consider that we make any mental reservation touching the requirements of duty imposed by that instrument ; therefore be it

Resolved by the Senate and House of Representatives of the General Assembly of Illinois, That all laws passed by the congress of the United States, under and in pursuance of the constitution, should be supported, upheld and obeyed by all the citizens of this and every other state and territory in the Union.

Resolved, That the controversy upon the subject of slavery, between the slave-holding and non-slave-holding states of the Union, and the distractions, jealousies, and destruction of mutual confidence among the several states arising therefrom, should be deprecated by every good citizen and lover of his country, in the north, south, east, and west, as having the inevitable tendency of loosening the bonds of union, and threatening to prostrate the noblest fabric of civil and religious liberty that the world ever saw.

Resolved, That the system of adjustment or compromise passed during the last session of congress, comprising the admission of California, the establishment of territorial governments for Utah and New Mexico, without the Wilmot Proviso, so called, the settlement of the boundary line between Texas and New Mexico, the suppression of the slave trade in the District of Columbia, and the amendment of the act of 1793, for the recovery of fugitive slaves, is eminently calculated to remove the controversy, and to restore peace, quietude and confidence between the different sections of our beloved country, and meets with the hearty concurrence and approval of this general assembly.

Resolved, That our senators be instructed, and our representatives in the congress of the United States be requested to use all their energies, and to employ their best abilities and influence in resistance to any and

all attempts that may be made to disturb or to unsettle, either by repeal or modification, any of the measures embraced in that system of adjustment or compromise.

Resolved, That any resolutions passed by any previous general assembly, in conflict with the foregoing, and especially those adopted during the first session of the last general assembly, known as the Wilmot Proviso resolutions of instructions, be and the same are hereby rescinded.

Resolved, That we approve of the manly and patriotic stand taken by the executive of the United States in evincing his determination to execute and enforce all laws constitutionally enacted, and that the people of the state of Illinois will cheerfully sustain him in so doing.

Resolved, That his excellency, the governor of this state, be requested to transmit a copy of the foregoing resolutions to each of our senators and representatives, with the request that a copy thereof be presented in each house of congress, and also a copy to the executive of each state of the Union, to be laid before their respective legislatures, that the position of Illinois, so far as can be defined by her general assembly, may be understood by the other states of the Union.

SIDNEY BREESE,

Speaker of the House of Reps.

WILLIAM McMURTRY,

Speaker of the Senate.

STATE OF FLORIDA.

EXECUTIVE DEPARTMENT, FLORIDA,

Tallahassee, Sept. 20th, 1851.

TO HIS EXCELLENCY, W. H. ROSS,

Governor of the State of Delaware.

SIR:—

I have the honor to acknowledge the receipt of a communication, from your excellency, dated 14th May, transmitting "A series of resolutions upon the subject of the Compromise Measures of the Thirty-first Congress of the United States, unanimously adopted at a session of the General Assembly of the State of Delaware, March 6th, 1851."

The patriotic opinions and sentiments declared in those resolutions, receive from me, as I am sure they do from the people of my state, a cordial response. And it is gratifying to me, to be able to assure you,

that I believe the great body of the people of the Southern states—in the language of the resolutions of your general assembly—regarding with “profound contempt, the abolitionists of the North, now known as the higher law party, and disunionists of the South, will stand to and abide by, the Compromise Measures in good faith,” as essential to the peace and harmony of our glorious Union.

I am very respectfully,

Your most obedient servant,

THOMAS BROWN.

On motion of Mr. Curry,

Ordered that the Clerk have 500 copies of the Governor's Message, printed for the use of the Senate:

Mr. Smith presented the following resolution, which

Was read and

Adopted.

To wit:—

Resolved, That a Committee of two members be appointed to wait on his Excellency, the Governor, and invite him to take a seat on the floor of the Senate Chamber, and to tender the same invitation to the Secretary of State, and the members of the Judiciary of the State, who may be present during the session,

Messrs. Smith and Temple, were then appointed said committee.

On motion of Mr. Sorden,

A committee to draft rules and regulations for the government of the Senate, consisting of

Messrs. Sorden and Jump, were appointed.

Mr. Jump, introduced the following resolution, which was read and

Adopted,

Resolved, That a committee of three members be appointed, as a committee of elections, to enquire into the qualifications of the members.

Whereupon,

Messrs. Jump, Ponder, and Fergusson, were appointed said committee.

On motion,

Adjourned till 10 o'clock, to-morrow morning.

WEDNESDAY, 10 o'clock, A. M. Jan. 5, 1853.

The Senate met pursuant to adjournment.

Mr. Smith, presented the following resolution, which was read and *Adopted.*

To wit :

Resolved, That a committee of two be appointed to report on the unfinished business of the last session.

Whereupon,

Messrs. Smith and Currey, were appointed said committee.

Mr. Jump, presented the petition of Susannah Baker, praying that her name may be restored to her original name before marriage, which on his motion was read and referred to a committee of three members with leave to report by bill or otherwise,

Whereupon,

Messrs. Jump, Ponder, and Ferguson, were appointed said committee.

Mr. Jump laid on the table, the following joint resolution :

In Senate, January 5, 1853.

Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the Legislature of this State will, on Thursday next, the sixth of January, instant, at 11 o'clock A. M., in the Hall of the House of Representatives, in joint meeting of the Senate and House of Representatives, hold an election, by ballot, for the purpose of choosing a Senator for this State, in the Senate of the United States, for the Constitutional term to commence on the fourth day of March next.

Mr. Jump then moved the adoption of said resolution, pending which motion, Mr Sorden moved to lay the resolution on the table.

Upon this motion the yeas and nays were called by Mr. Jump, and are as follows :

Yeas.—Ferguson, Ponder, Smith, Sorden and Mr. Speaker. 5.

Nays.—Currey, du Pont, Jump and Temple. 4.

So the Resolution was laid on the table.

Mr. Sorden presented the petition of Abram Camper, a free negro, asking a special act to enable him to remove and reside in this State, which,

On his motion,

Was read and referred to a committee of the members,

Whereupon,

Messrs. Sorden, Temple and Ponder were appointed said committee, with leave to report by bill or otherwise.

Mr. Smith laid on the table the following Resolution :

In Senate, Jan. 5, 1853.

Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That a committee to consist of two members on the part of the Senate, and three on the part of the House of Representatives be appointed, to examine the accounts of the State Treasurer, count the cash on hand, and make report to the General Assembly, on or before the 29th instant.

On motion of Mr. Smith,

Said resolution was

Adopted.

Whereupon,

Messrs. Smith and Temple, were appointed a committee on behalf of the Senate.

Ordered to the House for concurrence.

Mr. Cowgill, Clerk of the House, being admitted, presented for concurrence a joint resolution, appointing John T. Hazzard, and Thomas G. Murphy, Chaplains to the General Assembly, to alternate between the two Houses.

On motion of Mr. Sorden,

Said resolution was read.

Mr. Temple, then moved that the Senate concur therein.

Upon this motion,

The yeas and nays were called by Mr. Sorden, and were as follows:

Yeas.—Messrs. Currey, Du Pont, Jump, Ponder, Temple and Mr. Speaker. 6.

Nays.—Messrs. Ferguson, Smith, and Sorden. 3.

So the resolution was concurred in.

Ordered to be returned to the House.

Mr. Currey laid on the table the following resolution, which,

On his motion,

Was read as follows :

Resolved, That the Speaker of the Senate, be and he is hereby authorized to assign seats in the Senate Chamber, to any of the Reporters of newspapers of this State, that desire that privilege.

On motion of Mr. Sorden,

The consideration of said resolution was postponed until this afternoon.

Mr. Jump, from the committee on Elections, presented the following report, which

Was read and

Adopted:

The committee on Elections beg leave to report that they have made the necessary inquiry concerning the qualifications of the members of the Senate, and that they find them duly qualified to fill said office.

ISAAC JUMP.

JOHN PONDER.

BASSET FERGUSON.

On motion of Mr. Smith,

The Senate adjourned until this afternoon, at 3, o'clock.



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

The Senate met pursuant to adjournment.

On motion of Mr. Sorden,

The Resolution allowing reporters of newspapers seats in the Senate chamber, was taken up for consideration.

Mr. Sorden then offered the following amendment to said resolution :

"Amend the resolution by striking out of the third line, the words "to any of the," and insert in lieu thereof, the words "two."

On motion of Mr. Du Pont,

The amendment was read and adopted, and,

On motion of Mr. Currey,

The resolution as amended, was *Adopted.*

On motion of Mr. Sorden,
The Senate adjourned until to-morrow morning, at 10 o'clock.



THURSDAY, 10 o'clock, A. M. January 6, 1853

The Senate met pursuant to adjournment.

Mr. Cowgill, Clerk of the House, being admitted, informed the Senate, that the House had concurred in the joint resolution appointing a committee to settle with the State Treasurer, and had appointed as said committee, on the part of the House.

Messrs. Delaplaine, Chambers and Benjamin Burton.

And he withdrew.

Mr. Smith, from the committee appointed to wait on his Excellency, the Governor, Secretary of State, and Members of the Judiciary of the State who may be present, reported that the committee had performed that duty.

On motion of Mr. Smith,

Senate adjourned until 3 o'clock, this afternoon.



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

The Senate met pursuant to adjournment.

Mr. Du Pont, presented the memorial of John Jones, asking the Legislature to make an appropriation for the payment of a balance due to himself and others, for furnishing a granite block, which has been placed, in the name of the State of Delaware, in the Washington Monu-

ment, now in progress of erection in the City of Washington, which,

On his motion,

Was read and referred to a committee of three members.

Whereupon,

Messrs. Du Pont, Ponder, and Smith, were appointed said committee, with leave to report by bill, resolution, or otherwise.

Mr. Smith, presented the petition of Urias E. Lank, praying the passage of an act of the General Assembly, to divorce him from his wife, Sarah A., which,

On his motion,

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

Whereupon,

Messrs. Smith, Currey, and Fergusson, were appointed said committee.

Mr. Jump, from the committee on the petition of Susannah Baker, reported a bill entitled, "An act to change the name of Susannah Baker, and of her son, Luther Baker," which,

On his motion

Was read.

Mr. Sorden, from the Committee on Rules, made the following report, which,

On his motion,

Was read and

Adopted:

Rules for the government of the Senate during the present Session.

First.—Every member shall be in his place at the time to which the Senate stands adjourned.

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

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

Fourth.—No member shall be allowed to interrupt another while speaking, unless on points of order, and then only by application through

the Speaker, and no member shall be referred to by name in debate.

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

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

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

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

Ninth.—Every committee shall report within four days of actual session of the Senate, from the time of their appointment, or furnish reasons why report has not been made.

Tenth.—All motions and resolutions, except for the reading of bills, the daily adjournment of the Senate, or any motion to refer any subject, or to postpone the same, shall, if required by the Speaker or any member, be reduced to writing by the mover, and if seconded, shall be reported by the Speaker to the Senate, before any debate or decision thereon.

Eleventh.—Every motion on which a vote is taken, shall be entered on the journal, and except in case of motions of adjournment, the name likewise of the person moving the same.

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

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

Fourteenth.—When a question has been decided in the negative or affirmative, any member who voted in the majority, may move for a reconsideration thereof, within three days of the regular session.

Fifteenth.—Every bill shall be introduced by motion for leave, by order of the Senate, or by a report of a committee, one day's notice at least shall be given of an intended motion for leave to bring in a bill.

Sixteenth.—Every bill shall receive three readings in the Senate, previous to its passage, and no bill shall be read twice the same day, without special order of the Senate.

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

Eighteenth.—The Speaker shall appoint all committees, unless the Senate shall otherwise direct.

Nineteenth.—All messages from the Senate to the House of Representatives, shall be conveyed by the Clerk or by a member.

Twentieth.—All bills and resolutions which the standing rules of the Senate require to be three several times read, may be amended at the second reading, and no such bill or resolution shall be so altered or amended upon its last reading as to change materially its object or nature.

Twenty-first.—When a message is brought to the Senate, by a member of the House, or an officer of the State, the members shall rise upon their feet.

Mr. Sorden, presented the memorial of the "Delaware Railroad Company," which,

On his motion,

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

Whereupon,

Messrs. Sorden, Du Pont, and Currey were appointed said committee.

On motion of Mr. Sorden,

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



FRIDAY, 10 o'clock, A. M. January 7, 1853.

The Senate met pursuant to adjournment.

Mr. Sorden, from the committee appointed on the memorial of the Delaware Railroad Company, reported a bill entitled "A supplement to the act entitled, an Act to incorporate the Delaware Railroad Company," passed at Dover, February 22d, 1849; which,

On motion of Mr. Sorden,

Was read.

On motion of Mr. Curry,

It was ordered that the Clerk cause 300 copies of the above act to be printed for the use of the Senate.

On motion of Mr. Jump,

The bill entitled, "An act to change the name of Susannah Baker, and of her son, Luther Baker," was read a second time.

Mr. Du Pont from the committee appointed on the memorial and petition of John Jones, made the following report:

The undersigned, a committee to whom was referred the memorial of John Jones and others, praying the Legislature to make an appropriation in their favor, for certain monies by them expended in procuring, and causing to be placed in the monument to the memory of Washington now in progress of erection, a granite block, on behalf of, and in the name of the State of Delaware; report—that after a careful examination of the said claim, and the proofs and statements made in relation to the subject of the said memorial, they are of opinion, that the State ought to adopt the action of the persons who procured and placed the said granite block in said Monument as aforesaid, as the act of the State, and that they therefore recommend, that a Joint Resolution of the General Assembly be adopted, providing for the payment by the State Treasurer, for and on account of said granite block, as follows:—To William Chandler, the sum of one hundred and forty-five dollars, to Thomas Smith, the sum of thirty dollars, and to John Jones, the sum of seventy-five dollars. In consideration whereof they beg leave to submit the following resolution, and recommend its passage by the Legislature.

Resolved, by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the State Treasurer, be and he is hereby directed, to pay to William Chandler, the sum of one hundred and forty-five dollars, to Thomas Smith, the sum of thirty dollars, and to John Jones, the sum of seventy-five dollars, for money by them expended, in procuring and causing to be placed in the monument now in course of erection at the City of Washington, to the memory of Washington, a granite block, in the name and on behalf of the State.

All which is respectfully submitted.

CHARLES I. DU PONT,
JOHN PONDER,
WILLIAM SMITH.

On motion of Mr. Du Pont,

The report of the committee was

Adopted.

And on motion of Mr. Jump,

The resolution reported by the committee was *Adopted.*
Ordered to the House for concurrence.

Mr. Cowgill, Clerk of the House being admitted, informed the Senate that the House had passed, and requested the concurrence of the Senate, in a Joint Resolution, appointing a committee to provide for the proper distribution of the Revised Statutes of the State, which

On motion of Mr. Jump,

Was read and

Concurred in.

He then moved that three members be appointed on said committee, on the part of the Senate, which motion prevailed.

Whereupon,

Messrs. Jump, Sorden, and Smith, were appointed said committee.

Mr. Smith, from the committee on the petition of Urias E. Lank, reported the following bill, "An act to divorce Urias E. Lank, and Sarah A., his wife, late Sarah A. Scott, from the bonds of matrimony, which,

On his motion,

Was read.

Mr. Sorden gave notice, that on Tuesday next, or some other day thereafter, he should introduce a bill to repeal the first section of chapter 22, of the Revised Code.

On motion of Mr. Sorden,

Senate adjourned untill Monday morning, 11 o'clock,

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MONDAY, 11 o'clock, A. M., January 10, 1853.

The Senate met, pursuant to adjournment.

Mr. Smith gave notice that on Wednesday next, or some future day, he should ask leave to introduce a bill, to prevent the issue and circula-

tion of Bank notes of a less denomination than five dollars.

Mr. Sorden, from the committee on the petition of Abram Camper, reported a bill entitled "An act for the relief of Abram Camper, and his wife, Isabella Camper," which,

On his motion, *was read.*

Mr. Smith, from the committee on unfinished business, asked, and On motion of Mr. Temple,

Had further time within which to make report.

On motion of Mr. Smith,

The Senate adjourned until 3 o'clock, this afternoon.

*Same day, 3 o'clock, P. M.*

The Senate met pursuant to adjournment,

On motion of Mr. Jump,

The bill entitled "An act to change the name of Susannah Baker, and her son Luther Baker, was read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered to the House for concurrence.*

On motion of Mr. Smith,

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

**TUESDAY, 10 o'clock, A. M., January 11th, 1851.**

The Senate met pursuant to adjournment.

The Speaker laid on the table the petition of Wm. Dulaney, and eighty-three other citizens of the town of Laurel, and its vicinity, praying the repeal of the law authorizing the Superior Court to appoint a wood corder in said town, which,

On motion of Mr. Smith,

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

Whereupon,

Messrs. Smith, Currey, and Sorden, were appointed said committee.

On motion of Mr. Sorden,

The bill entitled, "An act for the relief of Abram Camper and his wife, Isabella Camper, was read a second time.

On motion of Mr. Du Pont,

The Senate adjourned until 3 o'clock, this afternoon.

**Same day, 3 o'clock, P. M.**

The Senate met pursuant to adjournment.

Mr. Sorden, presented the petition of Burton Prettyman, praying an Act of the Legislature, confirming the Report of Commissioners, to locate a certain road in Kent county, which,

On his motion,

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

Whereupon,

Messrs. Sorden, Du Pont, and Ponder, were appointed said committee.

Mr. Sorden moved that a committee on claims, to consist of two members be appointed,

Which motion,

*Prevailed.*

Whereupon,

Messrs. Sorden and Currey, were appointed said committee.

Mr. Sorden laid on the table, the account of William Huffington, Clerk of the Senate at the adjourned Session of the General Assembly, 1852, for superintending the printing of the Journal of the Senate, making the index thereto, &c., which,

On his motion,

Was read and referred to the Committee on Claims.

Mr. Temple laid on the table the account of A. Poulson, for printing which,

On his motion,

Was read and referred to the Committee on Claims.

Mr. Du Pont laid on the table the following resolution, which,

On his motion,

Was read:

*“Resolved, by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That both Houses of the Legislature will adjourn on Saturday, the fifth day of February—Sine Die.*

Mr. Cowgill, Clerk of the House, being admitted, informed the Senate that the House had concurred in the Joint Resolution directing the State Treasurer to pay certain monies to William Chandler, Thomas Smith, and John Jones.

And he withdrew.

Mr. Cowgill, Clerk of the House being admitted, presented for concurrence, a bill entitled “An act to suspend the operation of certain sections of an Act therein mentioned,” which,

On motion of Mr. Temple,

Was read.

