

Messrs. Waples, C. Smithers and Boulden were appointed such committee.

On motion of Mr. Boulden,

Chapter 75, of the revised code, was referred to a committee of three.

Whereupon,

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

On motion of Mr. Newton,

Chapter 76, was referred to a committee of three.

Whereupon,

Messrs. Newton, Chambers and Waples were appointed such committee.

On motion of Mr. Chambers,

Chapter 77, was referred to a committee of three.

Whereupon,

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

On motion of Mr. Scribner,

Chapter 78, was referred to a committee of three.

Whereupon,

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

On motion of Mr. Boys,

Chapter 4, of the revised code, entitled, "Of Statutes and Legislative Journals," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Boys,

The bill entitled, "An act to incorporate Friendship Lodge, No. 22, of the I. O. O. F.," was read a second time.

On motion of Mr. Newton,

The bill entitled, "An act authorizing the payment of three hundred dollars to Samuel Canby, one of the committee appointed to procure a granite block for the Washington National Monument," was read a second time.

On motion of Mr. Newton,

Chapter 13, of the revised code, entitled, "County Treasurer," was read a second time by its title.

On motion of Mr. Harper,

Chapter 15, of the revised code, entitled, "Of the Public Arms and Defence," was read a third time by paragraphs, and,

Passed the House.

Ordered to the Senate for concurrence.

Mr. Chambers presented the petition of William Parker and thirty-eight others, praying an act to prevent horses, mules, cattle, &c., running at large within certain limits, which,

On his motion,

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

Whereupon,

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

On motion,

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

THURSDAY, 10 o'clock, A. M., January 22, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplin.

On motion of Mr. Rogers,

Chapter 69, of the revised code, entitled, "Of Pilotage, Navigation and Vessel Property," was read a third time by paragraphs, and

Passed the House.

Mr. Boulden gave notice that at some future day, he should ask leave to introduce a bill entitled, "An act for the better regulation of the streets of Newark, and for other purposes.

On motion of Mr. Rogers,

Chapter 54, of the revised code, entitled "Of Jails and Work Houses," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

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

On motion of Mr. Boys.

Obtained leave to introduce a bill entitled, "An act authorizing the Register for the Probate of Wills, and granting letters of administration in and for New Castle county, in the State of Delaware, to procure a new index book, and to transcribe or copy the General Index now in said Register's Office therein, and to collate the same," which,

On his motion,

Was read.

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

On motion of Mr. Rogers,

Obtained leave to introduce a bill entitled, "An act to incorporate the Board of Trustees of the Forrest Presbyterian church, at Middletown," which,

On his motion,

Was read.

Mr. Newton presented the petition of sundry citizens of Sussex county, relative to the "Cape Henlopen Steamboat and Sea Bathing Company," which,

On his motion,

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

On motion of C. Smithers,

Chapter 44, of the revised code, entitled, "St. Mary's College," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Boys presented the petition of Henry B. Riordan and 242 others, in relation to the holding of property of the Roman Catholic Church in this State, which,

On his motion,

Was read and laid on the table.

On motion of Mr. Scribner,

Chapter 39, of the revised code entitled, "Of Religious Societies," was read a third time by paragraphs, and

Passed the House

Ordered to the Senate for concurrence.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had passed, and requested the concurrence of House in the following chapters of the revised code, viz :

Chapter 29. "Of State Treasurer and Trustee of the School Fund."

" 62. "Of Wrecks."

" 60. "Concerning Roads and Bridges."

" 82. "Of Escheats."

" 50. "The Deaf, Dumb and Blind."

" 37. "Of Prothonotaries."

" 35. "Of the Recorder of Deeds."

" 34. "Of Constables."

And he withdrew.

On motion of Mr. Boys,

The communications from the Senate were read.

On motion of Mr. Scribner,

Chapter 29, was referred to a committee of three.

Whereupon,

Messrs. Scribner, E. Smithers and Derrickson, were appointed said committee.

On motion of Mr. Rogers,

Chapter 62 was referred to a committee of three members.

Whereupon,

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

On motion of Mr. C. Smithers,

Chapter 60 was referred to a committee of three.

Whereupon,

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

On motion of Mr. Harper,

Chapter 82 was referred to a committee of three members.

Whereupon,

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

On motion of Mr. Newton,

Chapter 50 was referred to a committee of three.

Whereupon,

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

On motion of Mr. Chambers,

Chapter 37 was referred to a committee of three.

Whereupon,

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

On motion of Mr. Boulden,

Chapter 35 was referred to a committee of three.

Whereupon,

Messrs. Boulden, Hosea and C. Smithers, were appointed said committee.

On motion of Mr. Boys,

Chapter 34, was referred to a committee of three.

Whereupon,

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

On motion,

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

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

The House met pursuant to adjournment.

Mr. Newton presented the memorial of Philip Reybold and 250 others, together with the petition of George Vickers and 130 others, for the incorporation of a company, to connect by rail road the Delaware river with the Chesapeake bay, which,

On his motion,

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

Whereupon,

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

On motion of Mr. Boys,

The bill entitled, "An act authorizing the funding of the floating debt of the city of Wilmington," was read a second time.

On motion of Mr. Boys,

The bill entitled, "An act to incorporate Friendship Lodge, No. 22, of the I. O. O. F." was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Martin,

Chapter 8, of the revised code, entitled, "Of the Levy Court," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate

On motion of Mr. Newton,

Chapter 24, of the revised code entitled, "General Provisions regarding Public Officers," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. C. Smithers moved,

That the vote on the final passage of Chapter 53, of the revised code entitled, "Concerning Taverns, Ale Houses, and Victualling Houses," be reconsidered.

On which,

The House being divided,

Mr. Smithers called the yeas and nay, which,

On being taken, were as follows, to-wit:—

Yeas.—Messrs. Chambers, Harper, Harrington, C. Smithers, E. Smithers, Spruance and Mr. Speaker. 7.

Nays.—Messrs. Boys, Boulden, Derrickson, Hosea, Newton, Pride, Rogers, Satterfield, Scribner and Waples. 10.

So the motion to reconsider was

Lost.

On motion of Mr. Newton,

Chapter 68, of the revised code, entitled, "Concerning Retailers of Goods, and of Pedlars," was read a second time by its title.

On motion of Mr. C. Smithers,

Chapter 48, of the revised code, entitled, "Concerning Alms Houses, and the Poor," was read a second time by its title.

On motion of Mr. Pride,

Chapter 11, of the revised code, entitled, "Of the valuation of property," was read a second time by its title.

On motion of Mr. Rogers,

Chapter 59, of the revised code entitled, "Of Ditches," was taken up for consideration, when,

On his motion,

The following amendments were proposed, read and

Adopted.

Amend Section 1, by striking out of the first line the words "a majority," and insert in lieu thereof, "three or more," also by inserting after the word "and" in the last line of the section, the words "if they shall deem it proper."

Amend the 7th section, by striking out of the last paragraph all after the word "contribute," and insert as follows, "that is to say, each taxable shall be entitled to one vote for every dollar of tax paid by him."

Amend the 8th section by striking out the words "a majority of the taxables" in the eighth line, and insert "three or more taxables."

On motion of Mr. Rogers,

Said chapter was read a second time by its title.

Mr. Waples presented the petition of Burton Johnson and other citizens of Sussex county, in relation to certain colored persons residing in Indian River Hundred in said county, which,

On his motion,

Was read, and

On motion of Mr. Scribner,

Was laid on the table.

On motion of Mr. Boys,

Chapter 9, of the revised code, entitled, "Clerk of the Peace," was read a second time by its title.

On motion of Mr. Chambers,

Chapter 12, of the revised code, entitled, "Of Collectors," was read a second time by its title.

On motion of Mr. Derrickson,

Chapter 70, of the revised code, entitled, "General provisions respecting Corporations," was read a second time by its title.

Mr. Derrickson presented the petition of J. C. Oldham and eighty others, praying for the incorporation of a Rail Road Company, to connect Delaware River with the Chesapeake Bay, which,

On his motion,

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

On motion of Mr. Boys,

The bill entitled, "An act to incorporate Plymouth Tent, No. 1, of the Sons of Washington, of Wilmington, Delaware," was read a second time by its title.

Mr. Boys from the committee, to whom was referred the petition of John Downing and others, reported a bill, entitled, "An act for the relief of School District, No. 9, in New Castle county," which,

On his motion,

Was read.

Mr. Harper presented a remonstrance of Gove Saulsbury and fifty-four others, counter to the petition of William Parker and others, relative to horses, mules and other cattle running at large within certain limits, which,

On his motion,

Was read and referred to the committee already raised.

On motion,

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

FRIDAY, 10 o'clock, A. M., January 23d, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Rogers,

The bill entitled, "An act to authorize the Recorder of Deeds in and for New Castle county, to transcribe the mortgage index of his said office and to procure a new Seal of office," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House, in the passage of the following chapters of the revised code, viz:

Chapter 30, "Of Auditors of Accounts,"

" 84, "Of Wills,"

" 87, "Of Dower,"

" 88, "Of Waste."

On motion of Mr. Boys,

The communications from the Senate were read.

On motion of Mr. Boys,

Chapter 84, was referred to a committee of three members.

Whereupon,

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

On motion of Mr. Newton,

Chapter 87, was referred to a committee of three members.

Whereupon,

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

On motion of Mr. Waples,

Chapter 88, was referred to a committee of three members.

Whereupon,

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

On motion of Mr. Harper,

Chapter 30, was referred to a committee of three members.

Whereupon,

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

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

On motion of Mr. Boys,

Obtained leave to introduce a bill, entitled, "An act authorizing the Levy Court and Court of Appeal in and for New Castle county, to compensate the Clerk of the Orphan's Court and Register in Chancery in and for said county, for arranging the papers belonging to the respective offices," which,

On his motion,
Was read.

On motion of Mr. Rogers,

The bill entitled, "An act authorizing the Register for the Probate of Wills, and granting letters of Administration in and for New Castle county in the State of Delaware, to procure a new General Index Book and to transcribe or copy the General Index, now in said Register's office therein, and collate the same," was read a second time by its title,

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

On motion of Mr. Derrickson,

Obtained leave to introduce a bill, entitled, "An act for the benefit of Public Schools in Wilmington," which,

On his motion,
Was read.