Mr. Smith, moved that a committee of three members be appointed, on that part of the Governor’s Message, in relation to Free Schools, with leave to report by bill or otherwise,

Which motion

*Prevailed.*

Whereupon,

Messrs. Smith, Jump, and Ponder, were appointed said committee.

Mr. Du Pont, moved that a committee of three members be appointed, on so much of the Governor's Message as relates to Internal Improvements, with leave to report by bill or otherwise.

Which motion

*Prevailed.*

Whereupon,

Messrs. Du Pont, Ferguson, and Sorden, were appointed said committee.

Mr. Jump moved that so much of the Governor's Message, as relates to the State Library, be referred to a committee of three members, with leave to report by bill or otherwise.

Which motion

*Prevailed.*

Whereupon,

Messrs. Jump, Ponder, and Ferguson, were appointed said committee.

Mr. Sorden moved that a committee of three be appointed on that part of the Governor's Message, relating to officer's fees, with leave to report by bill or otherwise.

Which motion

*Prevailed.*

Whereupon,

Messrs. Sorden. Temple, and Smith, were appointed said committee.

On motion,

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



WEDNESDAY morning, 10 o'clock, A. M. January 12, 1853.

The Senate met pursuant to adjournment.

Mr. Ponder moved that a committee of three members be appointed on such part of the Governor's Message as relates to awards:

Which motion

*Prevailed.*

Whereupon,

Messrs. Ponder, Du Pont, and Ferguson, were appointed said committee.

Mr. Currey moved that so much of the Governor's Message, as relates to the summoning and returning jurors be referred to a committee of three members.

Which motion,

*Prevailed.*

Whereupon,

Messrs. Currey, Smith, and Sorden, were appointed said committee.

Mr. Temple moved that so much of the Governor's Message, as relates to the amendment of the Constitution of the State, so as to provide for the holding of the State and Presidential elections on the same day, be referred to a committee of three members.

Which motion

*Prevailed.*

Whereupon,

Messrs. Temple, Ponder, and Ferguson, were appointed said committee.

Mr. Sorden moved that so much of the Governor's Message, as relates to the subject of garnishees, be referred to a committee of three members.

Which motion

*Prevailed.*

Whereupon,

Messrs. Sorden, Smith, and Currey, were appointed said committee.

On motion of Mr. Sorden,

The bill entitled "An act suspending the operation of parts of a certain act therein mentioned, was read a second time.

On motion of Mr. Jump,

The Resolution for a joint meeting of the two Houses of the Legislature, for the election of a Senator from this State in the Congress of the United States, was taken up for consideration.

He then moved,

The following amendments,



To wit:—

Strike out the words Thursday next, 12 o'clock, noon, and insert in lieu thereof, the words, this day 12 o'clock, noon, which

Were read, and

On motion of Mr. Sorden,

*Adopted.*

Ordered to the House for concurrence.

Mr. Cowgill, Clerk of the House, being admitted, returned the joint Resolution, convening both Houses for the Election of United States Senator, and informed the Senate that the House had concurred in the same.

And he withdrew.

Mr. Temple presented the petition of the widow and heirs of Jacob Raymond, dec'd., praying the passage of a law for the division of their estate, which,

On his motion,

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

Whereupon,

Messrs. Temple Du Pont, and Ponder were appointed said committee.

Mr. Cowgill, Clerk of the House being admitted, presented for concurrence a Resolution, appointing William Cannon, State Treasurer, which,

On motion of Mr. Jump,

Was read, and

On motion of Mr. Sorden,

*Concurred in.*

Also a Resolution, appointing Doctor Luther Swigget, Auditor of Accounts, which

On motion of Mr. Jump,

Was read and

On motion of Mr. Sorden,

*Concurred in.*

Mr. Cowgill, Clerk of the House of Representatives, being admitted, informed the Senate, that the House would be ready to receive the

members of the Senate, in joint meeting in five minutes, for the purpose of electing a Senator from this State, to the Senate of the United States.

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

The two Houses being thus convened in joint meeting,

On motion of Mr. Sorden,  
Of the Senate,

The Joint Resolution for convening them was read,

Thereupon,

Mr. Valentine, of the House of Representatives moved,

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

Which motion *Prevailed.*

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

They were tallied by the respective Clerks, and were as follows:

|                      |    |
|----------------------|----|
| For John M. Clayton, | 17 |
| Blanks,              | 13 |

The Speaker then decided, that John M. Clayton, having a majority of the whole number of votes, was duly elected a Senator, from the State of Delaware in the Senate of the United States, for the constitutional term, to commence on the fourth of March next.

Three certificates of the election of John M. Clayton, to the Senate of the United States, were thereupon made out, agreeably to the act of Assembly in such case made and provided; which certificates were signed by the Speaker of the Senate, and the Speaker of the House of Representatives, and attested by the Clerks of the respective Houses.

On motion of Mr. Hays,

Of the House of Representatives,

The certificates were read.

On motion of Mr. Temple,

Of the Senate,

The Journal of the proceedings of both Houses, in joint meeting, were read and compared.

On motion of Mr. Delaplaine,

The two Houses then separated; and the members of the Senate returned to their Chamber.

On motion of Mr. Smith,

Senate adjourned until 3 o'clock, this afternoon.



*Same day, 3 o'clock, P. M.*

The Senate met pursuant to adjournment.

On motion of Mr. Sorden,

The bill entitled, "An act to suspend the operation of certain sections of an act therein mentioned was taken up for consideration.

He then offered the following amendment, which

On his motion,

Was read, and

*Adopted:*

To wit:

"Amend the bill by striking out of the 6th line of the preamble, the words "*New Digest*," and inserting in lieu thereof, the words "*Revised Statutes*."

Also, strike out of the 4th line of Section 1, the words "*New Digest*," and insert the words "*Revised Statutes*."

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

*Passed the Senate,*

*Ordered to be returned to the House.*

Mr. Cowgill, Clerk of the House being admitted, presented for concurrence,

A bill entitled "An act exempting from taxation, certain Real Estate

located in the City of Wilmington, purchased by the United States Government, for the purpose of erecting a Custom House thereon.

Also "An act to confirm an Ordinance of the City of Wilmington, vacating Orange street, which

On motion of Mr. Smith,

Were severally read.

And he withdrew.

On motion of Mr. Sorden,

The bill entitled "An act for the relief of Abram Camper and his wife, Isabella Camper" was read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered* to the House for concurrence.

Mr. Temple from the committee on the petition of the heirs of Jacob Raymond, dec'd., reported a bill entitled,

"An act for the relief of the widow and heirs of Jacob Raymond, dec'd., which

On his motion,

Was read.

On motion of Mr. Sorden,

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



THURSDAY morning, 10 o'clock, A. M., January 13, 1853.

The Senate met pursuant to adjournment.

On motion of Mr. Jump,

The bill entitled "An act exempting from taxation, certain Real Estate located in the City of Wilmington, purchased by the United States Government, for the purpose of erecting a Custom House thereon," was read a second time.

Mr. Ponder asked,

And on motion of Mr. Jump,

Had leave to introduce a bill.

Whereupon,

He laid on the table a bill entitled, "An act to amend Chapter 20, of the Revised Statutes of the State of Delaware," which,

On his motion,

Was read.

On motion of Mr. Temple,

The bill entitled "An act for the relief of the widow and heirs of Jacob Raymond, dec'd., was read a second time, and the blanks filled with the names of James D. Wild, John Mustard, and William Collins.

Mr. Sorden then moved, that the said bill be read a third time, by special order, by paragraphs, with a view to pass the Senate,

Which motion,

*Prevailed.*

Whereupon,

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

*Passed the Senate.*

*Ordered* to the House for concurrence.

Mr. Ponder from the committee on that part of the Governor's Message, concerning "Awards," made the following report:

The undersigned, a committee to whom was referred, so much of the Governor's Message, as relates to the amendment of the "Act concerning awards," page 117, of the Old Digest, report, that after examining the existing laws on that subject, they find, that the defect complained of by the Governor, was provided for by the last session of the Legislature, in chapter 24, section 3, of the "Revised Statutes," and that the committee therefore ask leave to be discharged from the further consideration thereof. Signed,

JOHN PONDER.  
CHARLES I. DU PONT,  
BASSET FERGUSON.

On motion of Mr. Sorden,

The committee were discharged.

Mr. Smith from the committee on unfinished business, made the following report:

Which on his motion,

Was read, to wit :

The undersigned, a committee appointed on the unfinished business of the last session of the Legislature, report, that they find on the files of the Senate, the following Bills and Resolutions :

An act to incorporate a Bank, in the village of Newark, under the name of the Bank of Newark, Delaware.

An act for the payment of damage done to sheep, by dogs in New-Castle County.

An act for the benefit of Public Schools in Wilmington.

An act concerning prosecutions for Libel.

An act for the benefit of Education and Internal Improvements.

Resolution to pay back to William T. Jeandell, and Francis Vincent, two hundred dollars, paid by them for a fine for a libel on Zenes B. Glazier.

WILLIAM SMITH,  
DANIEL CURREY.

Mr. Sorden presented for consideration, the following Resolution,

Which was read:

*Resolved*, That when the Senate adjourns for this day, it shall stand adjourned until Tuesday next, at 10 o'clock, A. M.

On motion of Mr. Sorden,

The said resolution was

*Adopted.*

On motion of Mr. Du Pont,

The bill entitled "An act to confirm an Ordinance of the City of Wilmington," was read a second time,

On motion,

The Senate adjourned until 3 o'clock, this afternoon.

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

The Senate met pursuant to adjournment.

Mr. Sorden from the committee on so much of the Governor's Message as relates to the subject of, "Officer's Oaths," reported a bill entitled, "A supplement to Chapter 24, of the Revised Statutes of the State of Delaware," which,

On his motion,

Was read.

On motion of Mr. Du Pont,

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

**TUESDAY morning, 10 o'clock, A. M. January 18, 1853.**

The Senate met pursuant to adjournment.

Mr. Smith laid on the table, the remonstrance of Sarah A. Lank, together with sundry affidavits in her favor, against the petition of her husband Urias E. Lank, praying to be divorced from her, which,

On motion of Mr. Smith,

Were read.

Mr. Sorden then moved, that the bill to divorce the said Urias E. Lank, from the said Sarah A., his wife, and the petition, remonstrance, and affidavits, be referred back to the committee which reported the bill, consisting of Messrs. Smith, Currey and Ferguson.

Which motion

*Prevailed.*

Mr. Du Pont from the committee on that part of the Governor's Message, relating to Internal Improvements, asked, and

On motion of Mr. Jump,

Had further time within which to make report.

Mr. Sorden, from the committee on that part of the Governor's Mes-

sage, in relation to "Garnishees" asked, and

On motion of Mr. Jump,

Obtained further time within which to make report.

The Speaker laid on the table, the petition of Stephen Greer and forty-three other citizens of the town of Laurel, praying the passage of a law to prevent stallions and jacks from being exhibited in said town, which,

On motion of Mr. Jump,

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

Whereupon,

Messrs. Jump, Ponder, and Fergusson, were appointed said committee.

Mr. Smith, from the committee on so much of the Governor's Message as relates to the subject of "Free Schools" asked, and

On motion of Mr. Sorden,

Obtained further time within which to make report.

On motion of Mr. Sorden,

The bill entitled "An act to amend Chapter 20, of the Revised Statutes of the State of Delaware," was read a second time.

Mr. Smith gave notice that on to-morrow or some future day, he should ask leave to introduce a bill, "to extend the time for recording deeds."

Mr. Sorden asked that the rules might be suspended to enable him to introduce a bill.

On motion of Mr. Jump,

The rules were suspended to enable him to bring in a bill.

Whereupon,

He laid on the table a bill entitled "An act to amend Section 12, of Chapter 24, of the Revised Statutes of the State of Delaware, which,

On his motion,

Was read.

Mr. Sorden, from the committee on the petition of Burton Prettyman, asked, and

On motion of Mr. Smith,



Obtained further time within which to make report.

On motion of Mr. Smith,

Senate adjourned until 3 o'clock, this afternoon.

—•••—

*Same day, 3 o'clock, P. M.*

The Senate met pursuant to adjournment.

Mr. Cowgill, Clerk of the House, being admitted, presented for concurrence the following bills:

"An act to continue in force the act entitled, An act to incorporate the Trustees of the Smyrna Circuit Parsonage, passed at Dover, January 22d, 1833."

"An act to authorize the Levy Court of New Castle county, to cause to be transcribed certain Indexes."

He also returned the bill entitled, "An act for the relief of the widow and heirs of Jacob Raymond, dec'd.," and informed the Senate that the House had concurred therein, with the following amendment:

House of Representatives, January 18, 1853.

"Amend the bill by striking out the word fifty, in the 17th line of the 2d Section, and insert in lieu thereof, the words, seventy-five."

Extract from the Journal.

C. A. COWGILL, Clerk.

On motion of Mr. Currey, the communication from the House was read, and

On motion of Mr. Temple,

The amendment of the House to the "Act for the relief of the widow and heirs of Jacob Raymond, dec'd."

Was

Concurred in.

On motion of Mr. Smith,

The Report of the committee on unfinished business, was taken up for consideration, and

On his motion,

All the bills and the resolution by them reported as unfinished business was indefinitely postponed.

Mr. Sorden laid on the table the following resolution, which,

Was read, and

*Adopted, viz :*

*Resolved*, That the business remaining unfinished at every biennial Session of the Legislature, ought to be, and hereafter shall be considered as abandoned, and shall not again be called up by the Senate for action.

On motion of Mr. Du Pont,

The bill entitled "An act to confirm an ordinance of the City of Wilmington, vacating a part of Orange street," was read a third time, by paragraphs, and

*Passed the Senate,*

*Ordered* to be returned to the House.

On motion of Mr. Sorden,

The bill entitled "A supplement to chapter 24, of the Revised Statutes of the State of Delaware" was read a second time.

Mr. Smith, from the committee on the petition of William Dulany, and others of the town of Laurel, in Sussex County, reported a bill entitled "An act repealing so far as it regards the town of Laurel, section 8, chapter 51, of the Revised Statutes of the State of Delaware," which,

On his motion,

Was read.

Mr. Jump from the committee on that part of the Governor's Message, relating to the "Public Library," asked, and

On motion of Mr. Smith,

Obtained further time within which to make report.

Mr. Cowgill, Clerk of the House, being admitted, presented for concurrence, a bill entitled,

"An act to amend the act for the benefit of Public Schools, in Wilmington," which,

On motion of Mr. Jump,

Was read.

On motion of Mr. Sorden,  
The Senate adjourned until to-morrow morning, at 10 o'clock.



WEDNESDAY morning, 10 o'clock, *A. M.*, January 19, 1853.

The Senate met pursuant to adjournment.

Mr. Ponder, presented the petition of Eli Donovan, praying a divorce from his wife, which

On his motion,

Was read and referred to a committee of three members, viz :

Messrs. Ponder, Jump, and Fergusson.

On motion of Mr. Smith,

The bill entitled "An act to authorize the Levy Court of New Castle County, to cause to be transcribed certain indexes," was read a second time.

On motion of Mr. Ponder,

The bill entitled, "An act to amend chapter 20, of the Revised Statutes of the State of Delaware," was read a third time, by paragraphs, and

*Passed the Senate,*

*Ordered* to the House for concurrence.

On motion of Mr. Temple,

The bill entitled, "An act to continue in force the act entitled, "An act to incorporate the Trustees of the Smyrna Circuit Parsonage, passed at Dover, January 22, 1833," was read a second time.

Mr. Sorden, presented the petition of Benjamin Melson, praying an act of the Legislature, to enable him to locate certain vacant lands in Sussex County, which

On his motion,

Was read.

On motion of Mr. Sorden,

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

Whereupon,

Messrs. Sorden, Du Pont, and Currey, were appointed said committee.

Mr. Temple from the committee on that part of the Governor's Message, recommending an amendment of the constitution, so as to provide for holding the State Elections at the same time as the Presidential Elections are held, reported a bill entitled, "An act proposing an amendment to the constitution of this state," which was read.

Mr. Currey laid on the table, the petition of James Postles, and eighteen other citizens of the town of Milford, praying the incorporation of the Steamboat Association of said town, which

Was read.

Mr. Currey then moved that the petition be referred to a committee of three members, with leave to report by bill otherwise,

Which motion

*Prevailed.*

Whereupon,

Messrs. Currey, Smith, and Temple, were appointed said committee.

On motion of Mr. Sorden,

The bill entitled "An act to amend section 12, chapter 24, of the Revised Statutes of the State of Delaware," was read a second time.

On motion of Mr. Sorden,

The bill entitled, "A supplement to chapter 24, of the Revised Statutes of the State of Delaware," was read a third time, by paragraphs, and

*Passed the Senate:*

*Ordered to the House for concurrence.*

Mr. Currey from the committee on that subject made the following report:

The committee to whom was referred so much of the Governor's Message as relates to "Summoning and returning Jurors," report, that after examining the existing laws on that subject, they find the defect complained of, is provided for in chapter 109, section 13, of the Revised Statutes, and that the committee therefore ask to be discharged.

Mr. Temple then moved that the committee be discharged,

Which motion

*Prevailed.*

Mr. Smith, in pursuance of notice heretofore given, asked, and

On motion of Mr. Temple,

Obtained leave to introduce a bill. He then laid on the table a bill entitled, "A further additional supplement to the act entitled, an Act to extend the time for recording deeds," which,

On his motion,

Was read.

Mr. Ponder moved that a committee of enrolment, to consist of two members be appointed,

Which motion,

*Prevailed.*

Whereupon,

Messrs. Ponder and Currey, were appointed said committee.

On motion of Mr. Smith,

The Senate adjourned until 3 o'clock, this afternoon.



*Same day, 3 o'clock, P. M.*

The Senate met pursuant to adjournment.

Mr. Cowgill, Clerk of the Senate being admitted, presented for concurrence a bill entitled,

"An act for the benefit of Sarah Grinage."

"An act to create an additional School District in Sussex county," which,

On motion of Mr. Currey,

Were read.

Mr. Cowgill also presented for the signature of the Speaker of the Senate,

"An act to confirm an ordinance of the City of Wilmington, vacating part of 'Orange street,'" and

"An act to suspend the operation of certain sections of an act therein mentioned."

The Speaker laid on the table the petition of Benjamin Fooks, and others, praying the passage of an act to confirm his title to certain real estate; which

On motion of Mr. Temple,

Was read, and

On motion of Mr. Sorden,

Referred to a committee of three members, with leave to report by bill or otherwise,

Whereupon,

Messrs. Sorden, Du Pont and Temple, were appointed said committee.

On motion of Mr. Du Pont,

The bill entitled, an act to amend the "Act for the benefit of Public Schools in Wilmington," was read a second time.

Mr. Sorden laid on the table a Joint Resolution, for the appointment of a committee to inquire whether the stockholders of the Milford Bank, have organized according to the provisions of their charter, with leave to send for persons and papers, which

On his motion,

Was read.

Mr. Sorden then moved that the resolution be adopted,

Which motion

*Prevailed.*

On motion,

Messrs. Sorden and Temple, were appointed said committee.

*Ordered* to the House for concurrence.

Mr. Du Pont presented the memorial of the President, Directors and Company of The Farmer's Bank of the State of Delaware, praying the renewal of their act of incorporation, which,

On his motion,

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

Whereupon,

Messrs. Du Pont, Currey, and Ponder, were appointed said committee.

Mr. Jump, from the committee on the Library, made the following report, which

Was read and

*Adopted:*

"The committee to whom was referred so much of the Governor's Message, as relates to the apartment now occupied as the State Library Room, respectfully report: That they have had the subject under consideration, and fully concur in the suggestion made by him, that the room now used for the purpose, is entirely insufficient for the proper arrangement and preservation of the books. Your committee, do not think it advisable at present, to recommend the enlargement of the Library room, in view of the probability that at some future day, and that not very far distant, it will become necessary for the State, either to erect a new capitol, or to remodel and enlarge the present one. In which case the expense incidental to a present temporary enlargement of the Library room would be useless. But they think that by providing boxes or other proper depositories for the duplicate copies of books occupying places on the shelves of the library, ample arrangements can be made, for the increase which is likely to be made in the library for several years to come. Your committee therefore recommend the adoption of the following Joint Resolution; viz:

*"Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That ——— be and he is hereby authorized and directed to cause a sufficient number of boxes to be made, in which he shall place all duplicates, copies of books now in the State Library, and to place the said books in the State House garret.*

*Resolved, That the State Treasurer be and he is hereby authorized and directed to pay to the said ——— or his order, the sum of ——— dollars, to enable him to carry into effect the foregoing resolution, and to compensate him for his services in that behalf; and the said ——— is hereby required to present his accounts and vouchers for the services hereby imposed upon him to the Legislature at the next session, for their allowance.*

ISAAC JUMP,  
JOHN PONDER,  
BASSET FERGUSON.

On motion of Mr. Sorden,

The bill entitled, "An act repealing so far as it regards the town of Laurel, section 8, chapter 51, of the Revised Statutes of the State of Delaware," was read a second time.

Mr. Sorden from the committee on the petition of Benjamin Fooks and others, reported a bill entitled, "An act for the benefit of Caleb Sirman and Benjamin Fooks," which

On his motion,

Was read.

On motion of Mr. Ponder,

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



THURSDAY morning, 10 o'clock, A. M., January 20, 1853.

The Senate met pursuant to adjournment.

Mr. Du Pont presented the petition of the Trustees of Mount Salem M. E. Church, praying an amendment to their act of Incorporation, which,

On his motion,

Was read.

He then moved that said petition be referred to a committee of three members, with leave to report by bill or otherwise,

Which motion

Prevailed.

Whereupon,

Messrs. Du Pont, Jump, and Smith, were appointed said committee.

Mr. Ponder from the committee on Enrollment, reported, as duly and correctly enrolled;

"An act for the relief of the widow and heirs of Jacob Raymond, deceased."



"An act to confirm an ordinance of the City of Wilmington, vacating a part of Orange street."

"An act to suspend the operation of certain sections of an act therein mentioned."

On motion of Mr. Sorden,

The bill entitled "An act to create an additional School District in Sussex county," was read a second time. He then laid on the table, certain letters and remonstrances against the passage of the said bill, which,

On his motion,

Was read.

Mr. Ponder from the committee on the petition of Eli Donovan, reported a bill entitled, "An act to divorce Eli Donovan and Margaret Donovan, late Margaret Coffin, from the bonds of matrimony," which,

On his motion,

Was read.

On motion of Mr. Temple,

The bill entitled, "An act to continue in force the act entitled an Act to incorporate the Trustees of the Smyrna Circuit Parsonage," passed at Dover, January 22, 1833, was read a third time by paragraphs, and

*Passed the Senate.*

By yeas, 9, no nays.

*Ordered* to be returned to the House.

Mr. Cowgill, Clerk of the House being admitted, returned concurred in, "An act to change the name of Susannah Baker and her son Luther Baker," and presented for concurrence, "An act to amend chapter 59, of the Revised Code Title of Ditches," which,

On motion of Mr. Jump,

Was read.

On motion of Mr. Smith,

The bill entitled, "An act to authorize the Levy Court of New Castle county, to cause to be transcribed certain indexes," was read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered* to be returned to the House.

On motion of Mr. Sorden,

The bill entitled, "An act repealing so far as it regards the town of Laurel, section 8 of chapter 51, of the Revised Statutes of the State of Delaware," was taken up for consideration, and after some time the further consideration was postponed until this afternoon.

On motion of Mr. Temple,

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

On motion of Mr. Currey,

The bill entitled, "An act for the benefit of Sarah Grinage," was read a second time.

On motion of Mr. Smith,

The bill entitled, "An act to extend the time for recording of deeds," was read a second time.

On motion of Mr. Sorden,

The bill entitled, "An act to amend section 12 of chapter 24, of the Revised Statutes of the State of Delaware," was read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered to the House for concurrence.*

On motion of Mr. Sorden,

"The bill entitled, "An act for the benefit of Caleb Sirinan and Benjamin Fooks," was read a second time.

Mr. Ponder from the committee on Enrollment, reported as duly and correctly enrolled, a

*Resolution* directing the State Treasurer, to pay certain monies to William Chandler, Thomas Smith, and John Jones.

On motion,

The Senate adjourned until 3 o'clock, this afternoon.

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

The Senate met pursuant to adjournment.

Mr. Cowgill, Clerk of the House, being admitted, returned concurred in, a bill entitled, "An act for the relief of Abram Camper and his wife Isabella Camper."

On motion of Mr. Sorden,

The bill entitled "An act to create an additional School District in Sussex county, was taken up for consideration.

Whereupon,

He offered the following amendment, which,

On his motion,

Was read, and

*Adopted:*

"Amend the bill by inserting in the eighth line of the first section, after the word "and" the words *if they deem it proper and necessary.*"

On motion of Mr. Du Pont,

The bill entitled, "An act to amend the act for the benefit of Public Schools in Wilmington," was read a third time, by paragraphs, and

*Passed the Senate.*

By yeas 7, no nays.

Ordered to be returned to the House.

Mr. Du Pont from the committee on the petition of Mount Salem M. E. Society, reported a bill entitled, "An act to establish the Mount Salem Cemetery," which,

On his motion,

Was read.

On motion of Mr. Currey,

The bill entitled, "An act for the benefit of Sarah Grinage," was taken up for consideration.

Mr. Currey then offered the following amendment, which,

On his motion,

Was read, and adopted, as follows:

Amend the bill:

Strike out all the bill after the enacting clause, and the word "*that,*" and insert in lieu thereof the following:

"It shall and may be lawful for a certain Sarah Grinage, a free negro woman, now residing in the State of Maryland, to come into, and reside in the State of Delaware, with all the privileges, rights, and immunities, now possessed and enjoyed by resident free negroes and mulattoes in this State, any law, custom, or the usage to the contrary thereof notwithstanding."

On motion of Mr. Currey,

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

FRIDAY morning, 10 o'clock, *A. M.* January 21, 1853.

The Senate met pursuant to adjournment.

Mr. Ponder from the committee on Enrollment, reported as duly and correctly enrolled, the following bills :

"An act for the relief of Abram Camper and his wife Isabella Camper."

"An act to change the name of Susannah Baker, and of her son, Luther Baker."

Mr. Du Pont from the committee on the memorial of the Farmer's Bank of Delaware," for a renewal of their act of incorporation, reported a bill entitled,

An additional supplement to an act entitled, "An act to establish a Bank, and incorporate a company under the name of the Farmer's Bank of the State of Delaware," which,

On his motion,

Was read.

Mr. Smith from the committee on the petition of Urias E. Lank, praying an act to divorce him from his wife, made the following report :

"The undersigned, a committee to whom was referred back the petition and bill of Urias E. Lank, praying for and providing for a divorce from

his wife Sarah A. Lank, have had that matter under due consideration, and from the testimony appearing before them in the case, are of opinion that it is not a proper case for legislation, therefore recommend that the bill now before the Senate be indefinitely postponed.

WILLIAM SMITH,  
DANIEL CURREY,  
BASSETT FERGURSON.

On motion of Mr. Du Pont,

The report was *Adopted.*

And on motion of Mr. Jump,

The said bill was indefinitely postponed.

On motion of Mr. Sorden,

The bill entitled, "An act repealing so far as it regards, the town of Laurel, section 8 of chapter 51, of the Revised Statutes of the State of Delaware," was taken up for a third reading, with a view to pass the Senate—upon the question, shall the first section pass, the yeas and nays were called by Mr. Sorden, and were as follows:

Yeas—Mr. Speaker, 1.

Nays—Messrs. Currey, Du Pont, Fergurson, Jump, Ponder, Smith, Sorden, 8.

So the first section being lost, the bill *Was lost.*

Mr. Smith gave notice that on to-morrow or some future day, he should ask leave to introduce a bill to amend section 8, of chapter 16, of the "Revised Statutes of the State of Delaware."

On motion of Mr. Ponder,

The bill entitled, "An act to divorce Eli Donovan from his wife," was read a second time. The said bill was then taken up for consideration, the petition read, and the further consideration thereof postponed for the present.

On motion of Mr. Sorden,

The bill entitled, "An act for the benefit of Caleb Sirman, and Benjamin Fooks," was read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered* to the House for concurrence.

On motion of Mr. Smith,

"The bill entitled, A further additional supplement to the act entitled,

'An act to extend the time for recording deeds,' " was read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered to the House for concurrence.*

On motion of Mr. Temple,

The bill entitled, "An act proposing an amendment to the Constitution of this State," was read a third time, by paragraphs, and

*Passed the Senate,*

By yeas—Messrs. Currey, Du Pont, Fergurson, Jump, Ponder, Smith, Sorden, Temple, and Mr. Speaker, 9; no nays.

*Ordered to the Senate for concurrence.*

Mr. Du Pont presented the memorial of the Bank of Smyrna, praying the passage of an act to renew their act of incorporation, which,

On his motion,

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

Whereupon,

Messrs. Du Pont, Ponder and Temple, were appointed said committee.

On motion of Mr. Du Pont,

The bill entitled, "An act exempting from taxation certain Real Estate located in the City of Wilmington, purchased by the United States Government, for the purpose of erecting a Custom House thereon," was taken up for consideration.

Mr. Du Pont then offered the following amendment, which,

On his motion,

Was read and

*Adopted.*

To wit:

"Amend the preamble of the bill by inserting in the sixteenth line thereof, immediately after the word "United," the word "States."

On motion of Mr. Sorden,

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

On motion of Mr. Du Pont,

The bill entitled, "An act to establish the Mount Salem Cemetery," was read a second time.

Mr. Sorden from the committee on the petition of Burton Prettyman; reported a bill entitled, "An act to authorize Burton Prettyman, to make a certain Public Road in Kent county, and for other purposes," which,

On his motion,

Was read.

On motion of Mr. Ponder,

The Senate adjourned until 3 o'clock, this afternoon.



*Same day, 3 o'clock, P. M.*

The Senate met pursuant to adjournment.

On motion of Mr. Currey,

The act entitled, "An act for the relief of Sarah Grinage," was read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered to be returned to the House.*

Mr. Ponder asked that the rules be suspended, in order to enable him to bring in a bill,

On motion of Mr. Jump,

He obtained leave, and laid on the table, a bill entitled, "An act to incorporate the Maryland and Delaware Canal Company," which,

On his motion,

Was read.

On motion of Mr. Jump,

"The bill entitled, 'An act to amend chapter 59, of the Revised Code Title of Ditches,' " was read a second time.

Mr. Cowgill, Clerk of the House, being admitted, presented for concurrence, the following bills, which,

On motion of Mr. Ponder,

Were severally read, viz :

"An act to enable Manaan Gum to locate certain vacant lands situate in Baltimore Hundred, in Sussex county, and to complete his title to the same."

"An act to confirm the title of Nancy Purnel, late Nancy Sirman, to certain real estate therein mentioned."

"A supplement to the act entitled, 'An act to divorce Robert Layton, and Gennette, his wife, late Gennette Long, from the bonds of matrimony,' " passed at Dover, on the 28th day of January, A. D. 1851.

Mr. Cowgill also returned concurred in, with an amendment, the bill entitled, "An act to amend chapter 20 of the Revised Statutes of the State of Delaware."

On motion of Mr. Ponder,

Said amendment was read, and was in the following words and figures :

House of Representatives, January 20, 1853.

"Amend the title of said bill, by striking out the figures "20," and inserting in lieu thereof, the word "twenty."

Extract from the Journal.

C. A. COWGILL,

Clerk of House of Representatives.

Mr. Jump then moved that the Senate non-concur in said amendment,

Which motion

*Prevailed,*

By an unanimous vote.

*Ordered* that the Clerk inform the House of the action of the Senate thereon.

Mr. Jump from the committee on the petition of sundry citizens of the town of Laurel, praying a law to prevent stallions and jacks from being exhibited in said town, asked, and

On motion of Mr. Sorden,

Obtained further time within which to make report.

Mr. Currey from the committee on the petition of the Milford Steam Navigation Company, reported a bill entitled, "An act to incorporate the Milford Steam Navigation Company," which,

On his motion,

Was read.

On motion of Mr. Currey,

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



SATURDAY morning, 10 o'clock, *A. M.* January 22, 1853.

The Senate met pursuant to adjournment.

Upon the calling the roll, it appeared that a quorum was not in attendance.

Whereupon,

On motion of Mr. Smith,

The Senate adjourned until 10 o'clock, on Monday morning.



MONDAY, 10 o'clock, *A. M.*, January 24, 1853.

The Senate met, pursuant to adjournment.

Mr. Ponder from the committee on Enrollment, reported as correctly and duly enrolled,

"An act to amend section 20, of the Revised Statutes of the State of Delaware."

On motion of Mr. Jump,

The bill entitled, "An act to enable Manaan Gum to locate certain vacant land, situate in Baltimore Hundred, in Sussex county, and to complete his title to the same," was read a second time.

On motion of Mr. Currey,

The bill entitled, "An act to incorporate the Milford Steamboat Company," was read a second time.

Mr. Currey then offered the following amendment to said bill, which,

On his motion,

Was read, and *Adopted, viz:*

"Amend the bill by inserting between the words "with the" and the words "laws of," "*constitution or*," in the 14th line of section 4, also amend the same section in the 23d line thereof, by inserting between the words "with the," and the words "laws of," the words "*constitution or*."

Mr. Cowgill, Clerk of the House, being admitted, presented for concurrence the following bills, which,

On motion of Mr. Smith,

Were severally read, viz :

"An act to incorporate Kirkwood Division, No. 27, of the Sons of Temperance, located in New Castle, Delaware."

"An act to prevent Swine running at large within certain limits of Kent county."

Mr. Cowgill being admitted, informed the Senate that the House had receded from their amendment to the House bill entitled, "An act to amend chapter 20 of the Revised Statutes of the State of Delaware."

On motion of Mr. Smith,

The bill entitled, "An act to confirm the title of Nancy Purnell, formerly Nancy Sirman, to certain real estate therein mentioned," was read a second time.

On motion of Mr. Ponder,

The Senate adjourned until 3 o'clock, this afternoon.



*Same day, 3 o'clock, P. M.*

The Senate met pursuant to adjournment.

Mr. Jump from the committee on the petition of sundry citizens of the town of Laurel, praying the passage of a law to prevent stallions and jacks from being exhibited in said town, reported a bill entitled, "An act for the suppression of Nuisances," which,

On his motion,

Was read.

On motion of Mr. Jump,

The bill entitled, "An act to authorize Burton Prettyman, to make a certain Public road in Kent county, and for other purposes," was read a second time.

On motion of Mr. Ponder,

The bill entitled, "An act to create an additional School District in Sussex county," was taken up for consideration.

Whereupon,

Mr. Ponder offered the following amendment, which,

On his motion,

Was read and

*Adopted, viz :*

"Amend the bill by inserting in the tenth line of the second section, between the word "shall" and the word "have" the word "each."

On motion of Mr. Jump,

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

*Passed the Senate.*

*Ordered* to be returned to the House.

Mr. Cowgill, Clerk of the House, being admitted, returned sundry enrolled bills, which had received the signature of the Speaker of the House, and presented for the signature of the Speaker of the Senate the following :

"An act to continue in force the act entitled, 'An act to incorporate the Trustees of the Smyrna Circuit Parsonage,' " passed at Dover, January 22, 1833, and

"An act to authorize the Levy Court of New Castle county, to cause to be transcribed certain Indexes."

On motion of Mr. Currey,

"A supplement to the act entitled, 'An act to divorce Robert Layton, and Gennette his wife, late Gennette Long, from the bonds of matrimony, passed at Dover, on the 28th day of January, 1851,' " was read a second time.

Mr. Cowgill, Clerk of the House, being admitted, informed the Senate that the House had concurred in the Senate's amendments to the bill entitled, "An act to create an additional School District in Sussex County."

On motion of Mr. Sorden,

The bill entitled, "An act to amend chapter 59 of the Revised Code, (Title Ditches,)" was taken up for consideration, and after some time spent therein, was postponed for further consideration.

On motion of Mr. Jump,

The Resolution in relation to the State Library was taken up for consideration,

Whereupon,

On his motion,

The first, second and fourth blanks in the Resolution were severally filled with the name of George P. Fisher, and the third blank in the same was filled with the word "twenty."

On motion of Mr. Jump,

The Resolutions were then read and adopted, as amended.

*Ordered* to the House for concurrence.

Mr. Temple presented claims of James L. Bewley, for certain monies by him expended, in relation to the arrest of abettors in kidnapping, which,

On his motion,

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

Whereupon,

Messrs. Temple, Sorden, and Currey, were appointed said committee.

On motion of Mr. Currey,

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

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TUESDAY morning, 10 o'clock, A. M., January 25th, 1853.

The Senate met pursuant to adjournment.

Mr. Ponder from the committee of Enrollment, reported as duly and correctly enrolled, viz :

"An act to authorize the Levy Court of New Castle County to cause to be transcribed certain Indexes."

"An act to continue in force the act entitled, 'An act to incorporate Smyrna Circuit Parsonage, passed at Dover, January 22d, 1853.'"