On motion of Mr. Newton,

Chapter 13, of the revised code, entitled, "County Treasurer," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Derrickson,

Chapter 70, of the revised code, entitled, "General provisions respecting Corporations," was read a third time by paragraphs, and

Passed the House.

On motion of Mr. Boulden,

Chapter 75, "Of Divorce," was read a second time by its title.

On motion of Mr. Newton,

Chapter 61, "Concerning Mills," was read a second time by its title.

On motion of Mr. Boulden,

Chapter 35, "Of the Recorder of Deeds," was read a second time by its title.

On motion of Mr. Boys,

The bill, entitled, "A supplement to an act entitled, An act to enable all the religious denominations in this State to appoint Trustees, who shall be a body corporate, for the purpose of taking care of the temporalities of their respective congregations," was read a second time by its title.

On motion of Mr. Rogers,

Chapter 59, of the revised code, entitled, "Of Ditches," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion,

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

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

The House met pursuant to adjournment.

The Speaker being absent,

On motion of Mr. Scribner,

Mr. Boys was elected Speaker, pro. tem.

Mr. Pride presented a remonstrance of William S. Melson and others, against the passage of the "Act to create an additional School District in Sussex county," which was read, and

On his motion,

The said bill was

Indefinitely Postponed.

On motion of Mr. Boulden,

Chapter 64, of the revised code, entitled, "Of Limited Partnerships," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Lodge,

Chapter 14, "Treasurer of the Poor," was read a second time by its title.

Mr. Scribner from the committee to whom was referred chapter 28, of the revised code, entitled, "Of the Secretary of State," reported said chapter with an amendment, which,

On his motion,

Was read, and

Adopted,

As follows, to wit:

Amend the chapter, by inserting after section 12, the following as section 13.

SECTION 13. "He shall transmit twenty copies of the Laws, Legislative Journals, Judicial Reports, and all other works hereafter to be published, by authority of the State, suitably bound up, to such agents as may be duly authorized to receive the same, in the course of international exchanges, under the system of M. Vattemare.

When,

On his motion,

The chapter was read a second time by its title.

On motion of Mr. Harper,

Chapter 65, of the revised code, entitled, "Of Principal and Surety," was read a third time by paragraphs, and

Passed the House.

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

On motion of Mr. Lodge,

Obtained leave to introduce a bill, entitled, "An act for the better regulation of the streets of Newark and for other purposes," which,

On his motion,

Was read.

On motion of Mr. Chambers,

The bill entitled, "An act directing the Levy Court and Court of Appeal of Kent county, to make an appropriation to open a certain road," was read a second time by its title.

On motion of Mr. Newton,

Chapter 76, "Of Husband and Wife," was read a second time by its title.

On motion of Mr. Waples,

Chapter 33, "Of Coroners," was read a second time by its title.

On motion of Mr. Rogers,

Chapter 18, of the revised code, entitled, "Of the General Elections," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Waples,

Chapter 74, of the revised code, entitled, "Of Domestic Relations," was read a second time by its title.

On motion of Mr. C. Smithers,

Chapter 60, "Concerning Roads and Bridges," was read a second time by its title.

On motion of Mr. Scribner,

Chapter 49, "Of the Insane," was read a second time by its title.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House, that the Senate had concurred in the passage of the bill entitled, "An act to divorce Moses E. Reeves and Rebecca Ann, his wife, late Rebecca Ann Garrison, from the bonds of matrimony,"

On motion,

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

SATURDAY, 10 o'clock, *A. M.*, January 24, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Rogers,

The bill entitled, "An act authorizing the Register for the Probate of Wills and granting letters of Administration in and for New Castle county, in the State of Delaware to procure a new index Book and transcribe or copy the General Index now in said Register's office therein, and to collate the same," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Rogers,

Chapter 62, "Of Wrecks," was read a second time by its title.

Mr. Newton presented the petition of James N. Sutton and thirty-nine others, praying an amendment to the "Act exempting from execution, process and distress for rent, a certain amount of personal property," which,

On his motion,

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

Mr. Boys from the committee, to whom was referred the subject of the above petition, asked, and

On motion of Mr. Chambers,

Obtained further time to report.

Mr. Pride from the committee to whom was referred the petition of Luke Clendaniel, reported a bill entitled, "An act to divorce Luke Clendaniel and Rachel Clendaniel from the bonds of matrimony," which,

On his motion,

Was read.

On motion of Mr. Pride;

Chapter 11, of the revised code, entitled, "Of the Valuation of Property," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Rogers,

The bill entitled, "An act authorizing the Levy Court and Court of Appeal in and for New Castle county, to compensate the Clerk of the Orphan's Court and Register in Chancery in and for said county, for arranging the papers belonging to the respective offices," was read a second time by its title.

On motion of Mr. Newton,

Chapter 68, of the revised code, entitled, "Concerning Retailers of Goods, and of Pedlars," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Boys,

Chapter 97, of the revised code, entitled, "Justices of the Peace, General powers and duties and jurisdiction in Criminal Cases;" also, chapter 98, entitled, "Justices jurisdiction in Bastardy cases," were read

Mr. Boulden, from the committee of enrollment, reported the bill, entitled, "An act to divorce Moses E. Reeves and Rebecca Ann, his wife, late Rebecca Ann Garrison, from the bonds of matrimony," as correctly and duly enrolled.

On motion of Mr. Chambers,

The bill entitled, "An act directing the Levy Court and Court of Appeal of Kent county, to make an appropriation to open a certain road," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Boulden,

Chapter 75, of the revised code, entitled, "Of Divorce," was read a third time by paragraphs, and

Passed the House

Ordered to the Senate for concurrence.

On motion of Mr. Scribner,

Chapter 49, of the revised code entitled, "Of the Insane," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Rogers presented the petition of Samuel Biddle and 72 others, praying for an act to enable the "New Castle Institute to receive the school fund of united school districts Nos. 45 and 46," which,

On his motion,

Was read and referred to a committee of three.

Whereupon,

Messrs. Rogers, Harper and Scribner, were appointed said committee, with leave to report by bill or otherwise.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in the passage of a bill entitled, "An act providing for a Convention."

Also that the Senate had passed, and requested the passage by the House, of Chapter 86, of the revised code, entitled "Of Joint Estates, and Partition."

And he withdrew.

On motion of Mr. Boys,

Chapter 86, of the revised code, was read.

On motion of Mr. Chambers,

Chapter 77, of the revised code, "Of Parents and Children, and of the maintenance of Bastard Children," was read a second time by its title.

On motion of Mr. Newton,

Chapter 61, "Concerning Mills," was read a third time by paragraphs, and

Passed the House.

On motion of Mr. Chambers,

Chapter 55, of the revised code, entitled, "Fish, Oysters and Game," was read a third time by its title, by special order of the House, and

Passed the House.

Ordered to the Senate for concurrence.

On motion,

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

MONDAY, 11 o'clock, *A. M.*, January 26, 1852:

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Newton,

Chapter 97, entitled, "General Powers, Duties and Jurisdiction of Justices in criminal cases," was referred to a committee of three.

Whereupon,

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

On motion of Mr. Scribner,

Chapter 98, "Of the Jurisdiction of Justices in Bastardy cases," was referred to a committee of three.

Whereupon,

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

On motion of Mr. Derrickson,

Chapter 86, "Of Joint Estates and Partition," was referred to a committee of three.

Whereupon,

Messrs. Derrickson, Harrington and Martin, were appointed such committee.

On motion of Mr. Newton,

The bill entitled, "An act providing for a convention," presented for concurrence on the 24th inst., was read.

Mr. Martin, chairman of the committee to whom was referred the petition of Benjamin Melson, reported a bill entitled, "An act to create an additional school district in Sussex county," which,

On his motion,
Was read.

Mr. Newton moved,
That the ninth rule be suspended, to enable him to introduce a bill.
Which motion *Prevailed.*
Whereupon,

He introduced a bill entitled, "An act for the benefit of the State of Delaware," which,

On his motion,
Was read.

On motion of Mr. Boulden,
The bill entitled, "An act for the better regulation of the streets of Newark, and for other purposes,"
Was read a second time by its title.

Mr. Rogers, from the committee to whom was referred the petition of Samuel Biddle and others, reported a bill entitled, "An act concerning schools in the town of New Castle," which,

On his motion,
Was read.

Mr. Chambers presented the petition of William Caulk and 32 others, praying for a hog law, in a certain part of Murderkill Hundred, which,

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

Whereupon,
Messrs. Chambers, Pride and Lodge, were appointed said committee.

Mr. Chambers submitted the following report, which,

On his motion,
Was read and adopted, as follows:—

The committee to whom was referred the petition of William Parker and 38 others, praying for a law to prevent horses mules and cattle from running at large within the limits therein mentioned: in as much as the remonstrance is much larger than the petition, we deem it inexpedient to legislate on that subject at this time.

On motion of Mr. Pride,
The bill entitled, "An act to divorce Luke Clendaniel and Rachel

Clendaniel, from the bonds of matrimony," was read a second time by its title.

On motion of Mr. Rogers,
Chapter 62, of the revised code entitled, "Of Wrecks," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Martin,
Chapter 7, "Of the Revenue of the State," was read a second time by its title.

On motion of Mr. Boulden,
Chapter 35, of the revised code, entitled, "Of the Recorder of Deeds," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Newton moved,

That the bill entitled, "An act authorizing the payment of three hundred dollars to Samuel Canby, one of the committee appointed to procure a block for the National Monument," be read a third time by paragraphs, in order to pass the House.

Which motion

Prevailed.

The question being on the passage of the first section, and the yeas and nays being called, they were taken,

And were as follows, to wit:—

Yeas.—Mr. Newton. 1.

Nays.—Messrs. Boys, Boulden, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Martin, Pride, Powell, Rogers, Scribner, C. Smithers, Waples and Mr. Speaker. 16.

The first section failing to pass, the bill

Was

Lost.

On motion of Mr. Scribner,

Chapter 28, of the revised code entitled, "Of the Secretary of State," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Newton,

Chapter 87, of the revised code, entitled, "Of Dower," was read a second time by its title.

On motion of Mr. Boys,

The bill entitled, "An act to incorporate Plymouth Tent, No. 1, of the Sons of Washington, of Wilmington, Delaware," was read a third time by paragraphs, and

Passed the House.

By yeas and nays, as follows :

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

Nays.—None.