On motion of Mr. Sorden,

The bill entitled, "An act to authorize Burton Prettyman to make a certain Public road in Kent County, and for other purposes," was read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered to the House for concurrence.*

On motion of Mr. Smith,

The bill entitled, "An act to incorporate Kirkwood Division, No. 27, of the Sons of Temperance, located in New Castle, Delaware," was read a second time.

On motion of Mr. Currey,

The bill entitled, "An act to prevent Swine running at large within certain limits of Kent County," was read a second time.

On motion of Mr. Du Pont,

The bill entitled, "An act to establish the Mount Salem Cemetery," was read a third time, by paragraphs, and

*Passed the Senate.*

By yeas, Messrs. Currey, Du Pont, Fergusson, Jump, Ponder, Smith, Sorden, Temple, and Mr. Speaker, 9, no nays.

*Ordered to the House for concurrence.*

On motion of Mr. Sorden,

The bill entitled, "An act to enable Manaan Gum to locate certain vacant land, situated in Baltimore Hundred, in Sussex county, and to complete his title to the same," was taken up for consideration, and afterwards laid on the table for further consideration.

On motion of Mr. Smith,

The bill entitled, "An act to confirm the title of Nancy Purnell, formerly Nancy Sirman, to certain real estate therein mentioned," was read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered to be returned to the House.*

On motion of Mr. Sorden,

The bill entitled, "A supplement to an act entitled, 'An act to divorce

Robert Layton, and Gennette his wife, late Gennette Long, from the bonds of matrimony," was read a third time, by paragraphs, and,

*Passed the Senate.*

*Ordered* to be returned to the House.

Mr. Du Pont presented the petition of the Roman Catholic Bishop of Philadelphia, praying the enactment of a law to enable him to hold in trust, for the use and benefit of the several congregations under his charge certain real estate, belonging to the Roman Catholic Churches in the State of Delaware," which,

Was read.

Mr. Du Pont then moved that the said petition be referred to a committee of three members, with leave to report by bill or otherwise,

Which motion,

*Prevailed.*

Whereupon,

Messrs. Du Pont, Temple, and Sorden, were appointed said committee.

On motion of Mr. Du Pont,

The bill entitled, "An additional supplement to the act entitled, 'An act to establish a Bank, and incorporate a company, under the name of the Farmer's Bank of the State of Delaware,'" was read a second time.

Mr. Du Pont from the committee on the memorial of the Bank of Smyrna, for a re-charter of their incorporation, reported a bill entitled,

"A further supplement to the act entitled; 'An act to establish a Bank, and incorporate a company, under the name of the Bank of Smyrna,'" which,

On his motion,

Was read.

Mr. Cowgill, Clerk of the House, being admitted, presented for concurrence, a bill entitled,

"An act for the benefit of Robert H. Lane, Rachel Lane, John W. Lane, Susannah Lane, and Kitturah Lane," which,

On motion of Mr. Jump,

Was read.

Mr. Cowgill, also returned concurred in, the bill entitled, "An act proposing an amendment to the constitution of this State."

He also informed the Senate that the House had concurred in the amendment of the Senate to the bill entitled, "An act for the benefit of Sarah Grinage," with an amendment, to which the concurrence of the Senate was requested.

On motion of Mr. Jump,

The amendment was read, and is as follows :

House of Representatives, January 25.

"Amend the amendment of the House by striking out in the sixth line of the first section, between the words negroes and mulattoes, and the word "negroes" and insert in lieu thereof, the word "colored.""

For concurrence.

Extract from the Journal.

C. A. COWGILL, Clerk.

Mr. Du Pont then moved, that the Senate non-concur in said amendment,

Which motion *Prevailed.*

*Ordered* that the Clerk inform the House of the action of the Senate on said amendment.

On motion of Mr. Jump,

The bill entitled, "An act for the suppression of Nuisances," was read a second time.

On motion of Mr. Smith,

The Senate adjourned until 3 o'clock, this afternoon.



*Same day, 3 o'clock, P. M.*

The Senate met pursuant to adjournment.

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

On motion of Mr. Temple,

Obtained leave to introduce a bill. He then laid on the table, a bill entitled,

"An act to amend section 5 of chapter 16, of the Revised Statutes of the State of Delaware," which,

On his motion,

Was read.

Mr. Currey presented the account of J. H. Conard, for printing and advertising, which,

On his motion,

Was read and referred to the committee on Claims.

On motion of Mr. Sorden,

The bill entitled, "A supplement to the act entitled, 'An act to incorporate the Delaware Railroad Company,'" was read a second time by its title.

Mr. Du Pont then moved that said bill be reported back to the committee by whom it was reported,

Which motion

*Prevailed.*

Mr. Currey presented the petition of sundry citizens of Milford, praying the passage of a law to release them from the annoyance of dogs which,

On his motion,

Was read.

Mr. Currey then moved that said petition be referred to a committee of three members, with leave to report by bill or otherwise.

Which motion

*Prevailed.*

Whereupon,

Messrs. Currey, Ferguson, and Ponder, were appointed said committee.

On motion of Mr. Sorden,

The bill entitled, "An act to amend chapter 59, of the Revised Code, Title Ditches," was taken up for consideration, and

Referred to a committee of three members.

Whereupon,

Messrs. Sorden, Smith, and Jump, were appointed said committee.

On motion of Mr. Sorden,

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



WEDNESDAY morning, 10 o'clock, A. M., January 26th, 1853.

The Senate met pursuant to adjournment.

On motion of Mr. Du Pont,

The bill entitled, "An act to incorporate a company, under the name and style of the Maryland and Delaware Canal Company," was read a second time.

On motion of Mr. Currey,

The bill entitled, "An act for the benefit of Robert H. Lane, Rachel Lane, John W. Lane, Luraney Lane, and Kitturah Lane," was read a second time.

On motion of Mr. Smith,

The bill entitled, "An act to incorporate Kirkwood Division, No. 27, of the Sons of Temperance, located in New Castle, Delaware," was read a third time, by paragraphs, and

*Passed the Senate,*

By yeas—Messrs. Currey, Du Pont, Ferguson, Jump, Ponder, Smith, Sorden, Temple, and Mr. Speaker, 9; no nays.

On motion of Mr. Jump,

The bill entitled, "An act for the suppression of Nuisances," was read a third time, by paragraphs, and

*Passed the Senate,*

On motion of Mr. Temple,

The bill entitled, "A further supplement to the act entitled, 'An act to establish a Bank and Incorporate a Company, under the name of the Bank of Smyrna,'" was read a second time.

On motion of Mr. Currey,

The bill entitled, "An act to incorporate the Milford Steamboat Company," was read a third time, by paragraphs, and

*Passed the Senate,*

By yeas—Messrs. Currey, Du Pont, Ferguson, Jump, Ponder, Smith, Sorden, Temple, Mr. Speaker, 9; no nays.

On motion of Mr. Temple,

The bill entitled, "An act to prevent Swine running at large within certain limits in Kent county," was read a third time, by paragraphs, and

*Passed the Senate.*

Mr. Du Pont from the committee on the petition of the Roman Catholic Bishop of Philadelphia, reported a bill entitled, "An act to enable the Roman Catholic Bishop of the Diocese of Philadelphia to execute certain trusts," which,

On his motion,

Was read.

On motion of Mr. Smith,

The Senate adjourned until 3 o'clock, this afternoon.



*Same day, 3 o'clock, P. M.*

The Senate met pursuant to adjournment.

Mr. Cowgill, Clerk of the House, being admitted, presented for concurrence the following bills, viz :

"An act for the relief of James Charles and Susannah America, children of Moses America," and

"A supplement to the act to incorporate the Wilmington Coal Gas Company," which,

On motion of Mr. Sorden,

Were severally read.

He also returned concurred in the following bills:

"An act for the benefit of Caleb Sirman and Benjamin Fooks," and,

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

On motion of Mr. Smith,

The bill entitled, "An act to amend section 5 of chapter 16, of the Revised Statutes of the State of Delaware," was read a second time.

Mr. Sorden presented the claim of Luther Swiggett, Auditor of Accounts, against the State, which,

On his motion,

Was read and referred to the committee on Claims.

Mr. Cowgill, Clerk of the Senate being admitted, presented for the signature of the Speaker, a bill enrolled, "An act to create an additional School District in Sussex county," and returned

"An act to amend chapter 20 of the Revised Statutes of the State of Delaware."

On motion of Mr. Ponder,

The bill entitled, "An act to divorce Eli Donovan and Margaret Donovan, from the bonds of matrimony," was read a third time, and

*Passed the Senate.*

*Ordered to the House for concurrence.*

On motion of Mr. Du Pont,

The bill entitled, "An act exempting from taxation certain real estate located in the City of Wilmington, purchased by the United States Government, for the purpose of erecting a Custom House thereon," was taken up for consideration—pending which consideration, Mr. Smith moved, that the bill be referred to a committee of three members,

On which motion,

The yeas and nays were ordered, and were as follows:

Yeas—Messrs. Ferguson, Ponder, Smith, Sorden, and Mr. Speaker, 5.

Nays—Messrs. Currey, Du Pont, Jump, Temple, 4. So the bill was referred.

Whereupon,

Messrs. Smith, Currey, and Ponder, were appointed said committee.

On motion of Mr. Temple,

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

THURSDAY morning, 10 o'clock, *A. M.* January 27, 1853.

The Senate met pursuant to adjournment.

Mr. Ponder from the committee on Enrollment, reported as duly and correctly enrolled, the following bills :

“An act proposing an amendment to the constitution of this State.”

“A further additional supplement to an act entitled, ‘An act to extend the time for recording of deeds.’”

“An act for the benefit of Caleb Sirman and Benjamin Fooks,”

“An act to create an additional School District in Sussex county.”

Mr. Sorden from the committee on the petition of Benjamin Melson and others, praying the passage of an act to enable them to locate certain vacant land, situate in Broad Creek Hundred, in Sussex county, reported a bill entitled,

“An act to authorize Benjamin Melson, Joseph Phillips, Thomas Phillips, and Burton Phillips, to locate a certain tract of vacant land in Broad Creek Hundred, Sussex county,” which,

On his motion,

Was read.

Mr. Cowgill, Clerk of the House of Representatives being admitted, presented for concurrence, “A Joint Resolution directing the State Treasurer to pay to William T. Jeandell, and Francis Vincent, two hundred dollars, being the amount of a fine heretofore paid by them to the State,”

On motion of Mr. Smith,

Said resolution was read, and

On motion of Mr. Sorden,

Laid on the table for consideration.

Mr. Cowgill, Clerk of the House, being admitted, presented for concurrence a bill entitled, “An act for the distribution of the Revised Statutes, of the State of Delaware,” which,

On motion of Mr. Sorden,

Was read and referred to a committee of three members.

Whereupon,

Messrs. Jump, Sorden and Smith, were appointed said committee.

On motion of Mr. Jump,

The bill entitled, "An act for the relief of James, Charles and Susanah America, children of Moses America," was read a second time.

Afterwards, said bill was taken up for consideration, and after some time spent therein, was postponed for further consideration.

Mr. Cowgill, Clerk of the House, being admitted, informed the Senate, that the House had appointed Messrs. Saulsberry, Valentine, and James F. Burton, as a committee of conference to act in conjunction with such committee as the Senate on their part might think proper to appoint, on the disagreement between the two Houses in relation to an amendment to the bill entitled, "An act for the benefit of Sarah Grinage."

On motion of Mr. Sorden,

Messrs. Du Pont and Sorden were appointed a committee of conference on the part of the Senate to act with the like committee of the House, in respect of the said disagreement to the amendments to the said bill.

*Ordered* that the Clerk inform the House of the action of the Senate herein.

Mr. Cowgill, also returned the "Joint Resolution, in relation to the Bank of Milford," and informed the Senate that the House had concurred therein.

On motion of Mr. Smith,

The Senate adjourned until 3 o'clock, this afternoon.



*Same day, 3 o'clock, P. M.*

The Senate met pursuant to adjournment.

Mr. Currey from the committee on the petition of the citizens of Milford, asking for a law to prevent annoyance from dogs, reported a bill entitled,

"An additional supplement to the act entitled, 'An act to amend the

act entitled, 'An act directing the manner of choosing Commissioners, to regulate and repair the streets of Milford, and for other purposes' " which,

On his motion,

Was read.

Mr. Cowgill, Clerk of the House, being admitted, presented for concurrence a bill entitled,

"An act to incorporate Union Lodge, No. 5, of the Order of Ancient York Masons," which,

On motion of Mr. Smith,

Was read.

Also, "An act to enable Thomas Phillips and Joseph Phillips to locate certain vacant land, situated in Dagsborough Hundred, in Sussex County, and to complete their title to the same," which,

On motion of Mr. Smith,

Was read.

On motion of Mr. Sorden,

The bill entitled, "A supplement to the act entitled, 'An act to incorporate the Wilmington Coal Gas Company,'"

Was read a second time.

On motion of Mr. Sorden,

The Joint Resolution directing the State Treasurer to pay to William T. Jeandell and Francis Vincent, two hundred dollars, being the amount of a fine heretofore paid by them to the State," was taken up for consideration.

Mr. Sorden then offered the following amendment,

"Amend the preamble by striking out of the tenth line the word, "another," and insert in lieu thereof, the words, "William McCaulley," which was read. He then moved that the amendment be adopted,

Which motion

*Prevailed.*

The resolution as amended was then adopted.

*Ordered* to the Senate for concurrence in the amendment.

Mr. Cowgill, Clerk of the House, being admitted, informed the Senate that the House non-concurred in the amendment of the Senate to said resolution. Sometime thereafter, Mr. Smith moved that the Senate recede from their amendment to said resolution,

Which motion

*Prevailed.*

*Ordered* that the Clerk inform the House of the proceedings of the Senate in relation to said Resolution.

Mr. Temple laid on the table a Joint Resolution, donating on certain conditions, to James L. Miles, Treasurer of Delaware College, for the use thereof, the minerals now in the State Library Room," which,

On his motion,

Was read and

*Adopted.*

*Ordered* to the House for concurrence.

Mr. Smith from the Committee to settle with the State Treasurer, made the following report, which was read:

"The Committee appointed by the Senate to act jointly with a committee of the House of Representatives, in the examination of the Accounts of William Cannon, Esq., State Treasurer and Trustee of the School Fund, in the settlement with that officer, beg leave to make the following report, viz :

On the 26th January, inst., The State Treasurer settled with the Auditor of Accounts, Doctor Luther Swiggett, at which time there was due from the said Treasurer to the State of Delaware, the sum of six thousand, six hundred and two dollars, and fifteen cents, (\$6,602 15.) And that on the said 26th January, instant, the Trustee of the School Fund settled with the said Auditor of Accounts, at which time there was due from the said Trustee to said School Fund, the sum of twelve thousand, four hundred and seventy-nine dollars, and two cents; \$12,479 02,

And due to the School Districts,

In New Castle County,

125 11

In Kent County,

311 11

In Sussex County,

1,381 41

Amounting together to

\$20,898 80

The Committee further Report, that they find the sum of twenty thousand eight hundred and ninety-eight dollars, and eighty cents, deposited to the credit of the State Treasurer, in the Farmer's Bank of the State of Delaware, at Dover:

January 27, 1853.

WILLIAM SMITH,  
WILLIAM TEMPLE."

Mr. Jump presented the petition of Absolom Guy, praying the Legislature to pass a special act allowing his son to return to and reside in this State, which,

On his motion,

Was read.

Mr. Jump then moved that said petition be referred to a committee of three members, with leave to report by bill or otherwise.

Which motion

*Prevailed.*

Whereupon,

Messrs. Jump, Temple, and Ponder, were appointed said committee.

Mr. Du Pont presented the petition of Justine Pierce, praying the Legislature to grant him a special act, to return into this State, having lost his residence by removing to and residing in the city of Philadelphia, and be allowed to take the benefit of the insolvent laws of this State, as if he had not lost his residence, which,

On his motion,

Was read.

He then moved the reference of said petition to a committee of three members,

Which motion

*Prevailed.*

Whereupon,

Messrs. Du Pont, Currey, and Sorden, were appointed said committee.

On motion of Mr. Du Pont,

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



FRIDAY 10 o'clock, A. M., January 28th, 1853.

The Senate met pursuant to adjournment.

On motion of Mr. Smith,

The bill entitled, "An act to incorporate Union Lodge, No. 5, of the Order of Ancient York Masons, in the State of Delaware," was read a second time.



On motion of Mr. Currey,

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

On motion of Mr. Smith,

The bill entitled, "An act to amend section 5 of chapter 16, of the Revised Statutes of the State of Delaware," was read a third time, by paragraphs, and

*Passed the Senate.*

By yeas—Messrs. Ferguson, Ponder, Smith, Sorden, and Mr. Speaker, 5.

By nays—Mr. Currey, 1.

*Ordered to the House for concurrence.*

On motion of Mr. Currey,

The bill entitled, "An act for the benefit of Robert H. Lane, Rachel Lane, John W. Lane, Luraney Lane, and Kitturah Lane," was read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered to be returned to the House.*

On motion of Mr. Smith,

The bill entitled, "A supplement to the 'Act to incorporate the Wilmington Coal Gas Company,'" was read a third time, by paragraphs, and

*Passed the Senate.*

By yeas—Messrs. Currey, Du Pont, Ferguson, Jump, Ponder, Smith, Sorden, Temple, Mr. Speaker, 9; no nays.

On motion of Mr. Jump,

The bill entitled, "An act for the relief of James, Charles and Susannah America, children of Moses America," was read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered to be returned to the House.*

On motion of Mr. Sorden,

The bill entitled, "An act to authorize Benjamin Melson, Joseph Phillips, Thomas Phillips, and Burton Phillips, to locate a certain tract of vacant land in Broad Creek Hundred, Sussex county," was read a second time.

Mr. Cowgill, Clerk of the House, being admitted, presented for concurrence.

"An act to restrain persons from suffering Swine to go at large, within certain limits of Murderkill Hundred," and

"An act to incorporate Magnolia Lodge, No. 13, of the Independent Order of Odd Fellows, in Kent County, Delaware."

He also returned concurred in, with the following amendment, "A Joint Resolution, authorizing James L. Miles, Treasurer of Delaware College, to take charge of Minerals belonging to this State, and deposite the same in Delaware College, to wit:

House of Representatives, January 27, 1853.

Amend the Resolution by adding thereto after the word State in the last line thereof, the following, viz:

"When the same shall be promptly delivered by the authorities of said College, to the person authorized by the Legislature to receive the same."