Ordered to the Senate for concurrence.

On motion of Mr. Waples,

Chapter 88, of the revised code, entitled, "Of Waste," was read a second time by its title.

On motion of Mr. Chambers,

Chapter 72, of the revised code, entitled, "Of Canals, Rail Roads, Turnpikes and Toll Bridges," was read a second time by its title.

On motion,

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

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

The House met pursuant to adjournment.

Mr. Pride from the committee, to whom was referred the petition of Nancy Marvel, reported a bill, entitled, "An act to divorce Abraham Marvel and Nancy Marvel, late Nancy Baker, from the bonds of matrimony," which,

On his motion,

Was read.

On motion of Mr. Boys,

Chapter 84, entitled "Of Wills," was read a second time by its title.

On motion of Mr. Boys,

Chapter 34, entitled, "Of Constables," was read a second time by its title.

On motion of Mr. Rogers,

The bill entitled, "An act authorizing the Levy Court and Court of Appeal in and for New Castle county, to compensate the Clerk of the Orphans' Court, and Register in Chancery, in and for said county, for arranging the papers belonging to the respective offices."

Was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Boys,

The bill entitled, "An act for the relief of School District, No. 9, in New Castle county," was read a second time by its title.

On motion of Mr. Boys,

The bill entitled, "An act authorizing the funding of the floating debt of the city of Wilmington."

Was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. C. Smithers, to whom was referred the petition of Thomas Lockwood, reported a bill entitled, "An act to authorize Thomas Lockwood, administrator of Penelope Warren, deceased, to sell certain real estate, and for other purposes," which,

On his motion,

Was read.

The Speaker laid on the table a communication from Joseph Cleaver, relative to the construction of certain wharves at Port Penn, which,

On motion of Mr. Rogers,

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

Whereupon,

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

On motion of Mr. Newton,

Chapter 50, entitled "The Deaf and Dumb, and the Blind," was read a second time by its title.

Mr. C. Smithers moved,

That Chapter 60, of the revised code, entitled, "Concerning Roads

and Bridges," be read a third time by paragraphs, with a view to pass the House.

Which motion

Prevailed

During the reading of which, the commissioners upon the revised code, appeared and took their seats, when,

On motion of Mr. C. Smithers,

The further reading of said chapter, was suspended for the present.

On motion of Mr. Boys,

Chapter 91, "Of Courts of Justice."

" 92. "The Superior Court."

" 93 "The Court of Oyer and Terminer."

" 94 "The Court of General Sessions."

" 95 "The Court of Chancery."

" 96 "Of the Orphans' Court."

" 122 "Of the Limitations of Real Actions."

" 123 "Of the Limitations of Personal Actions."

" 124 "Of the Limitations of Appeals and Exceptions."

Of the revised code, were read.

On motion of Mr. C. Smithers,

Chapter 91 was referred to a committee of three.

Whereupon,

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

On motion of Mr. Rogers,

Chapter 92, was referred to a committee of three.

Whereupon,

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

On motion of Mr. Boulden,

Chapter 93 was referred to a committee of three.

Whereupon,

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

On motion of Mr. Scribner,

Chapter 94 was referred to a committee of three.

Whereupon,

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

On motion of Mr. Chambers,

Chapter 95 was referred to a committee of three.

Whereupon,

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

On motion of Mr. Boys,

Chapter 96 was referred to a committee of three.

Whereupon,

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

On motion of Mr. Newton,

Chapter 122 was referred to a committee of three.

Whereupon,

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

On motion of Mr. Derrickson,

Chapter 123 was referred to a committee of three.

Whereupon,

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

On motion of Mr. Lodge,

Chapter 124 was referred to a committee of three.

Whereupon,

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

On motion,

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

TUESDAY, 10 o'clock, A. M., January 27, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. C. Smithers,

The reading of Chapter 60, of the revised code, was completed by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Chambers presented a remonstrance signed by N. B. Smithers and 204 others, against the passage of a supplement to the bill to allow all the religious denominations of this State, to appoint trustees to take care of the temporalities of their respective congregations, which,

On his motion,

Was read and laid on the table.

On motion of Mr. Newton,

Chapter 87, of the revised code, entitled, "Of Dower," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Boys,

The bill entitled, "An act for the relief of School District No. 9, in New Castle county," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Rogers,

The bill entitled "An act concerning schools in the town of New Castle," was read a second time by its title.

On motion of Mr. Chambers,

Chapter 37, of the revised code, "Of Prothonotaries," was read a second time by its title.

On motion of Mr. Harper,

Chapter 82, "Of Escheats," was read a second time by its title.

On motion of Mr. Waples,

Chapter 74, of the revised code, entitled, "Of Marriage," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Martin,

Chapter 7, of the revised code, entitled, "Of the Revenue of the State," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Boys,

The bill entitled, "An act to incorporate the Wilmington Plank Road Company," was taken up for consideration.

Mr. Lodge offered an amendment to the bill, which,

On his motion, ●

Was read as follows,

And

Adopted.

Amend the 10th section of the said bill, by inserting between the words "same" and "said" in the fourth line the following: "particular regard being paid to the location of the bridge, so as least to obstruct the free navigation of said creek."

Also, amend by adding to the 10th section, the following, to wit:

"Also, good and sufficient crossways for the convenience of those owning land on each side of, and adjacent to the road.

The company shall also make and keep in good order and condition, a sufficient Ditch on either side of said road where the same crosses the marsh, and also, all such sluices as may be necessary to allow the free passage of the water, under any embankment made by said road. They shall also make and keep, a lawful fence on either side of the road, where the same crosses any upland.

On motion of Mr. Boys,

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

Passed the House.

By yeas and nays, *unanimously*, as follows:

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

Nays.—None.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House, in the passage of a bill, entitled, "An act vacating part of Water street in the city of Wilmington."

And he withdrew

On motion of Mr. Newton,

The communication from the Senate was read.

On motion of Mr. Lodge,

Chapter 14, of the revised code, entitled, "Of the Treasurer of the Poor," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Martin,

The bill entitled, "An act to create an additional School District in Sussex county," was read a second time by its title.

On motion of Mr. Chambers,

Chapter 77, of the revised code, entitled, "Of Parents and children, and of the maintenance of bastard children," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Pride,

The bill entitled, "An act to divorce Luke Clendaniel and Rachel Clendaniel from the bonds of matrimony," was read a third time by paragraphs, in order to pass the House,

The question being on the final passage, and

The House being divided, the yeas and nays were called, which on being taken, were as follows :

Yeas.—Messrs. Hosca, Pride and Scribner. 3.

Nays.—Messrs. Boys, Chambers, Derrickson, Harper, Harrington, Lodge, Martin, Newton, Powell, Rogers, Satterfield, C. Smithers, E. Smithers, Spruance, Waples and Mr. Speaker. 16.

So the bill was

Lost.

On motion,

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

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

The House met pursuant to adjournment.

On motion of Mr. Boulden,

Chapter 93, "Of the Court of Oyer and Terminer," was read a second time by its title.

Mr. Rogers from the committee, to whom was referred the petition of Joseph Cleaver, reported a bill entitled, "An act to enable Joseph Cleaver to sink a pier and extend his wharf in the river Delaware, at Port Penn," which,

On his motion,

Was read.

On motion of Mr. Boys,

Chapter 32, "Of Sheriffs," was read a second time by its title.

On motion of Mr. Newton,

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

On motion of Mr. Newton,

The vote upon the final passage of the bill to divorce Luke Clendaniel from his wife Rachel Clendaniel, was reconsidered,

When, the bill was put again on its final passage,

And

Lost.

By yeas and nays as follows :

Yeas.—Messrs. Boys, Chambers, Harper, Hosea, Newton, Pride, Powell, Scribner, C. Smithers, E. Smithers. 10.

Nays.—Messrs. Boulden, Derriekson, Harrington, Lodge, Martin, Rogers, Satterfield, Spruance, Waples and Mr. Speaker. 10.

Mr. Martin from the committee, to whom was referred the petition of John R. McFee and sundry other citizens of Sussex county, reported a bill entitled, "An act to amend the act entitled, an act to incorporate the Cape Henlopen Sea Bathing and Steamboat Company," which,

On his motion,

Was read.

On motion of Mr. C. Smithers,

Chapter 91, entitled, "Of Courts of Justice," was read a second time by its title.

On motion of Mr. Boys,

Chapter 18, of the revised code, entitled, "Of Constables," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

Mr. Newton, from the committee to whom was referred the petition of Philip Reybold and others, reported a bill entitled, "An act to incorporate the Chesapeake and Delaware Rail Road Company," which,

On his motion,

Was read.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had passed, and requested the concurrence of the House in the passage of the following chapters of the revised code, viz :—

Chapter 81. "Of Aliens."

" 83. "Of Conveyances."

And he withdrew.

On motion of Mr. Boys,

The communications from the Senate were read,

On motion of Mr. Martin,

Chapter 81 was referred to a committee of three.

Whereupon,

Messrs. Martin, C. Smithers and Rogers, were appointed said committee.

On motion of Mr. Newton,

Chapter 83, was referred to a committee of three.

Whereupon,

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

On motion of Mr. Martin,

Chapter 16, of the revised code, entitled, "General Provisions respecting Elections," was read a third time, and

Passed the House.

Ordered to the Senate for concurrence.

On motion,

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

WEDNESDAY, 10 o'clock, *A. M.*, January 28, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Rogers,

The bill entitled, "An act concerning schools in the town of New Castle," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Newton,

The bill entitled, "An act for the better regulation of the streets of Delaware City, and for other purposes," was read a second time by its title.

Mr. Newton then presented the remonstrance of C. C. Bigger and 43 others, against the passage of the said bill, which was read, when,

On motion of Mr. Pride,

The bill was

Indefinitely postponed.

Mr. Chambers moved,

The reconsideration of the vote upon the final passage of the bill "authorizing the State Treasurer to pay to Samuel Canby, one of the committee appointed to procure a block of granite for the Washington National Monument."

On which,

The House being divided, the yeas and nays were called,

And were as follows :—

Yeas.—Messrs. Boys, Chambers, Lodge, Newton, Pride, Powell, Spruance and Mr. Speaker. 8.

Nays.—Messrs. Boulden, Derrickson, Harper, Harrington, Hosea, Martin, Rogers, Satterfield, Scribner, C. Smithers, E. Smithers, and Waples. 12.

So the motion to reconsider was

Lost.

On motion of Mr. Boulden,

The bill entitled, "An act for the better regulation of the streets of Newark, and for other purposes," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Boys,

Chapter 51, of the revised code, "General Provisions respecting the Police," was taken up for consideration,

Mr. Boys offered the following amendment, which,

On his motion,

Was read.

Amend the chapter in the 12th section, by striking out all in the second and third lines, between the word, "Lottery," and the word "are."

And in the same section, strike out all between the word "repealed" in the third line, and the word "if" in the sixth line, and in the ninth line of the same section, all between the word "place," and the word "he."

And strike out all of the same section after the word "sold," in the twelfth line.

On motion of Mr. Newton,

The further consideration of the amendments was postponed until this day week, (Wednesday next.)

Mr. Newton presented the petition of Jonas Bowman and Azariah H. Quinby, praying an amendment to the act entitled, "An act to authorize the sale of real estate of Jacob Bowman, dee'd., in New Castle county," which,

On his motion,

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

Whereupon,

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

On motion of Mr. Chambers,

The bill entitled, "An act for the benefit of the State of Delaware," was taken up for consideration, when he offered the following amendment, which,

On his motion,

Was read.

Amend the bill by striking out of the title, all after the word "act," in the first line, and insert the following in lieu thereof, "To demoralize the citizens of the State of Delaware, and to bring about the worst species of Gambling, and to fix odium upon the honor of the State."

Mr. Chambers moved,

That the amendment just read be adopted;

Which motion was

Lost.

By yeas and nays, as follows :

Yeas.—Messrs. Chambers, Harper, Harrington, Lodge, Martin, Powell, C. Smithers, E. Smithers and Spruance. 9.

Nays.—Messrs. Boys, Boulden, Derrickson, Hosea, Newton, Pride, Rogers, Satterfield, Scribner, Waples and Mr. Speaker. 11.

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

On his motion,

Was read and referred to the committee on claims:

On motion of Mr. Rogers,

The bill entitled “An act to enable Joseph Cleaver to sink a Pier and to extend his wharf in the river Delaware, at Port Penn,” was read a second time by its title.

On motion of Mr. Chambers,

Chapter 12, of the revised code, entitled, “Of Collectors,” was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

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

“An act to incorporate Hope Lodge, No. 21, of the I. O. O. F., of the State of Delaware, in the city of Wilmington,” also,

“An act to authorize the Recorder of Deeds in and for New Castle county, to transcribe the mortgage index of his said office, and to procure a new seal of office.”

Also, that the Senate had passed and requested the concurrence of the House, in the passage of the bill entitled, “An act to incorporate Brandywine Lodge, No. 18, of the I. O. O. F., on Brandywine Banks, Delaware.”

And he withdrew.

On motion of Mr. Newton,

The bill entitled “An act to incorporate the Chesapeake and Delaware Rail Road Company,” was read a second time by its title.

Mr. Newton then offered the following amendment, which,

On his motion,

Was read as follows, and adopted :

Amend the bill by inserting the following as an additional section thereto, viz :

SECTION 24. *And be it enacted,* That when the said Rail Road shall have been made and completed in the manner and for the purposes mentioned in this act, the said Chesapeake and Delaware Rail Road Company shall construct and erect, substantial buildings for Warehouses, Work Shops, Car Houses and Depots, at the terminus of said road on the Delaware river, and shall at convenient distances, construct and erect depots for the accommodation of way passengers and freight, as the said President and Directors may deem proper ; and the said company shall run a daily line through the State ten months in the year, or more, *Provided,* the water communication connecting with said road shall be safely navigable, which said daily line shall run through the State during the day-light, and the said Chesapeake and Delaware Rail Road Company shall have power, in connection with the Delaware Rail Road Company, or with any other Company now chartered or hereafter to be chartered, below the dividing line between the counties of New Castle and Kent, to lay down, ascertain, mark and fix such Rail Road as they may deem expedient for forming a connecting line with said Delaware Rail Road Company, or other company as aforesaid, and shall have power to make such further arrangements for the mutual conveyance of passengers and freight, as to them both shall seem proper.

On motion of Mr. Martin,

The bill entitled, "An act providing for calling a Convention," was read a second time by its title.

On motion of Mr. C. Smithers,

The bill entitled, "An act to authorize Thomas Lockwood, administrator of Penelope Warren, deceased, to sell certain real estate and for other purposes," was read a second time by its title.

On motion of Mr. Pride,

The bill entitled, "An act to divorce Abraham Marvel and Nancy Marvel, late Nancy Baker, from the bonds of matrimony," was read a second time by its title.

On motion of Mr. Martin,

The bill entitled, "An act to create an additional School District in Sussex county," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Newton,

Chapter 76, of the revised code, entitled, "Of Husband and Wife," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Boulden,

Chapter 93, of the revised code, entitled "Of the court of Oyer and Terminer," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Waples,

Chapter 33, of the revised code, entitled "Of Coroners," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Scribner,

Chapter 29, of the revised code, entitled, "Of the State Treasurer and Trustee of the School Fund," was read a second time by its title.

On motion of Mr. Harper,

The ninth rule was suspended to enable him to introduce a bill, when he asked, and

On motion of Mr. C. Smithers,

Obtained leave to introduce a bill entitled, "An act to incorporate Leipsic Steamboat and Navigation company," which,

On his motion,

Was read.

On motion,

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

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

The House met pursuant to adjournment.

Mr. Pride from the committee, to whom was referred the petition of James Steel and others, reported a bill entitled, "An act concerning the division of School districts Nos. 54, 62 and 63 in Sussex county," which,

On his motion,
Was read.

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

“ An act to incorporate the Mutual Insurance company, of Mill Creek Hundred,” also,

“ An act to incorporate the Odd Fellow’s Library company.”

And he withdrew.

Mr. Spruance presented the petition of W. H. Holding, praying an act to create an additional school district in Kent county, which,

On his motion,

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

Whereupon,

Messrs. Spruance, Newton and Scribner, were appointed said committee.

On motion of Mr. Boys,

Chapter 84, “ Of Wills,” was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Derriekson,

Chapter 86, “ Of Joint Estates and Partition,” was read a second time by its title.

On his motion,

Also, chapter 123, “ Of the Limitations of Personal Actions,” was read a second time by its title.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House, in the passage of the following chapters of the revised code, to wit :

Chapter 89, “ Of the settlement of personal Estates.”

“ 90, “ Of the sale of land by Administrators.”

He also returned the enrolled bill, entitled, “ An act to divorce Moses E. Reeves and Rebecca Ann, his wife, from the bonds of matrimony,” which had received the signature of the Speaker.

And he withdrew.

On motion of Mr. Boys,

The communications from the Senate were read.

On motion of Mr. Boulden,
Chapter 89, was referred to a committee of three.

Whereupon,

Messrs. Boulden, C. Smithers and Martin, were appointed said committee.

On motion of Mr. Boys,
Chapter 90 was referred to a committee of three.

Whereupon,

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

On motion of Mr. Boys,

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

Passed the House.

By yeas and nays, as follows:

Yeas.—Messrs. Boys, Boulden, Derrickson, Harper, Lodge, Martin, Newton, Pride, Rogers, Satterfield and Waples. 11.

Nays.—Messrs. Chambers, Harrington, Hosea, Powell, Scribner, C. Smithers, E. Smithers, Spruance and Mr. Speaker. 9.

Ordered to the Senate for concurrence.

On motion,

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

THURSDAY, 10 o'clock, A. M., January 29, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplain

Mr. Chambers moved,

That the Journal of yesterday, where it is recorded that the bill entitled, "A supplement to the act entitled, 'An act to enable all the religious denominations in this State, to appoint trustees, who shall be a

body corporate, for the purpose of taking care of the temporalities of their respective congregations," was read a third time, and *passed the House*,—be so altered as to read that the said bill was read a third time, and *was lost*.

On which motion,

The House being divided, the yeas and nays were called, .

Which on being taken, were as follows:

Yeas,—Messrs. Chambers, Harrington, Pride, Powell, Scribner, C. Smithers. E. Smithers, Spruance and Mr. Speaker. 9.

Nays.—Messrs. Boys, Boulden, Derrickson, Harper, Hosea, Lodge, Martin, Newton, Rogers, Satterfield and Waples. 11.

So the motion to alter the Journal,

Was Lost.

Mr. Newton, from the committee to whom was referred the petition of Jonas Bowman, &c., reported a bill entitled, "A supplement to an act entitled, 'An act to authorize the sale of the real estate of Jacob Bowman, deceased, in New Castle County, Delaware,'" which,

On his motion,

Was read. .

On motion of Mr. Boys,

Chapter 9, of the revised code, entitled, "Clerk of the Peace," was read a third time by paragraphs, and

Passed the House,

Ordered to be returned to the Senate,

On motion of Mr. Lodge,

Chapter 124, "Of the Limitation of Appeals and Exceptions," was read a second time by its title, .

On motion of Mr. Martin,

The bill entitled, "An act to amend the act entitled, 'An act to incorporate the Cape Henlopen sea bathing and steam boat company,'" was read a second time by its title.

On motion of Mr. Rogers,

Chapter 92, "Of the Superior Court," was read a second time by its title.

On motion of Mr. Waples,

Chapter 63, of the revised code, entitled, "General Provisions respecting Trade," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Rogers,

The bill entitled, "An act to enable Joseph Cleaver to sink a pier and extend his wharf in the river Delaware at Port Penn," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Boys,

Chapter 40, of the revised code, entitled, "Of the School Fund," was recommitted.

Mr. Boys, from the committee to whom was referred said chapter, reported it back with an amendment, which,

On his motion,

Was read as follows, and

Adopted.

"Amend the chapter by striking out the 10th section, and section 11 shall be section 10," when,

On his motion,

The said chapter was read as amended, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Pride;

The bill entitled, "An act to divorce Abraham Marvel and Nancy Marvel, late Nancy Baker, from the bonds of matrimony," was read a third time by paragraphs, and

Passed the House

Ordered to the Senate for concurrence.

Wm. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of the following bills, viz:

"An act to incorporate the "Wilmington Plank Road Company."

Also, "An act to incorporate Plymouth Tent, No. 11, Sons of Washington, of Wilmington, Delaware."