On motion of Mr. Currey,

The communications from the House were read, and

On motion of Mr. Temple,

The said amendment to said Resolution was *Concurred in.*

Mr. Du Pont presented the petition of seven hundred citizens of New Castle County, praying the Legislature to incorporate a Company, for the purpose of making a Canal from some point on the Christiana above Wilmington, so as to connect the waters of the Chesapeake Bay and Delaware River," which,

On his motion,

Was read.

Mr. Jump, from the committee on the petition of Absolem Guy, reported a bill entitled,

"An act for the relief of Absolem Guy, son of Absolem Guy," which,

On his motion,

Was read.

On motion of Mr. Currey,

The bill entitled, "An act to enable Thomas Phillips, and Joseph Phillips to locate certain vacant land, situated in Dagsboro' Hundred, in

Sussex County, and to complete their title to the same," was read a second time.

On motion of Mr. Currey,

The Senate adjourned until 3 o'clock, this afternoon.



*Same day, 3 o'clock, P. M.*

The Senate met pursuant to adjournment.

Mr. Cowgill, Clerk of the House, being admitted, presented for concurrence the following bills, viz :

"An act to divorce Edward L. Ford, and Mary Ann Ford, his wife, late Mary Ann Henry, from the bonds of matrimony," which,

On motion of Mr. Jump,

Was read.

Mr. Cowgill also returned concurred in by the House, a bill entitled, "An act to authorize Burton Prettyman to make a certain Public road in Kent County," with the following amendment, viz :

House of Representatives, January 28, 1853.

Amend the bill by striking out the word "*and*," after the word "*and*" in the seventh line of the first section.

Amend the bill by striking out the word "*is*" and inserting the word "*are*" in the eighth line of the same section.

Extract from the Journal.

C. A. COWGILL, Clerk of the Senate.

*For Concurrence.*

On motion of Mr. Jump,

Said amendment was read, and

On motion of Mr. Sorden,

*Concurred in.*

Mr. Cowgill, also returned concurred in by the House the following bills :

"An act to authorize Burton Prettyman to make a certain Public road in Kent County, and for other purposes."

• An act to establish the "Mount Salem Cemetery."

"An act to amend section 12 of chapter 24, of the Revised Statutes of the State of Delaware."

On motion of Mr. Sorden,

The bill entitled, "An act to enable Thomas Phillips, and Joseph Phillips, to locate certain vacant land, situated in Dagsboro' Hundred, in Sussex County, and complete their title to the same," was taken up for consideration.

Mr. Sorden then offered the following amendment, which,  
Was read, and

*Adopted.*

1. Amend the bill by inserting in the sixth line of section 3, between the word "of" and the word "forty" the words "*one dollar and*,"

2. Amend the bill by inserting in the third line of section 4, immediately after the name of "*Thomas Phillips*" the words "and Joseph Phillips."

On motion of Mr. Sorden,

The Senate adjourned until 10 o'clock, on Monday morning.



MONDAY 10 o'clock, *A. M.*, January 31, 1853.

The Senate met pursuant to adjournment.

Mr. Ponder from the committee on Enrollment, reported as duly and correctly enrolled, the following bills, viz :

"An act to confirm the title of Nancy Purnell, formerly Nancy Sirman, to certain real estate therein mentioned."

"An act to amend the 'Act for the benefit of Public Schools in Wilmington.'"

"An act to amend section 12 of chapter 24, of the Revised Statutes of the State of Delaware."

"An act to incorporate Kirkwood Division, No. 27, of the Sons of Temperance, located in New Castle, Delaware."

"Joint Resolution authorizing James L. Miles, Treasurer of Delaware College, to take charge of Minerals belonging to this State, and deposite the same in Delaware College."

"An act to authorize Burton Prettyman, to make a certain Public road in Kent County, and for other purposes."

"An act to establish the Mount Salem Cemetery."

"A supplement to the act entitled, 'An act to divorce Robert Layton, and Gennette his wife, late Gennette Long, from the bonds of matrimony,' " passed at Dover, on the 28th day of January, A. D. 1851.

Mr. Smith presented the petition of 431 citizens, praying the passage of the law incorporating the "Maryland and Delaware Canal Company," which was read and laid on the table.

On motion of Mr. Currey,

The bill entitled, "An additional supplement to the act entitled, 'An act to amend the act entitled, An act directing the manner of choosing commissioners to regulate and repair the streets of Millford, and for other purposes,' " was taken up for consideration. He then moved to amend the bill as follows:

1. Amend the bill by striking out in the seventh line of section 1, between the words "*Yearly tax of*" and the words "*for one dog*" the the words "fifty cents and insert in lieu thereof the words, "*one dollar*."

2. Amend the bill further by striking out in the 7th and 8th lines of the same section, between the words "for one dog and" and the words, "for one bitch" the words, "one dollar and fifty cents," and insert in lieu thereof the words "*three dollars*."

Which motion,

*Prevailed.*

On motion of Mr. Currey,

Said bill was then read a third time, by paragraphs, and

*Passed the Senate.*

Yeas—Messrs. Currey, Du Pont, Ferguson, Ponder, Smith, Sorden, and Mr. Speaker, 7; no nays.

Mr. Smith moved,

That Urias E. Lank have liberty to withdraw from the files of the Senate, his petition for a divorce from his wife, Sarah A. Lank, together with the affidavits and papers accompanying the same.

Which motion

*Prevailed.*

Mr. Sorden from the committee of conference on the part of the Senate, on the disagreement of the two Houses in reference to the bill entitled, "An act for the benefit of Sarah Grinage," made the following report, viz:

"The committee appointed by the Senate to meet a similar committee on the part of the House, on the disagreement of the two Houses on amendments to the bill entitled, "An act for the benefit of Sarah Grinage," make the following report: That the two committees met in joint meeting, and agreed to strike out the House amendment to the amendment of the Senate, and also to strike out of the Senate's amendment in the second line of the bill, the word "negro," and insert in lieu thereof, the word "*mulatto*."

JOHN SORDEN,  
CHARLES I. DU PONT."

On motion of Mr. Sorden,  
Said Report was read and

*Adopted.*

*Ordered* that the House be informed thereof.

Mr. Cowgill, Clerk of the House being admitted, informed the Senate that the House had adopted the report of the committee of conference appointed on the disagreement of the two Houses in relation to amendments to the bill entitled, "An act for the benefit of Sarah Grinage."

Mr. Cowgill, at the same time presented for concurrence, a bill entitled, "An act for the relief of a certain non-resident named John Bell," which,

On motion of Mr. Sorden,

Was read.

On motion of Mr. Currey,

The bill entitled, "An act to restrain persons from suffering Swine from going at large within certain limits in Murderkill Hundred," was read a second time.

On motion of Mr. Smith,

The bill entitled, "An act to incorporate Magnolia Lodge, No. 13, of the Independent Order of Odd Fellows, in Kent County, Delaware," was read a second time.

On motion of Mr. Currey,

The bill entitled, "An act for the relief of Absolom Guy, son of Absolom Guy," was read a second time.

On motion of Mr. Sorden,

The bill entitled, "An act to divorce Mary Ann Ford from her husband," was taken up for consideration, and laid on the table, for further consideration.

On motion,

The Senate adjourned until 3 o'clock, this afternoon.



*Same day, 3 o'clock, P. M.*

The Senate met pursuant to adjournment.

Mr. Smith presented the memorial of the President, Directors and Company of the Bank of Wilmington and Brandywine, praying a renewal of their act of incorporation, which,

On his motion,

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

Whereupon,

Messrs. Smith, Currey, and Ponder, were appointed said committee.

Mr. Cowgill, Clerk of the House being admitted, returned sundry enrolled bills, which had received the signature of the Speaker of the House, and presented an enrolled bill for the signature of the Speaker of the Senate.

Mr. Ponder from the committee on Enrollment, reported as duly and correctly enrolled the following bill, viz :

"An act to prevent Swine running at large within certain limits in Kent County."

Mr. Cowgill, Clerk of the House being admitted, presented for concurrence a bill entitled, "An act to restrain persons from suffering Swine to go at large within certain limits in Murderkill Hundred," which,

On his motion,

Was read.

Mr. Jump from the committee to whom it was referred, reported with the following amendment, the bill entitled, "An act for the distribution of the Revised Statutes of the State of Delaware," viz :

"Amend the bill by inserting in the 14th line of section 1, between the word *"the"* and the word *"Clerk,"* the words *"Justices of the Peace."*

On motion of Mr. Sorden,

The amendment was adopted, and the bill read a second time as amended.

On his motion,

The bill was then read a third time, by special order, by paragraphs, and

*Passed the Senate.*

*Ordered* to be returned to the House.

On motion of Mr. Ponder,

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



**TUESDAY** morning, 10 o'clock, *February 1, 1853.*

The Senate met pursuant to adjournment.

Mr. Sorden presented the petition of William Morgan and others, praying an amendment to the law in relation to Fence Viewers and their duties, which,

On his motion,

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

Whereupon,

Messrs. Sorden, Jump, and Ferguson, were appointed said committee.

On motion of Mr. Jump,



The bill entitled "An act to restrain persons from suffering swine to run at large within certain limits in Murderkill Hundred," was read a second time.

And on motion of Mr. Jump,

The bill entitled "An act for the relief of Absolem Guy, son of Absolem Guy," was read a third time by paragraphs, and

*Passed the Senate.*

*Ordered* to the House for concurrence.

On motion of Mr. Smith,

The bill entitled, "An act to incorporate Union Lodge, No. 5, of the order of Ancient York Masons, in the State of Delaware," was read a third time by paragraphs, and

*Passed the Senate.*

Yeas—Messrs. Currey, Du Pont, Ferguson, Jump, Ponder, Smith and Mr. Speaker—7. No nays.

*Ordered* to be returned to the House.

On motion of Mr. Currey,

The bill entitled, "An act to incorporate Magnolia Lodge, No. 13, of the Independent Order of Odd Fellows, in Kent County, Delaware," was read a third time by paragraphs, and

*Passed the Senate.*

By yeas—Messrs. Currey, Du Pont, Ferguson, Jump, Ponder, Smith, Sorden and Mr. Speaker—8. No nays.

*Ordered* to be returned to the House.

On motion of Mr. Sorden,

The bill entitled, "An act to divorce Edward L. Ford and Mary Ann Ford, his wife, from the bonds of Matrimony," was read a second time.

Mr. Du Pont from the committee on the petition of Justin Pierce, reported a bill entitled, "An act for the relief of Justin Pierce," which,

On his motion,

Was read.

Mr. Jump, presented the memorial and remonstrance of the President, Directors and Company of the Chesapeake and Delaware Canal Company, against the passage of the bill now before the Senate entitled, "An act to incorporate the Maryland and Delaware Canal Company," which on his motion, was read, and laid on the table.

Mr. Jump, also presented sundry letters in favor of the passage of the said bill, which on his motion was read and laid on the table.

On motion of Mr. Jump,

The bill entitled, "An act for the relief of a certain non-resident named John Bell," was read a second time.

On motion of Mr. Sorden,

The bill entitled, "An act to enable Manaan Gum to locate certain vacant land, situated in Baltimore Hundred, in Sussex county, and to complete his title to the same," was taken up for consideration.

Mr. Sorden then offered the following amendments :

1. Amend the bill by inserting in the fifth line of the first section after the words "*Manaan Gum*" the words "*and John T. Long.*"

2. Also insert in the seventh line of said first section after the words "*Manaan Gum*" the words "*and John T. Long.*"

3. Also insert in the fifteenth line of said first section after the words "*Manaan Gum*" the words "*and John T. Long,*" also strike out the words "*he is*" and insert in lieu thereof the words "*they are.*"

4. Also amend the first line of section 3 by inserting after the words "*Manaan Gum*" the words, "*and John T. Long.*"

5. Also insert in the fifth line of said third section after the word "*of*" the words "*one dollar and.*"

6. Also insert in the fifteenth line of the said third section after the words "*Manaan Gum*" the words "*and John T. Long.*"

7. Also insert in the third line of section 4, after the words "*Manaan Gum*" the words "*John T. Long,*" and in the same line strike out the word "*his*" and insert in lieu thereof the words "*their.*"

8. Also amend the title of the bill by inserting in the first line after the words "*Manaan Gum*" the words, "*and John T. Long.*"

On motion of Mr. Sorden,

Said amendments were read and

*Adopted.*

On his motion,

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

*Passed the Senate.*

*Ordered* to be returned to the House.

Mr. Currey asked, and

On motion of Mr. Smith,

Obtained leave to withdraw sundry letters, read this morning, in favour of the passage of the bill entitled, "An act to incorporate the

Maryland and Delaware Canal Company," from the files of the Senate.

On motion of Mr. Currey,

The Senate adjourned until 3 o'clock, this afternoon.



*Same day, 3 o'clock, P.M.*

The Senate met pursuant to adjournment.

Mr. Cowgill, Clerk of the House being admitted, returned sundry enrolled bills, which had received the signature of the Speaker of the House, and presented others for the signature of the Speaker of the Senate.

He also returned concurred in, "An act to incorporate the Milford Steamboat Company."

He also presented for concurrence the following bills, viz:

"An act to confirm an Ordinance of the City of Wilmington, vacating part of Madison Street."

"An act to prevent Horses, and Mules from running at large in the town of Milton," and,

"An act to vest in Obediah Macklin all the right and title of this State, to certain personal property of which Henry Donovan, late of Cedar Creek Hundred, in Sussex County, deceased, died possessed."

On motion of Mr. Jump,

The communication from the Senate was read.

The Speaker laid on the table a remonstrance against the passage of the Roman Catholic Trust Bill, which,

On motion of Mr. Smith,

Was read.

And on motion of Mr. Du Pont,

Referred to the committee on that subject.

Mr. Ponder reported as correctly duly and enrolled,  
 "An act for the benefit of Sarah Grinage," and  
 "An act for the benefit of James, Charles and Susannah America."

On motion of Mr. Currey,

The bill entitled, "An act to restrain persons from suffering swine to go at large within certain limits in Murderkill Hundred," was read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered* to be returned to the House.

On motion of Mr. Sorden,

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



WENESDAY morning, 10 o'clock, February 2, 1853.

The Senate met pursuant to adjournment.

On motion of Mr. Smith,

The bill entitled, "An act to confirm an Ordinance of the City of Wilmington, vacating part of Madison street," was read a second time.

Mr. Du Pont presented the petition of Cantwell Clark and fifty-five other citizens of Pencader Hundred, in New Castle County, praying the Legislature to pass the bill now before the Senate entitled, "An act to incorporate the Maryland and Delaware Canal Company," which,

On motion of Mr. Du Pont,

Was read and laid on the table.

Mr. Cowgill, Clerk of the House being admitted, returned the bill entitled, "An act for the distribution of the Revised Statutes of the State of Delaware," and informed the Senate that the House had non-concurred in the Senate's amendment to said bill.

He also presented for concurrence a bill entitled, "An act to establish a certain road in the County of Sussex, and for other purposes."

On motion of Mr. Currey,

The communication from the Senate was read.

On motion of Mr. Jump,

The bill entitled, "An act for the relief of a certain non-resident named John Bell," was read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered* to be returned to the House.

On motion of Mr. Du Pont,

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

Mr. Du Pont laid on the table a "Resolution providing for repairs to the Senate Chamber," which,

On his motion,

Was read.

On motion of Mr. Smith,

The bill entitled, "An act to divorce Edward L. Ford and Mary Ann Ford, his wife, late Mary Ann Henry, from the bonds of matrimony," was read a third time, by paragraphs, and

*Passed the Senate,*

*Ordered* to be returned to the House.

On motion of Mr. Currey,

The bill entitled, "An act to vest in Obediah Macklin, all the right and title of this State, to certain personal property of which Henry Donovan, late of Cedar Creek Hundred, in Sussex County, deceased, died possessed," was read a second time.

On motion of Mr. Currey,

The Senate adjourned until 3 o'clock, this afternoon.

*Same day, 3 o'clock, P. M.*

The Senate met pursuant to adjournment.

Mr. Ponder from the committee to whom was referred the memorial and petition of the President, Directors and Company of the "Bank of Wilmington and Brandywine," reported a bill entitled, "An additional supplement to the act entitled, 'An act to incorporate the Bank of Wilmington and Brandywine,' " which,

On his motion,

Was read.

Mr. Smith from the Committee to whom was referred the bill entitled, "An act to exempt certain real estate in the City of Wilmington, purchased by the United States, for the purpose of erecting a Custom House and Post Office thereon, from taxation," asked, and

On motion of Mr. Sorden,

Obtained further time within which to make report, upon this motion the yeas and nays were ordered by the Speaker, and were as follows:

Yeas—Messrs. Fergusson, Ponder, Smith, Sorden, and Mr. Speaker, 5.

Nays—Mr. Currey, Du Pont, Jump, and Temple, 4.

So the Committee had further time to report.

Mr. Cowgill, Clerk of the House of Representatives, being admitted, informed the Senate that the House had indefinitely postponed the bill entitled, "A supplement to Chapter 24, of the Revised Statutes of the State of Delaware."

On motion of Mr. Du Pont,

The bill entitled, "An act to incorporate the Maryland and Delaware Canal Company," was taken up for consideration.

Mr. Du Pont then moved that the blank in the first section of said bill be filled by inserting in said section, after the word "That," in the sixth line of said section the names of "James Canby, Abraham P. Shannon, Maxwell B. Ocheltree, Jesse Sharpe, Mahlon Betts, Jesse Lane, Joshua T. Seal, William Thatcher and William Chandler."

Which motion

*Prevailed.*

Mr. Du Pont then moved to fill the blank in the twelfth section of said bill, after the words "*The following persons shall be commissioners to assess damages,*" the names of "Daniel Corbit, George Lodge, John W. Evans, John R. Latimer and Lewis Thompson,"

Which motion

*Prevailed.*

On motion of Mr. Temple,

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

On motion of Mr. Currey,

The bill entitled, "An act to restrain persons from suffering swine to go at large within certain limits in Murderkill Hundred," was taken up with a view to pass the Senate. The bill was then read by paragraphs and on the question of the final passage, the yeas and nays were demanded by Mr. Ferguson, were taken and were as follows, to wit:

Yeas—Messrs. Currey, Jump and Temple—3.

Nays—Messrs. Ferguson, Ponder, Smith, Sorden and Mr. Speaker—5.

So the bill

*Was lost.*

Mr. Temple presented the petition of sundry citizens of New Castle county against the passage of the bill entitled, "An act to enable the Roman Catholic Bishop of the diocese of Philadelphia and his successors in office, to execute certain trusts," which was read and laid on the table.

Mr. Sorden also presented a petition from citizens of Kent county against the passage of the said bill, which was likewise read and laid on the table.

On motion of Mr. Ponder,

The bill entitled, "An act to prevent Horses and Mules from running at large in the town of Milton," was read a second time.