And he withdrew.

On motion of Mr. Boys,

Chapter 19, "Of Elections in Wilmington Hundred," was read a third time by paragraphs, and

Passed the House

Ordered to the Senate for concurrence.

On motion of Mr. Chambers,

Chapter 37, "Of Prothonotaries," was read a third time by paragraphs, and

Passed the House

Ordered to be returned to the Senate.

On motion,

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

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

The House met pursuant to adjournment.

On motion of Mr. Martin,

Chapter 66, "Of Weights and Measures," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had passed, and requested the concurrence of the House in the passage of the following bills, viz :—

"An act for the relief of Peter Conner and Nancy, his wife."

Also, "A supplement to the act entitled, 'An act to incorporate the Franklin Manufacturing Company.'"

Also, in the passage of "An act to incorporate Home Division, No 28, of the Sons of Temperance, in Mill Creek Hundred."

And he withdrew.

On motion of Mr. Harper,

The bill entitled, "An act to incorporate the Leipsic Steamboat Navigation Company," was read a second time by its title.

On motion of Mr. Newton,

Chapter 50, "Of Deaf and Dumb, and the Blind," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Scribner,
Chapter 29, "Of the State Treasurer, and Trustee of the School Fund,"
was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Boys,
Chapter 32, "Of Sheriffs," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House, in the passage of the following chapters of the revised code, to wit:

Chapter 58, "Of Strays,"

" 110, "Of Judgments."

He also informed the House that the Senate had concurred in the passage of chapter 27, "Of the Governor," with an amendment, which amendment was

On motion of Mr. Boys,

Read as follows:

"IN SENATE, January 24, 1852.

Amend chapter 27, "Of the Governor," by adding as follows:

SEC. 3. He shall have authority to draw his warrant on the State Treasurer for the sum of one hundred dollars annually, in favor of M. Vattermare or any authorized agent employed by him in the United States, for carrying on the system of international exchanges."

Extract from the Journal.

WM. HUFFINGTON, Clerk.

On his motion,

The communications from the Senate were read.

On his motion,

Also, chapter 111, "Of Executions," was read.

On motion of Mr. Boys,

Chapter 111, was referred to a committee of three.

Whereupon,

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

On motion of Mr. Chambers,

Chapter 58, was referred to a committee of three.

Whereupon,

Messrs. Chambers, Rogers and Satterfield were appointed such committee.

On motion of Mr. Boulden,

Chapter 110, was referred to a committee of three.

Whereupon,

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

On motion of Mr. Boulden,

The bill entitled, "An act providing for a Convention," was taken up for consideration.

Mr. Boulden then offered an amendment, which,

On his motion,

Was read as follows, to wit :

Amend the bill, by striking out all after the word "Dover" in the fourth line of the first section, and insert in lieu thereof the following, "on the first Tuesday of December, A. D., 1853," which,

On motion of Mr. Newton,

Was postponed until to-morrow, for further consideration.

On motion,

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

FRIDAY, 10 o'clock, A. M., January 30, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. C. Smithers,

The bill entitled, "An act to authorize Thomas Lockwood, administrator of Penelope Warren, deceased, to sell certain real estate, and for other purposes," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Rogers presented sundry petitions signed by Elihu Jefferson, sundry Presidents of Insurance companies in Philadelphia, Silas Pedrick and others, praying an act to enable E. Jefferson, of New Castle, to extend his wharf further out into the Delaware river, which,

On his motion,

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

Whereupon,

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

On motion of Mr. Pride,

The bill entitled, "An act concerning the division of School districts Nos. 54, 62 and 63 in Sussex county," was read a second time by its title.

Mr. Boulden reported chapter 89, "Of the settlement of personal Estates," with an amendment, which,

On his motion,

Was read as follows, to wit:

Amend chapter 89 in section 25, by striking out item second, viz: The reasonable bills for medical attendance and nursing and necessaries for the last sickness of the deceased, and make item three, item two, and item four item three. Also, amend said section by striking out item five, viz. school taxes and county and road taxes.

On motion of Mr. Boulden,

Said amendment was

Adopted.

By yeas and nays, as follows;

Yeas.—Messrs. Boulden, Chambers, Derrickson, Harper, Harrington-Hosea, Pride, Powell, C. Smithers, E. Smithers and Spruance. 11.

Nays.—Messrs. Boys, Lodge, Martin, Newton, Rogers, Satterfield, Scribner, Waples and Mr. Speaker. 9.

On his motion,

Also, the said chapter was read a second time by its title.

Mr. Martin from the committee, to whom was referred the petition of Joseph Kollock and others, reported a bill entitled, "A further additional supplement to the act entitled, 'An act for improving and extending the navigation of that part of Pocomoke river which is situated in the State of Delaware,'" which,

On his motion,

Was read.

On motion of Mr. Boys,

Chapter 90, "Of the sale of Land by administrators, second time by its title.

On motion of Mr. Waples,

Chapter 88, of the revised code, entitled, "Of Waste," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Scribner,

Chapter 98, "Of Justices jurisdiction in Bastardy cases," was read a second time by its title:

On motion of Mr. Newton,

The bill entitled, "A supplement to an act entitled, 'An act to authorize the sale of the real estate of Jacob Bowman, deceased, in New Castle county, Delaware,'" was read a second time by its title.

On motion of Mr. Rogers,

Chapter 92, of the revised code entitled, "The Superior Court," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Derrickson,

Chapter 86, of the revised code, entitled, "Of Joint Estates and Partition," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

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

"An act authorizing the Register for the Probate of Wills and granting Letters of Administration in and for New Castle county, in the State of Delaware, to procure a new General Index Book, and to transcribe or copy the General Index now in said Register's office therein and collate the same."

"An act to incorporate Friendship Lodge, No. 22, of the I. O. O. F.'"

"An act authorizing the funding of the floating debt of the city of Wilmington."

And he withdrew.

On motion of Mr. Harper,

The bill entitled, "An act to incorporate the Leipsic Steamboat and Navigation company," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Boys reported chapter 111, "Of Executions," with an amendment, which,

On his motion,

Was read as follows, and

Adopted,

"Amend chapter 111, by striking out section 55, No. 1.

On his motion,

Also, said chapter was read a second time by its title,

On motion of Mr. Scribner,

Chapter 94, "Of the Court of General Sessions," was read a second time by its title.

On motion of Mr. Harper,

Chapter 30, "The Auditor of Accounts," was read a second time by its title.

Mr. Chambers presented the petition of Jacob Prettyman and others, praying for a Hog Law in certain parts of Murderkill Hundred," which,

On his motion,

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

On motion of Mr. Newton,

Also, chapter 122, "Of the Limitation of Real Actions," was read a second time by its title.

Mr. Boys gave notice, that at an early day he should ask leave to introduce a bill entitled, "An act to incorporate Olive Branch Tent, No. 1, Daughters of Washington, of Wilmington, Delaware."

On motion of Mr. Martin,

Chapter 81, "Of Aliens," was read a second time by its title.

On motion of Mr. Martin,

The following bills which had passed the Senate and were presented for concurrence, were read, viz :

"An act to incorporate Home Division, No. 28, of the Sons of Temperance, located in Mill Creek Hundred."

"An act for the relief of Peter Conner and Mary his wife."

"A supplement to the act entitled, an act to incorporate the Franklin Manufacturing Company."

Also, "An act to incorporate Brandywine Lodge, No. 18, of I. O. O. F., on Brandywine Banks, Delaware."

On motion,

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

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

The House met pursuant to adjournment,

The Speaker being absent,

On motion of Mr. Newton,

Mr. Boys was elected Speaker, pro tem,

On motion of Mr. Newton,

Chapter 83, "Of Conveyances," was read a second time by its title.

Mr. Rogers from the committee, to whom was referred the petition of Elihu Jefferson and others, reported a bill, entitled, "An act to enable Elihu Jefferson to wharf out into the river Delaware at the said town of New Castle," which,

On his motion,

Was read.

On motion of Mr. Newton,

Chapter 120, "Of Landlord and Tenant," was read,

On motion of Mr. Lodge,

Said chapter was referred to a committee of three members.

Whereupon,

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

On motion of Mr. C. Smithers,

Chapter 48, "Concerning Alms-houses and the Poor," was read a third time by its title, and

Passed the House,

Ordered to be returned to the Senate,

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of a bill, entitled, "An act for the relief of School district No. 9, in New Castle county."

Also, that the Senate had concurred in the passage of chapter 41, "Of Sabbath Schools," with an amendment,

And he withdrew.

On motion of Mr. Newton,

The amendment was read, and

On motion of Mr. Harper,

Was

Concurred in.

On motion of Mr. Newton,

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

Mr. Newton then offered an amendment, which,

On his motion,

Was read as follows, and

Adopted.

Amend the bill, by striking out in the sixth line of the first section the word "forty," and insert in lieu thereof the word "fifty." Also, in the fourth line of the second section the word "forty," and insert in lieu thereof the word "fifty." Also in the twenty-second line of the fourth section the word "forty," and insert in lieu thereof the word "fifty."

On motion of Mr. Newton,

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

Passed the House.

By yeas and nays, as follows:

Yeas.—Messrs. Boulden, Hosea, Newton, Pride, Rogers, Satterfield, Scribner, and Waples. 8.

Nays.—Messrs. Boys, Harper, Lodge, Powell, C. Smithers E. Smithers, and Spruance. 7.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of chapter 53, "Concerning Taverns, Ale Houses and Victualling Houses."

And he withdrew.

Mr. Rogers presented the claim of Alfred P. Robinson, Esq., Secretary of State, for superintending the publication of the Laws of 1851, which,

On his motion,

Was read and referred to the committee on claims.

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

On his motion,

Was read and referred to the committee on claims.

On motion of Mr. Lodge,

Chapter 124, "Of the Limitation of Appeals and Exceptions," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion,

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

SATURDAY, 10 o'clock, *A. M.*, January 31, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplain.

The Speaker being absent,

On motion of Mr. Newton,

There being no quorum,

The House adjourned to Monday 3 o'clock, in the afternoon.

MONDAY, 3 o'clock, *P. M.*, February 2d, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had passed, and requested the concurrence of the House in the passage, of the following chapters of the revised code, viz:

Chapter 105, "Of the Survivency of Actions."

" 108, "Of Oaths."