On motion of Mr. Sorden,

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

THURSDAY morning, 10 o'clock, A. M., February 3, 1853.

The Senate met pursuant to adjournment.

Mr. Ponder presented the remonstrance of sundry citizens of Sussex

county against the passage of the bill entitled, "An act to enable the Roman Catholic Bishop of the diocese of Philadelphia, and his successors in office to execute certain trusts," which was read and laid on the table.

On motion of Mr. Smith,

The bill entitled, "An act to confirm an ordinance of the city of Wilmington, vacating part of Madison Street," was read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered* to be returned to the House.

Mr. Cowgill, Clerk of the House, being admitted, presented the following bills for concurrence, viz :

"An act to incorporate the Indian River and Lewes Creek Canal Company."

"A further supplement to the act entitled, an act to incorporate the New Castle County Mutual Insurance Company," and

"An act for the improvement of the State road at the south end of the Milford Bridge in Sussex county, and for other purposes."

On motion of Mr. Smith,

The communication from the House was read.

On motion of Mr. Ponder,

The bill entitled, "An act to prevent Horses and Mules from running at large in the town of Milton," was read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered* to be returned to the House.

On motion of Mr. Sorden,

The bill entitled, "A supplement to the act entitled, 'An act to incorporate the Delaware Rail Road Company, passed February 22d, 1849,'" was taken up for consideration.

Mr. Sorden then offered the following amendment, "strike out all the bill after the enacting clause, and insert as follows :

Section 1. That the Delaware Rail Road Company shall have power to extend their rail road so as to unite the same with the New Castle and Frenchtown Rail Road, at any point that may be for that purpose selected by the said company, with the consent of the New Castle and Frenchtown Turnpike and Rail Road Company, and upon such terms and conditions as shall be agreed upon between the said The New Castle and Frenchtown Turnpike and Rail Road Company and the said



The Delaware Rail Road Company; which said consent, agreement, terms and conditions shall be in writing, authenticated by the common seals of the said companies: provided nevertheless, that nothing herein contained, shall be in any manner construed to effect or interfere with the third section of an act of the General Assembly of the State of Delaware, entitled "An act to provide for the payment of certain sums of money to the State by the New Castle and Frenchtown Turnpike and Rail Road Company, and for other purposes;" and shall also have power to extend the Milford branch of their said rail road to the ocean, at or near Lewes; and all the provisions of the act to which this is a supplement, are hereby extended to the enlarged powers hereby granted, and to the roads contemplated by the same, and all the provisions of any other law relating to the said The Delaware Rail Road Company, and of any subscription or donation on the part of the State to aid the same, are hereby extended and applied to The Delaware Rail Road, as hereby extended.

Section 2. The board of directors of the said Delaware Rail Road Company shall consist of thirteen, of whom ten, at least, shall be residents of this State, viz: at least three from Sussex county, four from Kent county, and three from New Castle country; and five of said directors shall be a quorum to transact business when regularly convened at any place within this State. They shall choose the President from their own body or otherwise; but unless chosen from their body, he shall not be a director. The present directors shall have authority to fill up the board until the next annual meeting. So much of the fourth and sixth sections of the act to which this is a supplement as is hereby altered, is repealed.

Section 3. The stock certificates provided for by section seven of the said act to which this is a supplement, may include one or more shares at the option of the holder.

Section 4. Whenever any vacancy shall occur in the board of commissioners appointed under the provisions of the fourteenth section of said act, entitled "An act to incorporate the Delaware Rail Road Company," by reason of death, refusal to act or otherwise, the governor of the State for the time being, shall appoint another or others to supply the vacancy.

Section 5. *And be it further enacted,* That the eighteenth section of said act entitled, "An act to incorporate the Delaware Rail Road Company," be and the same is hereby repealed.

Section 6. The time for holding the annual meetings of the stockholders of the Delaware Rail Road Company, shall, from and after the passage of this supplement, be held on the second Thursday of January, in each and every year.

On motion of Mr. Smith,

Three hundred copies of said amendment were ordered to be printed for the use of the Senate, and

On motion of Mr. Currey,

The further consideration of the said bill was postponed until Wednesday next, the 9th instant.

Mr. Temple from the committee on the claim of James L. Bewley, reported a "Resolution authorizing the State Treasurer to pay to James L. Bewley, certain money advanced by him in apprehending kidnapers," which,

On his motion,

Was read and

*Adopted.*

On motion of Mr. Du Pont,

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

*Passed the Senate.*

*Ordered to the House for concurrence.*

On motion of Mr. Currey,

The Senate adjourned until 3 o'clock, this afternoon.



*Same day, 3 o'clock, P. M.*

The Senate met pursuant to adjournment.

On motion of Mr. Ponder,

The bill entitled, "An additional supplement to an act entitled, 'An act to incorporate the Bank of Wilmington and Brandywine, in the Borough of Wilmington,'" was read a second time.

Mr. Cowgill, Clerk of the House, presented for concurrence the following bills, viz:

"An act to amend the title of the Farmers' Mutual Fire Insurance Company, of Mill Creek Hundred, and for other purposes."

"An act concerning the division of School Districts number twenty-one, thirty-three, and thirty-eight in New Castle County."

"A further supplement to the act entitled, 'An act to enable the owners of the marshes, cripple and low grounds, situate upon and contiguous to Jamison's Branch, in Little Creek and Duck Creek Hundreds, to drain and improve the same,' and

"An act to effect partition of the real estate of Thomas Deakyne and Ann Deakyne."

He also returned concurred in by the House, a bill entitled, An act for the relief of Absolom Guy, son of Absolom Guy," and presented for the signature of the Speaker sundry enrolled bills.

On motion of Mr. Jump,

The communication from the Senate was read.

On motion of Mr. Jump,

The Senate agreed to recede from their amendment to the bill entitled, "An act for the distribution of the Revised Statutes of the State of Delaware."

Mr. Ponder from the committee on Enrollment, reported as duly and correctly enrolled the following bills, viz :

"An act to incorporate Union Lodge, No. 5, of the Order of Ancient York Masons, in the State of Delaware," and

"An act to restrain persons from suffering swine to go at large within certain limits in Murderkill Hundred."

On motion of Mr. Temple,

The bill entitled, "An act to effect partition of the real estate of Thomas Deakyne and Ann Deakyne," was taken up, and read by special order a second time.

Mr. Temple then offered the following amendment to said bill, which was read and adopted, viz :

Amend the bill by inserting in the fifth line of the first section, immediately after the name of "*George Collins*," the names of, *Joseph Fleming and James Statts*."

On motion of Mr. Smith,

The bill entitled, "An act to establish a certain road in the County of Sussex, and for other purposes," was read a second time.

Mr. Du Pont laid on the table a communication from P. S. Johnson and 110 other citizens of Wilmington, praying the Legislature, to repeal

or modify the law passed in 1851, against free colored people, and earnestly asking, provided the law cannot be repealed for the whole State, that it may cease to have operation in New Castle County, and if this cannot be effected, then for several of the upper Hundreds of said New Castle County," which was read and laid on the table.

Mr. Fergurson presented the petition of Isaac Gibbs, and eighty other citizens of New Castle County, praying the Legislature to make no alteration in said law, which was also read and laid on the table.

On motion of Mr. Temple,

The Senate adjourned until Tuesday morning next at 10 o'clock.



**TUESDAY morning, 10 o'clock, February 8, 1853.**

The Senate met pursuant to adjournment.

The Speaker not being in attendance.

Mr. Jump moved, seconded by Mr. Du Pont, that the Hon. John Sorden, be appointed Speaker, pro tem.

Which motion

*Prevailed.*

Whereupon,

Mr. Sorden took his seat in the Speaker's chair.

Mr. Ponder presented the petition of E. D. Marsh, and other citizens of Sussex County, praying an additional School District in said County, which,

On his motion,

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

Whereupon,

Messrs. Ponder, Jump, and Fergurson, were appointed said committee.

On motion of Mr. Jump,

The bill entitled, "An act to enable Thomas Phillips and Joseph Phil-

lips, of Sussex County, to locate certain vacant lands," and the bill to enable "Benjamin Melson, Thomas Phillips, Joseph Phillips, and Burton Phillips, to locate vacant land in Sussex County," was taken up for consideration, and

On his motion,

Were referred, together with the petitions and papers accompanying the same, to a committee of three members, with leave to report.

Whereupon,

Messrs. Jump, Ponder and Du Pont, were appointed said committee.

Mr. Du Pont laid on the table Resolutions of the City Council of Wilmington, adopted at a stated meeting held on 3d February, 1853, in the following words, to wit:

At a Stated Meeting of the City Council of Wilmington, held February 3d, 1851, the following Preamble and Resolutions were unanimously adopted.

*Whereas*, a bill has been introduced in the Senate of the General Assembly, of the State of Delaware, now in session at Dover, to charter the Maryland and Delaware Canal Company, having for its object the junction of the waters of the Chesapeake Bay with the Christiana River, for the purpose of increasing the facilities of navigation and transportation of coal and merchandize; and whereas the citizens of Wilmington are deeply interested in the construction of such a work and further, inasmuch as on account of the increasing trade of this country, the completion of such a canal, cannot, nor will not conflict with the interests of any other transportation line, or of any section of the State, therefore,

*Resolved*, That the Council of the City of Wilmington, respectfully ask the General Assembly to pass the above named act, incorporating the Maryland and Delaware Canal Company.

*Resolved*, That a copy of these Resolutions certified to under the seal of the City and signed by the President, and attested by the Clerk of the Council, be forwarded to the General Assembly.

JOHN RICE,

*President.*

JOHN A. ALLDERDICE,

*Clerk of the City Council.*

Mr. Du Pont also presented the petition of 547 citizens of Wilmington, and 118 citizens of Christiana Hundred, in New Castle County, praying the Legislature to pass an act now before the Senate, incorporating the Maryland and Delaware Canal Company, and Mr. Smith a

similar petition of 75 citizens of White Clay Creek Hundred, in said County, which were severally read and laid on the table.

Mr. Ponder presented the petition of Robert B. Houston, of Sussex county, praying the Legislature to pass an act to enable him to locate and complete his title to certain vacant land in said county, which

On his motion,

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

Whereupon,

Messrs. Ponder, Currey, and Smith, were appointed said committee.

Mr. Du Pont presented the petition of 186 citizens of New Castle county, praying the Legislature to make no alteration in the laws in relation to free negroes, which was read and laid on the table.

Mr. Smith presented the petition of 186 citizens of New Castle county, praying that a certain Isaac Updike, who was convicted of kidnapping some years since, may be restored to the right of suffrage, which

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

Whereupon,

Messrs. Smith, Jump and Ponder, were appointed said committee.

On motion of Mr. Jump,

The bill entitled, "An act to incorporate the Indian River and Lewes Creek Canal Company," was read a second time.

Mr. Ponder from the committee of Enrolment, reported as duly and correctly enrolled,

"An act for the relief of Absolom Guy, son of Absolom Guy."

"An act to incorporate the Milford Steam Boat Company."

On motion of Mr. Currey,

The bill entitled, "An act for the improvement of the State Road at the south end of the Milford Bridge, in Sussex county, and for other purposes," was read a second time.

On motion of Mr. Currey,

The Senate adjourned until 3 o'clock, this afternoon.

*Same day, 3 o'clock, P. M.*

The Senate met pursuant to adjournment.

The Speaker appeared and took his seat.

Mr. Cowgill, Clerk of the House being admitted, presented for concurrence a bill entitled, "An act to amend Chapter 55 of the Revised Statutes of the State of Delaware," which

On motion of Mr. Jump,

Was read.

Mr. Cowgill, also returned sundry enrolled bills, which had received the signature of the Speaker of the House, and presented others for the signature of the Speaker of the Senate.

Mr. Currey presented the remonstrance of Manaan Gum and 73 other citizens of Sussex county, against changing the law in Chapter 59 of the Revised Statutes, in relation to Ditches, which was read and referred to the committee already raised on that subject.

And on motion of Mr. Jump,

The bill entitled, "A further supplement to the act entitled, 'An act to enable the owners of the marshes, cripple and low grounds, situate upon and contiguous to Jamison's Branch, in Little Creek and Duck Creek Hundreds, to drain and improve the same,'" was read a second time.

On motion of Mr. Smith,

The bill entitled, "An act to amend the title of the Farmers' Mutual Fire Insurance Company, of Mill Creek Hundred, and for other purposes," was read a second time.

Mr. Jump from the committee to whom was referred the bill entitled, "An act to enable Thomas Phillips and Joseph Phillips to locate certain vacant land situated in Dagsborough Hundred, in Sussex county, and to complete their title to the same," and the bill entitled, "An act to authorize Benjamin Melson, Joseph Phillips, Thomas Phillips and Burton Phillips to locate certain vacant lands in Sussex county," reported back the said bills and recommended that the former of said bills be passed and the other indefinitely postponed.

Whereupon,

On his motion,

The bill entitled, "An act to enable Thomas Phillips and Joseph Phillips to locate certain vacant land situated in Dagsboro' Hundred, in Sus-

sex county and to complete their title to the same," was read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered* to be returned to the House.

On motion of Mr. Jump,

The bill entitled, "An act to enable Benjamin Melson, Thomas Phillips and Joseph Phillips to locate certain vacant land situate in Dagsboro' Hundred, in Sussex county, and to complete their title to the same," was then indefinitely postponed.

Mr. Jump presented the petition of Hunn Jenkins, administrator of H. M. Temple, for a portion of the proceeds of the sale of James Harmon, negro, convicted and sold for an attempt to commit a rape," which,

On his motion,

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

Whereupon,

Messrs. Jump, Sorden and Ponder, were appointed said committee.

On motion of Mr. Sorden,

The bill entitled, "An act to effect partition of the Real Estate of Thomas Deakyne and Ann Deakyne," was read a third time by paragraphs, and

*Passed the Senate.*

*Ordered* to be returned to the House.

Mr. Cowgill, Clerk of the House, being admitted, informed the Senate that the House had non-concurred in the Senate's amendments to the bill entitled, "An act to enable Manaam Gum to locate certain vacant land situate in Baltimore Hundred, in Sussex county, and to complete his title to the same."

On motion of Mr. Sorden,

It was voted, that the Senate will insist on their amendments to said bill. Ordered that the House be informed of the action of the Senate thereon.

Mr. Ponder from the committee of Enrollment, reported as duly and correctly enrolled,

"An act to divorce Edward L. Ford and Mary Ann his wife, late Mary Ann Henry, from the bonds of matrimony."

"An act for the relief of Robert H. Lane, Rachel Lane, John Lane, Luraney Lane and Kitturah Lane."



"An act to incorporate Magnolia Lodge, No. 13, of the Independent Order of Odd Fellows."

"Joint Resolution to pay back to William T. Jeandell and Francis Vincent, a fine imposed upon them for libel," and "A supplement to the act to incorporate The Wilmington Coal Gas Company."

On motion of Mr. Smith,

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

Mr. Ponder from the committee on the petition of sundry citizens of Sussex County, praying the creation of an additional School District, reported a bill entitled, "An act to create an additional School District in Sussex county," which,

On his motion,

Was read.

On motion of Mr. Du Pont,

The bill entitled, "An act concerning the division of School Districts number twenty-one, thirty-three and thirty-eight, in New Castle county," was read a second time.

Mr. Sorden from the petition of William Morgan and others, asked,

And on motion of Mr. Ponder,

Obtained leave for further time within which to make report.

On motion,

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



WEDNESDAY morning, 10 o'clock, February 9, 1853.

The Senate met pursuant to adjournment.

Mr. Du Pont presented the petition of A. Partridge and others, setting forth that a Military Academy is about to be established at Brandywine Springs; and praying the Legislature to loan to that institution, two

six pounder cannon, and muskets, with the necessary accoutrements and equipments," which,

On his motion,

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

Whereupon,

Messrs. Du Pont, Temple and Sorden were appointed said committee.

On motion of Mr. Jump,

The bill entitled, "A further supplement to the act entitled, 'An act to enable the owners of the marshes, cripple, and low grounds, situate upon and contiguous to Jamison's Branch, in Little Creek and Duck Creek Hundreds, to drain and improve the same,'" was taken up with a view to a third reading, pending which motion,

On motion of Mr. Sorden,

The further consideration of the bill was postponed for future action.

On motion of Mr. Sorden,

The bill entitled, "A supplement to the act entitled, 'An act to incorporate the Delaware Rail Road Company,'" passed at Dover, February 22d, 1849, was taken up for further consideration.

Mr. Sorden moved to amend the amendments offered to said bill, on Thursday the 3d instant, as follows, viz :

"Amend the first section of the amendments, by striking out the word "ocean," in the 22d line, and inserting in lieu thereof the words, "Delaware Bay."

Also, by striking out the word "held" in the fourth line of the sixth section.

On motion of Mr. Sorden,

The amendments were adopted, and the bill as amended was then read a third time, by paragraphs, and

*Passed the Senate.*

Yeas—Messrs. Currey, Du Pont, Ferguson, Jump, Ponder, Smith, Sorden, Temple and Mr. Speaker—9. No nays.

*Ordered to the House for concurrence.*

Mr. Cowgill, Clerk of the House, being admitted, presented for concurrence a bill entitled, "An act to incorporate Friendship Lodge, No.

22, of the Independent Order of Odd Fellows, of the State of Delaware, at Peace and Plenty," and a

"Joint Resolution appointing a Joint committee to inquire into the resources and expenditures of the State."

On motion of Mr. Smith,

The communication from the Senate was read, and

On motion of Mr. Jump,

The Joint Resolution was

*Adopted.*

Whereupon,

The Speaker appointed Messrs. Jump and Sorden, a committee on the part of the Senate to act with the committee of the House, consisting of Messrs. Delaplaine, Hays, and Benjamin Burton, in obedience to the provisions of said Resolution.

Mr. Du Pont presented the petition of sundry merchants of the City of Philadelphia, praying the Legislature to pass the bill entitled, "An act to incorporate the Maryland and Delaware Canal Company," which was read and laid on the table.

On motion of Mr. Sorden,

The bill entitled, "An act to amend chapter 55, of the Revised Statutes of the State of Delaware," for the protection of fish, oysters, and game," was read a second time.

Mr. Smith presented a Joint Resolution, for the appointment of a Legislative Committee, which,

On his motion,

Was read, and

*Adopted.*

The Speaker then ordered the blank in said Resolution, for the committee on the part of the House to be filled with the names of "*William Smith and William Temple.*"

*Ordered* to the House for concurrence.

On motion of Mr. Smith,

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

*Passed the Senate.*

Yeas—Messrs. Currey, Du Pont, Ferguson, Ponder, Smith, Temple and Mr. Speaker—7. No. nays.

*Ordered to be returned to the House.*

Mr. Cowgill, Clerk of the House being admitted, returned concurred in with the following amendment, "An act for the suppression of certain nuisances:"

House of Representatives, February 9, 1853.

Amend the bill by striking out the words "*stoned horse or ass*" in the third line, and insert in lieu thereof the following words "*stallion or jack.*"

Extract from the Journal.

C. A. COWGILL,

*Clerk of the H. of Rep's.*

On motion of Mr. Ponder,

The amendment was read, and

On motion of Mr. Currey,

*Concurred in.*

On motion of Mr. Ponder,

The bill entitled, "An act to create an additional School District, in Sussex County," was read a second time.

Mr. Temple asked that the rules be suspended in order to enable him to introduce a bill.

Mr. Du Pont moved that he have leave,

Which motion

*Prevailed.*

Whereupon,

He laid on the table a bill entitled, "A supplement to the act entitled, 'An act to incorporate a company to improve the navigation of Duck Creek,'" which,

On his motion,

Was read.

Mr. Temple presented the petition of John Eaton, praying the Legislature to pass an act to enable the Levy Court of Kent County, to pay him for certain work done for said County," which,

On his motion,

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

Whereupon,

Messrs. Temple, Ferguson and Currey, were appointed said committee.

On motion of Mr. Du Pont,

"The Catholic Trust Bill," was taken up for consideration, and recommended to the committee who reported the same, for amendment:

On motion,

The Senate adjourned until 3 o'clock, this afternoon.

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

The Senate met pursuant to adjournment.

On motion of Mr. Temple,

The bill entitled, "An act to incorporate the Maryland and Delaware Canal Company," was taken up for consideration.

Mr. Temple offered the following amendment to said bill: "Amend the bill by adding as section 20,

Section 20. *And be it further enacted*, That as a further consideration for the passage of this act, the said "Maryland and Delaware Canal Company, shall semi-annually, pay to the Treasurer of the State, for the use of the State, a tax at the rate of one per centum per annum, on their stock actually paid in; Provided that this section shall not take effect, until said Canal is open for the transportation of freight," which,

Was read, and

On his motion,

*Adopted.*

Mr. Sorden offered the following amendment to said bill:

"Amend the bill by inserting between the word "reasonable," in the twenty-second line and the word, "provided" in the twenty-third line of section 15, the words, "Provided the same shall not exceed the sum or sums fixed for regulating the tolls and charges on the several items of merchandize and commodities, in the charter of the Chesapeake and Delaware Canal Company, and the supplements thereto."

On motion of Mr. Sorden,

Said amendment was read and

*Adopted.*

Mr. Du Pont offered the following amendment to said bill:

"Amend the bill by striking out the following words from the fourth line of section 15 of the bill," "The conveyance of passengers and," which,

On motion of Mr. Du Pont,

Was read and

*Adopted.*

Mr. Jump offered the following amendment to said bill :

"Amend the bill by inserting between the word "river," and the word "above" in the sixth line of section 11, the words "at or."

Which amendment was read,

And on motion of Mr. Jump,

*Adopted.*

Mr. Temple offered the following amendment to said bill :

Amend the bill in section 10 by striking out all after the word "thereby," in the seventeenth line to the word "and," in the twenty-third line, which,

On motion of Mr. Temple,

Was read and

*Adopted.*

Mr. Temple then moved,

That the bill entitled, "An act to incorporate the Maryland and Delaware Canal Company," be read a third time, by paragraphs, with a view to pass the Senate,

Which motion,

*Prevailed.*

The first section of said bill was then read and on the question, "shall that be the first section of the bill," the yeas and nays were demanded by Mr. Ponder, and being taken were as follows :

Yeas—Messrs. Du Pont, Jump, Smith and Temple—4.

Nays—Messrs. Currey, Ferguson, Ponder, Sorden and Mr. Speaker—5.

So the first section being lost,

The bill

*Was lost.*

Mr. Cowgill, Clerk of the House, being admitted, informed the Senate that the House insists upon their non-concurrence in the Senate's amendments to the bill entitled, "An act to enable Manaam Gum to locate certain vacant land situate in Baltimore Hundred, in Sussex county, and to complete his title to the same," and that they had appointed as a committee of conference in relation to the difference between the two Houses on the amendments to said bill, Messrs. Benjamin Burton, Chambers and Gooding."

Mr. Sorden then moved,

That a committee to consist of two members be appointed on the part of the Senate as a committee of conference on the disagreement of the two Houses in relation to the Senate's amendments to said bill.

Which motion

*Prevailed.*

Whereupon,

Messrs. Sorden and Jump were appointed said committee.

Mr. Temple, from the committee on the petition of John Eaton, reported a bill entitled:

"An act for the relief of John Eaton," which,

On his motion,

Was read

On motion of Mr. Temple,

Said bill was then read by special order a second time, and by special order a third time, by paragraphs, and

*Passed the Senate.*

*Ordered to the House for concurrence.*

On motion of Mr. Smith,

The bill entitled, "An act concerning the division of School Districts number twenty-one, thirty-three and thirty-eight, in New Castle county," was read a third time by paragraphs, and

*Passed the Senate.*

*Ordered to be returned to the House.*

On motion of Mr. Smith,

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



**THURSDAY morning, 10 o'clock, February 10, 1853.**

The Senate met pursuant to adjournment.

Mr. Smith presented the petition of Thomas McLaughlin and other citizens of New Castle county, praying the Legislature "to enact a law imposing a tax on dogs in New Castle county, to constitute a fund to make compensation to the owners of sheep killed or damaged by dogs in that county," which,

On his motion,

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

Whereupon,

Messrs. Smith, Currey and Sorden were appointed said committee.

Mr. Sorden presented the petition of James R. Jones, of Sussex County, praying for the passage of an act to divorce him from his wife Martha, late Martha McNitt, which,

On his motion,

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

Whereupon,

Messrs. Sorden, Ferguson and Ponder, were appointed said committee.

On motion of Mr. Sorden,

James Scott obtained leave to withdraw from the files of the Senate, sundry affidavits and papers preferred by him against the application of Uriah E. Lank to be divorced from his wife.

Mr. Du Pont presented the memorial of the "Underwriters for Marine risks, of the City of Philadelphia, asking the Legislature to cede to the United States, the jurisdiction over the territory of Reedy Island, on the Delaware Bay, for the purpose of carrying into effect an appropriation made by Congress for making a harbour thereat," which,

On his motion,

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

Whereupon,

Messrs. Du Pont, Smith, and Ponder, were appointed said committee.

Mr. Currey moved for leave to withdraw from the files of the Senate, the remonstrance of sundry citizens of Sussex County, against the passage of an act to repeal a part of chapter 59, of the Revised Statutes, concerning ditches,



Which motion

*Prevailed.*

On motion of Mr. Ponder,

The bill entitled, "An act to create an addition School District, in Sussex County," was read a third time, by paragraphs, and

*Passed the Senate, unanimously.*

*Ordered to the House for concurrence.*

Mr. Currey, presented the petition of Thomas Wallace, and other citizens interested therein, praying the repeal of a certain act for cutting a canal from Cedar Creek to Misspillion Creek, so as to enable them to close the said Canal, which,

On his motion,

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

Whereupon,

Messrs. Currey, Ponder and Sorden, were appointed said committee.

On motion of Mr. Jump,

The bill entitled, "An act to incorporate Friendship Lodge, No. 22, of the Independent Order of Odd Fellows, of the State of Delaware, at Peace and Plenty," was read a second time.

Mr. Currey from the committee of Enrollment, reported as duly and correctly reported,

"An act for the suppression of Nuisances," and

"An act to divorce Eli Donovan and Margaret Donovan, late Margaret Coffin, from the bonds of matrimony."

On motion of Mr. Temple,

The bill entitled, "A supplement to the act entitled, 'An act to incorporate a company to improve the navigation of Duck Creek,'" was read a second time.

On motion of Mr. Smith,

The Senate adjourned until 3 o'clock, this afternoon.

*Same day, 3 o'clock, P. M.*

The Senate met pursuant to adjournment.

Mr. Smith from the committee to whom it was referred, reported back without amendment, the bill entitled,

An act exempting from taxation certain real estate in the City of Wilmington, purchased by the United States Government, for the purpose of erecting thereon a Custom House."

He then moved that the bill be read a third time, by paragraphs, with a view to pass the Senate.

Which motion

*Prevailed.*

The bill was then read a third time, and

*Passed the Senate.*

*Ordered* to be returned to the House.

Mr. Cowgill, Clerk of the House, being admitted, presented for concurrence the following bills, viz :

"An act to divorce Catharine Wasson, late Catharine Vandever and David Wasson from the bonds of matrimony."

"A supplement to the act entitled 'An act for the better regulation of the Streets of Newark and for other purposes,' " and

"An act to incorporate Wilmington Division, of the Sons of Temperance; at Wilmington, Delaware."

On motion of Mr. Currey,

The communication from the House was read.

On motion of Mr. Currey,

The bill entitled, "An act to amend Chapter 55, of the Revised Statutes of the State of Delaware," for the protection of Fish, Oysters and Game, was taken up for a third reading with a view to pass the House. The first section of the bill was read, and on the question, "shall that be the first section of the bill," it was decided in the negative, so the first section being lost

The bill

*Was lost.*

*Ordered* that the bill be returned to the House, with the action of the Senate endorsed thereon.

Mr. Cowgill, Clerk of the House, being admitted, returned an enrolled bill, which had received the signature of the Speaker and presented others for the signature of the Speaker of the Senate.

Mr. Sorden from the committee on the petition of James R. Jones, reported a bill entitled, "An act to divorce James R. Jones and Martha Jones, his wife, late Martha McNitt, from the bonds of matrimony," which,

On his motion,

Was read.

And by special order read a second time.

Mr. Jump presented the remonstrance of John A. Stevenson, and two hundred and seventy-two other citizens, against the passage of the bill now before the Senate for the appointment of the Catholic Bishop of Philadelphia a Trustee of certain property belonging to several Catholic congregations in this State," which,

On his motion,

Was read and laid on the table.

On motion of Mr. Ponder,

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



FRIDAY morning, 10 o'clock, February 11, 1853.

The Senate met pursuant to adjournment.

Mr. Ponder from the committee of Enrolment, reported as duly and correctly enrolled the following bills, viz :

"A Joint Resolution appointing William Cannon State Treasurer."

"A Joint Resolution appointing Doct. Luther Swigget, Auditor of Accounts."

"An act to confirm an ordinance of the city of Wilmington, vacating part of Madison Street."

"An act to prevent Horses and Mules from running at large in the town of Milton."

"An act to effect partition of the Real Estate of Thomas Deakyne and Ann Deakyne."

"An act for the relief of a certain non-resident named John Bell."

"An act for the distribution of the Revised Statutes of the State of Delaware," also, "An act exempting from taxation certain Real Estate located in the city of Wilmington, purchased by the United States Government for the purpose of erecting a Custom House thereon."

On motion of Mr. Smith,

The bill entitled, "An act to incorporate Wilmington Division, No. 1, of the Sons of Temperance, at Wilmington, Delaware," was read a second time.

On motion of Mr. Du Pont,

The bill entitled, "An act to incorporate Friendship Lodge, No. 22, of the Independent Order of Odd Fellows' of the State of Delaware, at Peace and Plenty," was read a third time, by paragraphs, and

*Passed the Senate.*

Yeas—Messrs. Currey, Du Pont, Fergusson, Jump, Ponder, Smith, Sorden, Temple, and Mr. Speaker, 9; no nays.

Mr. Sorden from the committee on the bill entitled, "An act to amend chapter 59, of the Revised Statutes of the State of Delaware," reported that a majority of the committee, namely, Messrs. John Sorden, and William Smith, to whom was referred the bill from the House entitled,

"An act to amend chapter 59, of the Revised Statutes," recommend that all the said bill after the enacting clause be stricken out, and the following amendment adopted, to wit:

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

"That the ninth section of chapter 59 of the Revised Statutes, be and the same is hereby amended, by inserting in the first line of said ninth section, immediately after the word, "aforesaid," these words "*They first being duly sworn or affirmed to the faithful performance of their duty,*" and further by inserting in the fourth line of the same section, immediately after the word, "purpose," these words, "In all cases of cutting and cleaning, any ditch or ditches, under their charge as managers, they shall commence at the lower end or terminus, and make and cleanse the same, so as to do equal justice to all the owners and possessors of the swamps or low grounds to be drained;" and in any edition of the laws hereafter published, the said act shall be printed so as to be conformable to the provisions of this act.

On motion of Mr. Sorden,

Said report was read, and

*Adopted.*

And amendments recommended by the committee,

Read and

*Adopted.*

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

*Ordered* to be returned to the House for concurrence in amendments.

Mr. Du Pont presented the petition of John C. Clark, and other citizens of New Castle County, praying the passage of a law taxing dogs, which,

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

Mr. Ponder also presented a like petition from David H. Conwell, and other citizens of Sussex County, which,

Was read and referred to the same committee.

On motion of Mr. Temple,

The bill entitled, "A supplement to the act entitled, 'An act to incorporate a company to improve the navigation of Duck Creek, was read a third time, by paragraphs, and

*Passed the Senate.*

Yeas—Messrs. Currey, Ferguson, Jump, Ponder, Smith, Sorden, Temple and Mr. Speaker—8. No nays.

*Ordered* to the House for concurrence.

Mr. Jump moved that the bill entitled, "A further supplement to the act entitled, 'An act to enable the owners of the marshes, cripple and low grounds, situate upon and contiguous to Jamison's Branch, in Little Creek and Duck Creek Hundreds, to drain and improve the same,'" be read a third time with a view to pass the Senate. Pending which motion,

On motion of Mr. Temple,

Said bill was postponed for further consideration.

On motion of Mr. Currey,

The bill entitled, "An act to divorce Catharine Wasson, late Catharine Vandever, and David Wasson, from the bonds of matrimony," was read a second time.

Mr. Du Pont from the committee to whom was referred the bill entitled, "An act to enable the Roman Catholic Bishop of the Diocese of Philadelphia, and his successors in office, to execute certain trusts," reported that the Committee had duly considered the subject committed to them, and had instructed him to report as a substitute for said bill, a new bill entitled, "An act to enable certain persons therein named to execute certain trusts."

On motion of Mr. Du Pont,

Said report was

*Adopted.*

And on his motion,

The said new bill was then read.

On motion of Mr. Sorden,

The Senate adjourned until 3 o'clock, this afternoon.



*Same day, 3 o'clock, P. M.*

The Senate met pursuant to adjournment.

Mr. Ponder from the committee appointed on the petition of Robert B. Houston, praying the passage of a law to enable him to locate vacant land, asked, and

On motion of Mr. Ferguson,

Obtained leave of further time within which to make report.

On motion of Mr. Smith,

The bill entitled, "A supplement to the act entitled, 'An act for the better regulation of the streets of Newark and for other purposes,'" was read a second time.

On motion of Mr. Currey,

The bill entitled, "An act for the improvement of the State road at the south end of Milford bridge, in Sussex County, and for other purposes," was read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered to the House for concurrence.*

Mr. Jump from the committee on the petition of Hunn Jenkins, reported "A Joint Resolution, directing the State Treasurer to pay a certain sum of money to Hunn Jenkins, administrator of Henry M. Temple, deceased," which,

On his motion,

Was read.

On motion of Mr. Sorden,

The bill entitled, "An act to divorce James R. Jones, and Martha Jones, his wife, late Martha McNitt, from the bonds of matrimony," was read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered to the House for concurrence.*

On motion of Mr. Sorden,

The bill entitled, "An act to establish a certain road in the County of Sussex, and for other purposes," was taken up for consideration, and amended as follows, to wit:

"Amend the bill by inserting in the third line of the first section immediately after the word, 'That,' these words, '*David Robbins, Jun. Robert Russell, Robert H. Carey, Silas M. Reynolds and Joseph Caldwell be, and they are hereby appointed Commissioners to go to,*' also strike out in the said third line of the same section, the words, '*Cedar Creek,*' and insert in lieu thereof the word, '*Broadkill.*'"

Strike out all the first section of said bill after the words, '*aforesaid Hundred,*' in the twelfth line thereof, and insert in lieu thereof the following words, '*and if they or a majority of them should be of opinion, that the said road is necessary, they shall establish the same; and if they or a majority of them are of opinion, that any person or persons are damaged by said road, they shall assess the damages sustained by such person or persons, which shall be paid or tendered by the said James M. Cane, before the said road is established. Insert in the second section after the words, "Morris' land," in the seventh line thereof these words, "if said Commissioners establish the road mentioned in the first section, and after the payment or legal tender of the damages assessed." Insert as section 3. The Commissioners, before entering upon the duty hereinbefore mentioned, shall be severally sworn or affirmed, to perform the duties imposed upon them by this act, faithfully and impartially, according to the best of their skill and judgment; and they shall receive for every day they are engaged in the performance of their duties, under this act the sum of one dollar each, to be paid by the said James M. Cane.*'"

Mr. Temple asked that the rules be suspended in order to enable him to bring in a bill. Mr. Smith then moved that the rules be suspended and he have leave to introduce his bill,

Which motion

*Prevailed.*

Mr. Temple then laid on the table a bill entitled, "A supplement to chapter 9, of the Revised Statutes of the State of Delaware," which

On his motion,

Was read.

On motion of Mr. Sorden,

The bill entitled, "An act to incorporate the Indian River and Lewes Creek Canal Company," was taken up for consideration and amended as follows, to wit:

"Amend the bill by striking out in the sixth line of the first section the name of "*Robert A. Houston*," and insert in lieu thereof the name of "*James F. Burton*."

The bill was then,

On motion of Mr. Sorden,

Read a third time, by paragraphs, and

*Passed the Senate.*

Yeas—Messrs. Du Pont, Ferguson, Ponder, Smith, Sorden, and Mr. Speaker—6. No. nays.

On motion of Mr. Sorden,

The Senate adjourned until Monday morning next, at 10 o'clock.



MONDAY morning, 10 o'clock, February 14, 1853.

The Senate met pursuant to adjournment.

On motion of Mr. Sorden,

The bill entitled "An act to establish a certain road in the county of Sussex, and for other purposes," was taken up for consideration and the amendments offered on Friday last, adopted. The said bill was then

On his motion,

Read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered* to be returned to the House.

Mr. Cowgill, Clerk of the House being admitted, presented for concurrence the following bills, viz:

"A supplement to the act entitled, 'An act for the better regulation of the Streets of Delaware City and for other purposes.'"



"An act to amend the act entitled, 'An act to incorporate the Market House Company of Smyrna.'"