" 109, "Of Juries."

And he withdrew.

On motion of Mr. Harper,

Chapters 105 and 108, were read,

When there being no quorum,

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

TUESDAY, 10 o'clock, A. M., February 3d, 1852.

The House met pursuant to adjournment:

Prayer by the Chaplain.

On motion of Mr. Newton,

The bill entitled, "A supplement to an act to authorize the sale of the real estate of Jacob Bowman, deceased, in New Castle county, Delaware," was read a third time, and

Passed the House

Ordered to the Senate for concurrence.

Mr. Lodge moved,

That the ninth rule be suspended, in order to enable him to introduce a bill,

Which motion,

Prevailed.

He then asked, and

On motion of Mr. Harper,

Obtained leave to introduce a bill entitled, "An act for the benefit of public schools in Wilmington," which,

On his motion,

Was read.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had passed, and requested the concurrence of the House in the passage of chapter 113, of the revised code, entitled, "Of bills of exception, cases stated, and reserved questions."

Also, that the Senate had concurred in the passage of the following chapters, with amendments, viz :

Chapter 26, "Of the General Assembly."

" 68, "Of Retailers of goods, and of Pedlars."

And he withdrew.

On motion of Mr. Harper,

The communications from the Senate, viz: chapter 109, "Of Juries," presented for concurrence yesterday, with those presented to-day,

Were read.

On his motion,

Also, the Senate amendment to chapter 26, was read as follows,

And

Concurred in.

"IN SENATE, *January 30, 1852.*

Amend the amendment proposed by the House to chapter 26, by striking out all after the words "section 5," and substituting as follows:

"No petition for a divorce shall be received or acted on by the General Assembly, for any cause cognizable by the Superior Court under the provisions of chapter 75, nor without proof of one months public notice of the intention to prefer such petition by advertisement, published in a newspaper within the county of the petitioners residence, if there be one, or if there be none, then in a newspaper published within the State.

"SECTION 6. No petition for any private act shall be received or acted on by the General Assembly, unless one months notice of the intention to prefer such petition, has either been served in writing upon the person or persons to be affected by the same, or published as above provided in the case of a petition for a divorce: *Provided*, That proof of such notice may be dispensed with, if the object of the petition is of such a nature that no person other than the petitioner can be affected thereby.

"SECTION 7. No petition for a grant of vacant land or marsh shall be received or acted upon by the General Assembly, unless public notice of the intention to prefer such petition, shall have been given by advertisements posted in five public places of the Hundred wherein the land or marsh, to which the petition relates is situated, for one month previous to the preferring such petition."

Extract from the Journal.

WM. HUFFINGTON, Clerk.

On motion of Mr. Boys,

The amendment to chapter 68, was read, as follows, and

Concurred in.

"IN SENATE, *January 29, 1852.*

Amend Section 3d, by striking out in the 23d line after the word "so," the words "by any;" also out of the 24th line before the word "he," the words "civil officer."

Extract from the Journal.

WM. HUFFINGTON, Clerk.

On motion of Mr. Boulden,

Chapter 105, was referred to a committee of three:

Whereupon,

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

On motion of Mr. Derrickson,
Chapter 108, was referred to a committee of three.

Whereupon,

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

On motion of Mr. Rogers,
Chapter 113, was referred to a committee of three.

Whereupon,

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

On motion of Mr. Newton,
Chapter 109, was referred to a committee of three.

Whereupon,

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

On motion of Mr. Pride,

The bill entitled, "An act concerning the division of School districts Nos. 54, 62 and 63 in Sussex county," was read a third time by paragraphs, and

Passed the House unanimously.

Ordered to the Senate for concurrence.

Mr. Pride, from the committee to whom was referred the petition of James Steel and others, reported a bill entitled, "An act to authorize Burton J. Hart and Cornelius C. Hart, to erect two gates across a certain road in Broadkilm Hundred, Sussex county," which,

On his motion,

Was read.

On motion of Mr. Boulden,

Chapter 89, "Of the settlement of Personal Estates," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Newton,

The bill entitled, "An act for the relief of Peter Conner and Mary, his wife," was read a second time.

Mr. Newton presented the petition of Jacob Raymond and others, praying for an act for the relief of James L. Bewley, which,

On his motion,

Was read and referred to the committee on claims.

Mr. Harper moved,

That the 9th rule be suspended in order to enable him to introduce a bill.

Which motion

Prevailed.

Mr. Harper then asked, and

On motion of Mr. C. Smithers,

Obtained leave to introduce a bill entitled, "A supplement to the act entitled, 'An act to establish a company under the name of the Leipsic Navigation Company,' " which,

On his motion,

Was read.

On motion,

The House adjourned, until 2 o'clock, this afternoon.

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

The House met pursuant to adjournment.

Mr. Newton presented the petition of John H. Bewley and 245 others praying a repeal of the act of 1851, exempting a certain amount of personal property from execution process, or distress for rent, which,

On his motion,

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

Mr. C. Smithers presented the petition of William D. Harrington and 99 others. Also the petition of E. F. Green and 30 others, upon the same subject, which,

On his motion,

Were read and referred to the same committee.

On motion of Mr. Newton,

The bill entitled, "An act to incorporate the Board of Trustees of the Forrest Presbyterian Church at Middletown," was read a second time.

On motion of Mr. Boys,

The bill entitled, "An act vacating part of Water street, in the City of Wilmington," was read a second time by its title.

In pursuance of notice previously given, Mr. Boys asked, and

On motion of Mr. Newton,

Obtained leave to introduce a bill entitled, "An act to incorporate Olive Branch Tent, No. 1, of the Daughters of Washington," which,

On his motion,

Was read.

Mr. Boulden offered the the following resolution, which,

On his motion,

Was read as follows, and

Adopted.

Resolved, That the Clerk of the House of Representatives be authorized to procure locks for his desk, for the purpose of securing the papers, &c., from the inspection of persons having keys for the old locks.

On motion of Mr. Newton,

The bill entitled, "An act to incorporate Home Division No. 28, of the Sons of Temperance, located in Mill Creek Hundred, Delaware," was read a second time by its title.

On motion of Mr. Derrickson,

Chapter 123, of the revised code, entitled, "Of Limitations of Personal Actions," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Boys,

Chapter 96, "Of the Orphans' Court," was read a second time by its title.

On motion of Mr. Boys,

Chapter 90, of the revised code, entitled, "Of the sale of land by administrators," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Scribner,

Chapter 98, entitled, "Justices' jurisdiction in bastardy cases," was read a third time, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Newton,

Chapter 83, "Of Conveyances," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate,

On motion of Mr. Harper,

Chapter 30, "The Auditor of Accounts," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Scribner,

Chapter 94, "Of the Court of General Sessions," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Rogers,

The bill entitled, "An act to enable Elihu Jefferson of the town of New Castle, to wharf out into the river Delaware at the said town of New Castle," was read a second time by its title.

On motion of Mr. Newton,

Chapter 122 "Of the Limitation of Real Actions," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Boys presented the petition of Eli Todd and others, asking for an act to protect the Telegraph line running through this State, from wilful injury," which,

On his motion,

Was read and referred to a committee of three.

Whereupon,

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

On motion of Mr. Boys,

Chapter 111, "Of Executions," was taken up for consideration.

Mr. Boys then offered the following amendment, which,

On his motion,

Was read as follows :

Amend section 52 of chapter 111, by inserting after the first paragraph of said section, as follows : " No writ of *capias ad satisfaciendum* shall in any case be issued upon a judgment, at the suit of a person not at the time such judgment is recovered, residing within this State. Nor shall any person be imprisoned for the non-performance of a decree for the payment of money, in favor of a person non-resident as aforesaid, without an oath or affirmation first made and filed as aforesaid."

Said amendment was

Adopted.

Mr. Pride from the committee to whom was referred the petition of James Walls, reported a bill entitled, " An act concerning Sabbath Schools," which,

On his motion,

Was read,

On motion,

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

WEDNESDAY, 10 o'clock, *A. M.*, February 4th, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Newton,

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

Passed the House,

Ordered to be returned to the Senate.

Mr. Lodge offered the following Joint resolution, which,

On his motion,

Was read as follows, to wit :

WHEREAS, From the severity of the weather during the present winter, it has been demonstrated that additional safeguards are necessary for the protection of the valuable and increasing commerce of the Delaware River and Bay ; and that this protection is demanded, not only on the score of humanity towards our enterprising seamen, but also of sound

discretion as regards the Revenue of the United States, and the property of our merchants.

Be it resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, and it is hereby resolved by the authority of the same, That our Senators and Representative in the Congress of the United States be, and they hereby are, respectfully requested to aid in procuring such appropriations from Congress at the present session as may be necessary to provide :

First—For the completion of the Breakwater in the Delaware bay, so as to render it the secure harbor of refuge which it was originally designed to be.

Secondly—For the erection of Piers to form an Ice harbor, at such point in the neighborhood of Reedy Island as may be most eligible.

Thirdly—For such repairs and extensions of the existing Piers at New Castle and other points on the Delaware river, as may preserve and render them secure places of refuge, when the navigation is obstructed by ice.

On motion of Mr. Lodge,

The resolution was

Adopted.

Ordered to the Senate for concurrence.

On motion of Mr. Boys,

Chapter 51, of the revised code, entitled, "General provisions respecting the Police," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Martin,

The bill entitled, "A further additional supplement to the act entitled, An act for improving and extending the navigation of that part of Pokomoke river, which is situated in the State of Delaware," was read a second time by its title.

On motion of Mr. Newton,

The bill entitled, "An act to incorporate Home Division, No. 28, of the Sons of Temperance, located in Mill Creek Hundred, Delaware," was read a third time by paragraphs,

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Pride,

The bill entitled, "An act concerning Sabbath Schools," was read a second time by its title.

On motion of Mr. Pride,

The bill entitled, "An act to authorize Burton J. Hart and Cornelius C. Hart to erect gates across a certain road in Sussex county," was read a second time by its title.

On motion of Mr. Martin,

The bill entitled "An act to amend the act entitled 'An act to incorporate the Cape Henlopen Sea Bathing and Steamboat Company,'" was taken up for consideration, when,

On motion of Mr. Boys,

The further consideration of the bill was postponed to a future day.