"An act to change the location of a certain road in Kent county."

On motion of Mr. Temple,

The communication from the House was read.

He also returned concurred in the following bills :

"An act for the relief of Justin Pierce."

"Joint Resolution for the appointment of a Legislative Committee."

"An act for the relief of John Eaton," and "A Joint Resolution for the payment of a certain sum of money to James L. Bewley."

He also informed the Senate that the House had concurred in the amendment of the Senate to the bill entitled, "An act to incorporate the Indian River and Lewes Creek Canal Company."

On motion of Mr. Sorden,

The bill entitled, "A supplement to the act entitled, 'An act for the better regulation of the streets of Delaware City, and for other purposes, together with the petitions and papers accompanying the same,'" were referred to a committee of three members.

Whereupon,

Messrs. Sorden, Jump and Fergusson, were appointed said committee.

Mr. Carlisle, a member of the House of Representatives, being admitted, presented for concurrence the following bills, viz :

"An act in relation to basterdy bonds," and "An act to amend Chapter 60, of the Revised Statutes," which,

On motion of Mr. Jump,

Were severally read.

Mr. Smith from the committee of sundry citizens of New Castle county, praying the passage of an act to restore Isaac Updike, heretofore convicted for kidnapping, to the right of suffrage, made the following report, which,

On his motion,

Was read, and

*Adopted.*

"The committee to whom was referred the petition of sundry citizens of New Castle county, praying for An act to restore Isaac Updike to

the right of suffrage; are of opinion that the Constitution of the State of Delaware forecloses all Legislation on such cases."

WILLIAM SMITH,  
ISAAC JUMP,  
JOHN PONDER.

Mr. Ponder from the committee of Enrolment reported as duly and correctly enrolled the following bills and resolutions, to wit:

"Joint Resolution appointing a Legislature Committee."

"Joint Resolution authorizing and directing the State Treasurer to pay to James L. Bewley a certain sum of money by him expended in arresting kidnappers."

"An act for the relief of Justin Pierce," and "An act for the relief of John Eaton."

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

On motion of Mr. Smith,

The bill entitled, "A supplement to the act entitled, 'An act for the better regulation of the Streets of Newark and for other purposes,'" was read a third time, by paragraphs, and

*Passed the Senate.*

Yeas—Messrs. Currey, Ferguson, Jump, Ponder, Smith, Temple and Mr. Speaker—7. No. Nays.

*Ordered* to be returned to the House.

On motion of Mr. Temple,

The bill entitled, "A supplement to Chapter 9, of the Revised Statutes of the State of Delaware," was read a second time.

Mr. Reynolds, a member of the House of Representatives being admitted, returned sundry enrolled bills, which had received the signature of the Speaker of the House.

On motion of Mr. Smith,

The bill entitled, "An act to incorporate Wilmington Division, No. 1, of the Sons of Temperance, at Wilmington, Delaware," was read a third time, by paragraphs, and

*Passed the Senate.*

By yeas—Messrs. Currey, Ferguson, Jump, Ponder, Smith, Sorden, Temple, and Mr. Speaker, 8; no nays.

*Ordered* to be returned to the House.

On motion,

Adjourned to 3 o'clock, this afternoon.



*Same day, 3 o'clock, P. M.*

The Senate met pursuant to adjournment.

Mr. Ponder from the committee of Enrolment, reported as duly and correctly enrolled the following bills, viz :

"A further supplement to the act entitled, 'An act to incorporate the New Castle County Mutual Insurance Company.'"

"An act to enable Thomas Phillips and Joseph Phillips, to locate certain vacant land, situated in Dagsboro' Hundred, in Sussex County, and to complete their title to the same."

"An act concerning the division of School Districts number twenty-one, thirty-three and thirty-eight, in New Castle county."

Mr. Du Pont from the committee appointed on the petition of A. Partridge and others, praying the loan of certain arms, to be used at a military academy, about to be established at Brandywine Springs," asked, and

On motion of Mr. Smith,

Obtained further time within which to make report.

On motion of Mr. Jump,

The "Joint Resolution directing the State Treasurer, to pay to Hunn Jenkins, administrator of Henry M. Temple, deceased, a certain sum of money," was taken up for consideration,

Read and

*Adopted.*

*Ordered* to the House for concurrence.

Mr. Ponder presented "A Joint Resolution appointing Directors of the Farmer's Bank, of the State of Delaware, on the part of the State," which,

On his motion,

Was read

Mr. Cowgill, Clerk of the House, being admitted, presented for concurrence the following bills:

"An act to alter and amend chapter 34, of the Revised Statutes of the State of Delaware," and

"An act to authorize Peter C. Parker, to change the course of a road in Broadkilm Hundred, in Sussex County."

On motion of Mr. Temple,

The communication from the Senate was read.

On motion of Mr. Ponder,

The bill entitled, "An act to vest in Obediah Macklin, all the right and title of this State to certain personal property, of which Henry Donovan, late of Cedar Creek Hundred, Sussex County, deceased, died possessed," was read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered* to be returned to the House.

Mr. Currey from the committee appointed on the petition of Thomas Wallace and others, asked, and

On motion of Mr. Smith,

Obtained further time within which to make report.

Mr. Temple laid on the table the following Resolution, viz:

*Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That both Houses of the Legislature will adjourn on Friday, the twenty-fifth day of February instant, sine die, which,*

On his motion,

Was read, and

On motion, *Adopted.*

*Ordered* to the House for concurrence.

Mr. Cowgill, Clerk of the House, being admitted, returned concurred in with the following amendment, the bill entitled, "An additional supplement to the act entitled, 'An act to amend the act entitled an act directing the manner of choosing commissioners to regulate and repair the streets of Milford, and for other purposes,'" viz:

House of Representatives, February 14, 1853.

Amend the bill by adding the following: as

Section 2. *And be it enacted,* That the following words beginning at

the fortieth line, "And the said Commissioners are hereby authorized to employ some suitable person, whose duty it shall be to ring the bell at the hour of ten o'clock, P. M., in each and every night, for which a reasonable compensation shall be allowed and paid out of the treasury of the said town, and after so ringing said bell," be repealed, and the same is hereby made null and void. And add as an amendment to said first section, immediately before the words, "every negro," in the forty-fourth line of said section these words, "after the hour of ten o'clock, P. M."

Extract from the Journal.

C. A. COWGILL,

*Clerk of the H. of Rep's.*

*For Concurrence.*

On motion of Mr. Currey,

Said amendments were read and

*Adopted.*

On motion of Mr. Sorden,

The bill entitled, "A supplement to chapter 9, of the Revised Statutes of the State of Delaware," was taken up for consideration.

Mr. Sorden then offered the following amendment, which,

On his motion,

Was read and

*Adopted.*

"Amend the bill by inserting in the 9th line between the words, "viz:" and the word "And," the words, "and furnish the State Treasurer with a list of the same," which,

On his motion,

Was

*Adopted.*

On motion of Mr. Sorden,

Said bill was then read a third time, by special order paragraphs, and

*Passed the Senate.*

On motion,

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

TUESDAY morning, 10 o'clock, *February 15, 1853.*

The Senate met pursuant to adjournment.

Mr. Ponder from the committee of Enrolment, reported as duly and correctly enrolled, the following bills, viz:

"An additional supplement to the act entitled, 'An act to amend the act entitled, An act directing the manner of choosing commissioners to regulate and repair the streets of Milford and for other purposes,' " and

"An act to incorporate the Indian River and Lewes Creek Canal Company."

On motion of Mr. Currey,

The bill entitled, "An act to alter and amend Chapter 34, of the Revised Statutes of the State of Delaware," was read a second time.

On motion of Mr. Sorden,

The bill entitled, "An act in relation to bastardy bonds," was read a second time.

On motion of Mr. Jump,

The bill entitled, "An act to change the location of a certain road in Kent County," was read a second time.

On motion of Mr. Sorden,

The bill entitled, "An act to authorize Peter C. Parker, to change the course of a certain road in Broadkilm Hundred, in Sussex County," was read a second time.

Mr. Cowgill, Clerk of the House being admitted, presented for concurrence the following bill and resolution:

"A supplement to the act entitled, 'An act to provide for the erection of a Public Bridge across Broad Creek, at the town of Laurel, in Sussex County.'"

"Joint Resolution in relation to the Pea Patch Island," which,

On motion of Mr. Jump,

Were severally read.

Mr. Cowgill, at the same time informed the Senate that the House had adopted the report of the committee of conference, appointed in relation to the Senate's amendments, to the bill to authorize Manaan Gum to locate vacant land, and had concurred in the Senate's amendments, to the bill entitled, "An act to change the location of a certain road in Sussex County."

On motion of Mr. Sorden,

The bill entitled, "An act to amend chapter 60, of the Revised Statutes," was read a second time.

On motion of Mr. Temple,

The bill entitled, "An act to amend the act entitled, 'An act to incorporate the Market House Company of Smyrna,'" was read a second time.

On motion of Mr. Smith,

The bill entitled, "An act to divorce Catharine Wasson, late Catharine Vandever and David Wasson from the bonds of matrimony," was read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered* to be returned to the House.

On motion of Mr. Du Pont,

The bill entitled, "An act to enable certain persons therein named to execute certain trusts," was read a second time.

On motion of Mr. Sorden,

The bill entitled, "An act to amend chapter 60 of the Revised Statutes of the State of Delaware," was taken up for consideration, and

On motion of Mr. Temple,

Was indefinitely postponed.

On motion of Mr. Currey,

The Senate adjourned until 3 o'clock, this afternoon.



*Same day, 3 o'clock, P. M.*

The Senate met pursuant to adjournment.

Mr. Ponder from the committee on the petition of Robert B. Houston, reported a bill entitled,

"An act to authorize Robert B. Houston, to locate a certain tract of land in Dagsboro' Hundred, County of Sussex, and complete his title to the same," which,

On his motion,

Was read.

Mr. Sorden laid on the table the petition of Isaac Hearn and other citizens of Sussex County, praying for an act to create an additional School District, which,

On his motion,

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

Whereupon,

Messrs. Sorden, Ponder, and Temple were appointed said committee.

Mr. Cowgill, Clerk of the House being admitted, presented for concurrence the following bills:

"An act granting to and vesting in Jane Faucett, negro, certain real and personal estate, of which one Elizabeth Toodle, died intestate."

"An act to authorize the Levy Court of Kent County, to adopt a certain road as a County road."

"An act to authorize the sale of certain real estate, late of Uriah Slack, deceased."

He also returned concurred in, "A supplement to the act entitled, 'An act to incorporate a Company to improve the navigation of Duck Creek.'"

Mr. Temple presented the petition of sundry citizens of Kent County, praying an extension of the hog law, which,

On his motion,

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

Whereupon,

Messrs. Temple, Jump and Smith, were appointed said committee.

Mr. Sorden presented a petition from William Cannon, and sundry other citizens of Bridgeville, for a law to appoint and locate a Notary Public in or near said village, which,

On his motion,

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

Whereupon,



Messrs. Sorden, Currey, and Fergurson, were appointed said committee.

Mr. Sorden from the committee to which was referred the bill entitled, "A supplement to an act entitled, 'An act for the better regulation of the streets of Delaware City, and for other purposes, passed at Dover, March 5th, 1851,'" made the following report, which,

Was read, and

*Adopted, viz:*

The committee to whom was referred the bill entitled, "A supplement to the act entitled, 'An act for the better regulation of the streets of Delaware City, and for other purposes,'" beg leave to make the following report, viz.

"Amend the bill by inserting in the second line of section 4, between the word "town" and the word "shall," these words, "being first severally sworn or affirmed to the faithful performance of their duty."

JOHN SORDEN,  
ISAAC JUMP,  
B. FERGURSON.

On motion of Mr. Sorden,

The amendment reported by the committee was

*Adopted,*

And the bill read a second time as amended. He then moved that said bill be read a third time, by special order, by paragraphs, with a view to pass the Senate,

Which motion

*Prevailed.*

The bill was then read a third time, and

*Passed the Senate.*

Yeas—Messrs. Currey, Du Pont, Fergurson, Jump, Ponder, Smith, Sorden, Temple, and Mr. Speaker, 9. No nays.

*Ordered* to be returned to the House.

Mr. Benjamin Burton, a member of the House of Representatives, being admitted, returned sundry enrolled bills, which had received the signature of the Speaker of the House of Representatives, and presented others for the signature of the Speaker of the Senate.

And he withdrew.

On motion of Mr. Temple,

The "Joint Resolutions in relation to the Pea Patch Island," were taken up for consideration and read.

Mr. Temple then offered the following amendment, "Strike out the third of said resolutions," which is in the following words:

Resolved further, by the authority aforesaid, That in the event of the refusal or omission of Congress to make such appropriation, or to re-trocede the Island, before the termination of the first session of the next Congress, the Governor of this State is hereby authorized and requested to appoint an Agent with power and authority in behalf of this State, to make an entry on the said Island for condition broken, and that the Governor be and he is further authorized and empowered after entry made, to employ counsel in behalf of this State, to institute and carry on to their final conclusion all proper proceedings at law, for the recovery of said Island," which,

On his motion,

Was

*Adopted.*

And the resolutions as amended

*Adopted.*

*Ordered* to be returned to the House with the amendment for concurrence therein.

Mr. Du Pont from the committee appointed on the memorial of the Underwriters for Marine Risks, in the City of Philadelphia, asked, and,

On motion of Mr. Sorden,

Obtained further time within which to make report.

On motion of Mr. Sorden,

The Senate adjourned until Monday morning next, at 10 o'clock.



WEDNESDAY morning, 10 o'clock, February 16, 1853.

The Senate met pursuant to adjournment.

Mr. Ponder from the Committee of Enrolment made report, that the following bills were duly and correctly enrolled:

"A supplement to the act entitled, 'An act to incorporate a Company to improve the navigation of Duck Creek.'"

"An act to amend the title of the Farmers' Mutual Insurance Company, of Mill Creek Hundred, and for other purposes."

"An act to incorporate Friendship Lodge, No. 22, of the Independent Order of Odd Fellows' of the State of Delaware, at Peace and Plenty."

On motion of Mr. Smith,

The bill entitled, "An act to authorize the sale of certain Real Estate, late of Uriah Slack, deceased," was read a second time.

On motion of Mr. Jump,

The bill entitled, "A supplement to an act entitled, 'An act to provide for the erection of a Public Bridge across Broad Creek at the town of Laurel, in the county of Sussex,'" was read a second time.

Mr. Cowgill, Clerk of the House being admitted, presented for concurrence, the following bills :

"An act in relation to public roads and highways in Mill Creek Hundred, in New Castle county."

"An act to incorporate the Farmers' and Peoples' Plank Road Company," and "An act to incorporate Asylum Lodge, No. 23, of the Independent Order of Odd Fellows' of Wilmington, Delaware," which,

On motion of Mr. Smith,

Were severally read.

Mr. Cowgill also returned concurred in, "An act to divorce James R. Jones and Martha Jones, his wife, late Martha McNitt, from the bonds of matrimony."

On motion of Mr. Smith,

The bill entitled, "An act in relation to bastardy bonds," was taken up for consideration, and postponed for further consideration.

On motion of Mr. Ponder,

The bill entitled, "An act to authorize Robert B. Houston, to locate a certain tract of land in Dagsborough Hundred, county of Sussex, and to complete his title to the same," was read a second time.

On motion of Mr. Currey,

The bill entitled, "An act to authorize the Levy Court of Kent county to adopt a certain road as a county road," was read a second time.

On motion of Mr. Sorden,

The bill entitled, "An act to authorize Peter C. Parker to change the course of a Road in Broadkilm Hundred, in Sussex county," was read a third time, by paragraphs, and

*Passed the Senate.*

*Ordered* to be returned to the House.

On motion of Mr. Ponder,

The following Joint Resolution was taken up for consideration, viz :

*"Resolved, By the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the following persons be, and they are hereby appointed, Directors of the Farmers' Bank of the State of Delaware, on the part of the State, agreeably to the act of the General Assembly in such case made and provided :*

*"For the principal Bank at Dover, Garret Luff, John Raughley and Robert W. Reynolds."*

*"For the Branch at Wilmington, John P. Garesche, Henry Hicks and Spencer D. Eves."*

*"For the Branch at New Castle, Elihu Jefferson, William D. Ocheltree and Nathaniel Young."*

*For the Branch at Georgetown, Benjamin Fooks, Lewis West and Matthew Rench."*

On motion of Mr. Ponder,

Said resolution was then read, and

*Adopted.*

*Ordered* to the House for concurrence.

On motion of Mr. Sorden,

The bill entitled, "An act to alter and amend Chapter 34, of the Revised Statutes of the State of Delaware," was taken up for consideration, and indefinitely postponed.

*Ordered* that said bill be returned to the House with the action of the Senate endorsed thereon.

Mr. Du Pont from the committee appointed on the memorial of the Underwriters for Marine risks, in the city of Philadelphia, reported a "Joint Resolution to cede Reedy Island to the United States, for the purpose of making a harbour thereat," which,

On his motion,

Was read

On motion of Mr. Temple,

"The bill entitled, "An act to amend the act entitled, 'An act to incorporate the Market House Company of Smyrna,'" was read a third time, by paragraphs, and

*Passed the Senate.*

Yeas—Messrs. Du Pont, Ferguson, Ponder, Smith, Sorden, Temple and Mr. Speaker—7. No nays.

*Ordered* to be returned to the House.

On motion of Mr. Sorden,

The bill entitled, "An act granting to and vesting in Jane Faucett, negro, certain real and personal estate, of which one Elizabeth Toodle died intestate," was read a second time.

On motion,

Adjourned until 3 o'clock, this afternoon.



*Same day, 3 o'clock, P.M.*

The Senate met pursuant to adjournment.

Mr. Du Pont Presented the petition of sundry citizens of New Castle county praying a law taxing dogs, the tax to be applied to reimburse the owners of sheep for loss or damage by dogs.

Read and referred to the committee already raised on that subject.

Mr. Temple presented the petition of Thomas Deakyne and other owners of meadow and low grounds situate on the Northwest side of Smyrna Creek, praying "An act to enable them to dam, drain and improve the same," which,

On his motion,

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

Whereupon,

Messrs. Temple, Jump and Smith, were appointed said committee.

On motion of Mr. Sorden,

The bill entitled, "A supplement to an act entitled, 'An act to provide for the erection of a Public Bridge across Broad Creek, at the town of Laurel, in Sussex county,'" was read a third time by special order, by paragraphs, and

*Passed the Senate.*

*Ordered* to be returned to the House.

Mr. Ponder from the committee of Enrolment, reported as duly and correctly enrolled the following bill, viz :