On motion of Mr. Boys,

The bill entitled "An act vacating part of Water street in the city of Wilmington," was read a third time and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Boys,

The bill entitled "An act to incorporate Brandywine Lodge No. 18, of the I. O. O. F., on Brandywine Banks, Delaware," was read a second time by its title.

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

"An act directing the Levy Court and Court of Appeal in Kent county to make an appropriation to open a certain road."

Also, that the Senate had concurred in the passage of a Joint resolution directing the payment of certain money to Daniel Stephenson, (negro.)

Also, that the Senate had passed and requested the concurrence of the House in the passage of "a Joint resolution on the subject of the Breakwater, &c., addressed to Congress."

Also, that the Senate had passed the following chapters of the revised code, to wit :

Chapter 117, "Of Recognizances, and Bonds, and Proceedings thereon."

Chapter 118, "Of Suits for Legacies."

Also, that the Senate had concurred in the passage of Chapter 67, "Of Inspectors of Breadstuffs," with an amendment.

And he withdrew.

On Motion of Mr. Boys,
The communications from the Senate were read, and

On his motion,

The Senate amendment to chapter 67, "Concerning the Sale and Inspection of Breadstuffs" was read as follows, to wit:

Amend chapter 67. Strike out all of Section 1, after the word "viz," in the third line and insert as follows:

"No. 1, 27 inches long, $16\frac{1}{2}$ inches diameter at the head and to contain 196 pounds. No. 2, $22\frac{1}{4}$ inches long $12\frac{1}{2}$ inches diameter and to contain 98 pounds, and if any person shall export from New Castle county to any foreign port or place beyond the United States or shall sell for such exportation any wheat, flour, rye flour or middlings of wheat packed in casks made of unseasoned material, or of other dimensions, or of less weight per cask, than these respectively, he shall forfeit and pay to the flour inspector, forty cents per cask; and shall have remedy over for damages against the miller or cooper who furnished the same.

Indian corn meal made from corn sufficiently kiln-dried shall be packed for exportation from New Castle county, or from Middleford or Seaford in Sussex county, to any foreign port or any port in the United States where there are no inspection laws, in strong tight hogsheads made of good seasoned white or red oak well hooped and secured, the staves 41 inches long, 27 inches diameter at the head, and to contain 800 pounds nett, or in casks 26 inches long, $16\frac{1}{2}$ inches diameter, and to contain 196 pounds, or half barrel, 22 inches long, $12\frac{1}{2}$ inches diameter, and to contain 98 pounds, under the same penalty herein provided for flour, except that wheat flour or kiln dried indian corn meal may be exported in sacks or packages if inspected and passed, and the same fees paid for inspection as in proportion for barrels."

Amend section 3, by inserting after the word "brand" in the first line, the words, "or mark," and by inserting after the word "name" in the third line, the words, "or some name by which it may be distinguished as his."

On motion of Mr. Boys,
The amendment was

Concurred in.

On motion of Mr. Martin,
Chapter 117 was referred to a committee of three members,

Whereupon,

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

On motion of Mr. Rogers,
Chapter 118, was referred to a committee of three.

Whereupon,

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

Mr. Newton presented the remonstrance of Arthur Allston and others, concerning the division of School districts, Nos. 1 and 2, in Kent county," which,

On his motion;

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

On motion of Mr. Boulden;

Chapter 110, "Of Judgments," was read a second time by its title.

On motion of Mr. Rogers,

The bill entitled, "An act to enable Elihu Jefferson of the town of New Castle, to wharf out into the river Delaware, at the said town of New Castle," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Lodge,

The bill entitled, "An act for the benefit of Public Schools in Wilmington," was read a second time by its title.

On motion of Mr. Martin,

Chapter 81, "Of Aliens," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Scribner,

Chapter 71, "Of Banks," was read a second time by its title.

On motion;

The House adjourned, until 2 o'clock this afternoon.

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

The House met pursuant to adjournment.

On motion of Mr. Rogers,

Chapter 113, "Of bills of exceptions, cases stated, and reserved questions," was read a second time by its title.

Mr. Chambers presented the remonstrance of Thoms P. Reynolds, counter to certain petitions concerning Hog laws in Murderkill Hundred, which,

On his motion,

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

Mr. Chambers, chairman of the committee to whom was referred the petition of William Caulk, asked, and

On motion of Mr. Harper,

Obtained leave for further time to report.

Mr. Chambers presented the petition of Barrett P. Conner and others, praying for a Hog law in certain parts of Murderkill Hundred, which,

On his motion,

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

Whereupon,

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

On motion of Mr. Harper,

The bill entitled, 'A supplement to the act entitled, 'An act to establish a company under the name of the Leipsic Navigation company,' was read a second time by its title.

On motion of Mr. Boys,

Chapter 111, "Of Executions," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Lodge,

Chapter 120, "Of Landlord and Tenant," was taken up for consideration.

Mr. Lodge offered the following amendment, which,

On his motion,

Was read as follows :

Amend section 71, by inserting between the words "any" and "straw" in the second line, the words "hay other than salt hay."

Also, insert the word "hay" between the words "such" and "straw," in the fifth line of the same section.

On motion of Mr. Lodge,

The amendment was

Adopted.

Mr. Newton also offered the following amendment, which,

On his motion,

Was read as follows, to wit:

Amend the bill, by striking out from section 22 all the following, and also, except such property and to such amount as is exempted from execution process, by the second section of chapter 111, subject to all the provisions of said section touching such exempt property."

On motion of Mr. Chambers,

The said amendment was

Postponed,

Until to-morrow, for further consideration.

Mr. Boulden moved,

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

Which motion

Prevailed.

Mr. Boulden moved,

That the amendment offered and read on the 29th ultimo, be adopted,

Which motion was

Lost.

By yeas and nays, as follows:

Yeas.—Messrs. Boys, Boulden, Derrickson, Hosea, Lodge, Pride, Rogers and Mr. Speaker. 8.

Nays.—Messrs. Chambers, Harper, Harrington, Martin, Newton, Powell, Satterfield, Scribner, C. Smithers, E. Smithers, Spruance and Waples. 12.

Mr. Boys then offered the following amendment, which,

On his motion,

Was read as follows:

Amend the bill in the third section and second line, by inserting between the words "who" and "are," the following, "shall have resided in said Hundred at least one month before said election," and,"

On his motion,

Said amendment was

Adopted.

On motion of Mr. Martin,

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

Passed the House.

By yeas and nays as follows, to wit:

Yeas.—Messrs. Boys, Boulden, Derrickson, Hosea, Lodge, Martin, Newton, Rogers, Satterfield Scribner and Waples. 11.

Nays.—Messrs. Chambers, Harper, Harrington, Pride, Powell, C. Smithers, E. Smithers, Spruance and Mr. Speaker. 9.

Ordered to be returned to the Senate,

On motion of Mr. Derrickson,

Chapter 108, "Of Oaths," was read a second time by its title.

On motion of Mr. Boys,

The ninth rule was suspended to enable him to introduce a bill, when he asked, and

On motion of Mr. Rogers,

Obtained leave to introduce a bill entitled, "An act to incorporate La Fayette Lodge, No. 14, of Ancient York Masons, Wilmington city, Delaware, which,

On his motion,

Was read.

On motion of Mr. Boulden,

Chapter 105, "Of the Survivency of Actions," was read a second time by its title.

On motion of Mr. Newton,

The bill entitled, "An act to incorporate the Board of Trustees of the Forest Presbyterian church at Middletown," was read a third time by paragraphs in order to pass the House.

The question being on the final passage of the bill, and the House being divided,

The yeas and nays were called, which on being taken, were as follows, to wit:

Yeas.—Messrs. Boys, Harper, Newton, Pride and Mr. Speaker. 5.

Nays.—Messrs. Boulden, Chambers, Harrington, Hosea, Martin, Powell, Rogers, Satterfield, Scribner, C. Smithers, E. Smithers, Spruance and Waples. 13.

So the bill was

Lost.

Mr. Boys from the committee to whom was referred the petition of Eli Todd, reported a bill entitled, "An act for the protection of the Telegraph Line," which,

On his motion,

Was read.

Mr. Chambers moved,

That the bill be indefinitely postponed.

Which motion was

Lost.

Mr. Boulden presented the petition of John McCracken and forty-five others, praying an act to incorporate the Chesapeake and Delaware Rail Road company," which,

On his motion,

Was read and laid on the table.

On motion of Mr. Newton,

Chapter 97, "Justice's of the Peace, general powers and duties and jurisdiction in criminal cases," was read a second time by its title.

On motion,

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

THURSDAY, 10 o'clock, A. M., February 5th, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Pride,

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

On motion of Mr. Chambers,

Was

Postponed,

For further consideration.

On motion of Mr. Rogers,

Chapter 98, of the revised code, entitled, "Of the Orphan's Court," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Chambers submitted the following resolution, which,

On his motion,

Was read as follows, and

Adopted.

Resolved, That the use of this Hall be granted this evening to G. L. Swift, for the purpose of giving a Scientific Lecture.

Feb, 5th, 1852.

On motion of Mr. Rogers,

Chapter 118, of the revised code, "Of Suits for Legacies," was read a second time by its title.

On motion of Mr. Rogers,

Chapter 113 of the revised code, "Of Bills of Exception, Cases Stated and Reserved Questions," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Boulden,

Chapter 110, "Of Judgments," was read a third time by paragraphs and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Harper,

The bill entitled "A supplement to the act entitled 'An act to establish a company under the name of the Leipsic Navigation Company,'" was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Scribner,

Chapter 71, of the revised code, "Of Banks," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

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

"An act concerning schools in the town of New Castle.

Also, "An act to enable Joseph Cleaver to sink a pier and extend his wharf in the river Delaware, at Port Penn."

Also, "An act for the better regulation of the streets of Newark, and for other purposes," with an amendment,

And he withdrew.

On motion of Mr. Boulden,

The amendment from the Senate to the bill, "For the better regulation of the streets of Newark, &c."

Was read as follows, to wit:

IN SENATE, Feb. 3d, 1854.

Amend section 3, by adding thereto the following: "The Collector appointed as aforesaid shall have all the powers and authority, to collect such taxes as may be levied by said Commissioners or Assessors, as the Collectors have in collecting the county taxes."

Extract from the Journal.

WM. HUFFINGTON,

Clerk of the Senate.

On motion of Mr. Boulden,

The said amendment was

Concurred in.

On motion of Mr. Boulden,

Chapter 105, "Of the survivency of Actions," was read a-third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Lodge,

Chapter 120, "Of Landlord and Tenant," was taken up for consideration, when;

On motion of Mr. Newton;

The amendment offered by him yesterday to said chapter,

Was

Adopted.

On motion of Mr. Lodge,

Said chapter was read a second time by its title.

Mr. Pride presented the petition of Eli Donavan, praying for an act to divorce him from his wife, Margaret Donavan, which,

On his motion,

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

Whereupon,

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

On motion of Mr. Derrickson,

Chapter 108, of the revised code, "Of Oaths," was read a third time by paragraphs, and

Passed the House

Ordered to be returned to the Senate.

On motion,

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

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

The House met pursuant to adjournment.

On motion of Mr. Boys,

The bill entitled, "An act to incorporate Olive Branch Tent, No. 1, Daughters of Washington," was read a second time by its title.

On motion of Mr. Boys,

The bill entitled, "An act to incorporate Brandywine Lodge, No. 18 of the I. O. O. F., on Brandywine Banks, Delaware," was read a third time by paragraphs, and

Passed the House unanimously.

On motion of Mr. Lodge,

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

Passed the House unanimously.

On motion of Mr. Newton,

Chapter 109, "Of Juries," was read a second time by its title.

Mr. Martin presented the petition of Thomas W. Hatfield and others, in relation to the encouragement of Schools in the State of Delaware," which,

On his motion,

Was read and laid on the table.

On motion of Mr. Boys,

The bill entitled, "A supplement to the act entitled, 'An act to incorporate the Franklin Manufacturing company,'" was read a second time by its title.

On motion of Mr. Boys,

The bill entitled, "An act to incorporate La Fayette Lodge, No. 14

of Ancient York Masons, Wilmington, Delaware," was read a second time by its title.

On motion of Mr. Pride,

The bill entitled, "An act concerning Sabbath Schools," was taken up for consideration, when,

Mr. Chambers offered the following amendment, which,

On his motion,

Was read as follows :

Amend the bill by adding the following as an additional section :

SECTION 2. *Be it further enacted*, That this bill shall be and remain in force only in Sussex county.

Said amendment was

Adopted.

On motion of Mr. Chambers,

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

Passed the House.

By yeas and nays, as follows, to wit :

Yeas.—Messrs. Boys, Chambers, Derrickson, Harper, Harrington, Newton, Pride, C. Smithers, E. Smithers, Spruance and Mr. Speaker. 11.

Nays.—Messrs. Boulden, Hosea, Lodge, Martin, Powell, Rogers, Scribner, and Waples. 8.

Mr. Lodge reported chapter 52, "Of free negroes and mulattoes," with an amendment, which,

On his motion,

Was

Postponed,

Until to-morrow, for further consideration.

Mr. C. Smithers moved

The suspension of the 9th rule to enable him to introduce a bill,

Which motion

Prevailed.

He then asked and,

On motion of Mr. Harper,

He obtained leave to introduce a bill entitled, "A supplement to an act entitled, 'An act exempting from execution, process and distress for rent, a certain amount of personal property, which,

On his motion,

Was read.

On motion,

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

FRIDAY, 10 o'clock, A. M., February 6th, 1853.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Boys,

The bill entitled an act to incorporate Olive Branch Tent, No. 1, of Daughters of Washington, of Wilmington, Del., was read a third time by paragraphs, and

Passed the House,

By yeas and nays as follows :

Yeas.—Messrs. Boys, Chambers, Derrickson, Harper, Harrington, Lodge, Martin, Newton, Pride, Powell, Satterfield, Scribner, C. Smithers, E. Smithers, Spruance, Waples and Mr. Speaker. 17.

Nays.—Messrs. Boulden, Hosea and Rogers. 3.

Ordered to the Senate for concurrence.

On motion of Mr. Scribner,

Chapter 78, "Of Guardians and Wards," was read a second time by its title.

On motion of Mr. Rogers,

Chapter 118, "Of Suits for Legacies," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

Mr. Martin offered the following resolution, which,

On his motion,

Was read as follows, to wit :

Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That both Houses of the Legislature will adjourn on Tuesday the 17th day of February, instant, sine die.

On motion of Mr. Pride,

The above resolution was

Postponed

For further consideration.

On motion of Mr. Scribner,

Chapter 47, "Of Physicians," was read a second time by its title.

Mr. Newton submitted a report, which,

On his motion,

Was read as follows :

The committee to whom was referred the petition of sundry citizens of Kent county, praying for a division of School districts, Nos. 1 and 2, of said county, together with the remonstrance of sundry citizens of said county against any such division, have directed me to report, That it is inexpedient to legislate on the subject mentioned in the petition, at this time.

Said report was

Adopted.

Mr. Boys presented the petition of Patrick McManus and one hundred and fifty-one others, asking a law to confer upon the Mayor's Court of the City of Wilmington the power of naturalization," which,

On his motion,

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

Whereupon,

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

Mr. Newton submitted 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 chapter 53, of the revised code, concerning taverns, &c., shall have effect, and go into operation from and after the first day of March next.

Resolved That the Secretary of State publish said chapter together with these resolutions, for two weeks in all the newspapers of this State.

On motion of Mr. Newton,

The resolution was

Adopted.

On Motion of Mr. Boys,

The bill entitled, "A supplement to the act entitled 'An act to incorporate the Franklin Manufacturing Company,'" was read a third time by paraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Martin,

Chapter 117, "Of Recognizances and Bonds, and proceedings thereon," was read a second time by its title.

On motion of Mr. Boys,

The bill entitled "An act to incorporate La Fayette Lodge, No. 14, of

Ancient York Masons, Wilmington, Delaware," was read a third time by paragraphs, and

Passed the House unanimously.

Ordered to the Senate for concurrence.

On motion of Mr. C. Smithers,

The bill entitled, "A supplement to an act entitled, 'An act exempting from execution, process and distress for rent a certain amount of personal property,'" was read a second time by its title.

On motion of Mr. Boys,

The bill entitled, "An act for the protection of the Telegraph Line," was read a second time.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House, that the Senate had passed and requested the concurrence of the House, in the passage of the following chapters of the revised code, viz:

Chapter 114, "Of Costs in Civil Suits."

" 101, "Of the jurisdiction of Justices in cases of forcible entry and detainer, and of holding over."

" 107, "Of Witnesses and Evidence."

And he withdrew.

On motion of Mr. Boys,

The communications were read.

On motion of Mr. Rogers,

Chapter 114, was referred to a committee of three.

Whereupon,

Messrs. Rogers, E. Smithers and Martin, were appointed said committee.

On motion of Mr. Waples,

Chapter 101, was referred to a committee of three.

Whereupon,

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

On motion of Mr. Scribner,

Chapter 107, was referred to a committee of three.

Whereupon,

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

On motion,

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

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

The House met pursuant to adjournment.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House, that the Senate had passed and requested the concurrence of the House, in the passage of the following bills, viz :

"An act to authorize the sale of certain Real Estate, late of John Springer, deceased," also,

"An act allowing an additional Notary Public to Little Creek Hundred in Sussex county," also,

"An act allowing an additional Constable to the county of Sussex," also,

"An act to provide for the payment of certain sums of money to the State by the New Castle and Frenchtown Rail Road company, and for other purposes."

He also informed the House, that the Senate had concurred in the passage of the bill entitled, "An act authorizing the Levy Court and Court of Appeal in and for New Castle county, to compensate the Clerk of the Orphan's Court and Register in Chancery in and for said county, for arranging the papers belonging to the respective offices."

And he withdrew.

On motion of Mr. Scribner,

The communications from the Senate were read.

On motion of Mr. Martin,

Chapter 117, "Of Recognizances and Bonds, and proceedings thereon," was read a third time by paragraphs, by special order, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Chambers,

The bill entitled, "An act to provide for the payment of certain sums of money to this State, by the New Castle and Frenchtown Rail Road company, and for other purposes," was read a second time, by special order, by its title.

Mr. Chambers presented the petition of the Levy Court and Court of Appeal of Kent county," which,

On his motion,

Was read and laid on the table.

Mr. Pride offered the following resolution, which,

On his motion,

Was read as follows:

Resolved, That on and after Tuesday next, the House of Representatives will convene at nine o'clock in the morning and at two o'clock in the afternoon, during the present session.

Mr. Pride moved,

The resolution be adopted.

Which motion was

Lost.

On motion of Mr. C. Smithers,

Chapter 91, "Of Courts of Justice," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Chambers,

Chapter 72, "Of Canals, Rail Roads, Turnpikes and Bridges," was read a third time, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Martin,

The bill entitled, "A further additional supplement to the act for improving and extending the navigation of that part of Pocomoke river which is situated in the State of Delaware," was taken up for consideration.

Mr. Martin moved,

That the name of John Morris, of James, wherever it occurs in said bill, be changed to John Morris, of Jerry.

Which motion

Prevailed.

When,

On his motion,

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

Passed the House.

Ordered to the Senate for concurrence.

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

"An act for the benefit of the State of Delaware," with sundry amendments,

And he withdrew.

On motion of Mr. Newton,

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

IN SENATE, Feb. 5, 1852:

Amend the bill by adding as section 5:

"*And be it further enacted*, That in or upon a failure to pay to the State Treasurer, the first payment provided for in the 2d section of this act, or of any of the annual payments, as therein prescribed within thirty days after the same is due and payable: then all the grants, liberties and privileges in this act contained, shall, from thenceforth cease, and be of no effect."

Also, amendments to the "Act entitled an act for the benefit of the State of Delaware."

Amend the bill by striking out the word "fifty" in the last line of section 1, and inserting in lieu thereof the words "*one hundred*."

Also, by striking out the word "fifty" in the fourth line of section 2, and inserting in lieu thereof the words "*one hundred*."

Also, by striking out the word "two" in the seventh line of section 2, and inserting in lieu thereof the word "*seven*."

Also, by striking out the word "fifty" in the twenty-second line of section 2, and inserting in lieu thereof, the words "*one hundred*."

Amend, also, by striking out the word "ten" in the twenty-sixth line section 2, and inserting in lieu thereof the word "*fifteen*."

Also, by restoring the word "two" in the seventh line of section 2, instead of the word "*seven*."

Also, amend the bill by adding an additional section as

SECTION, 6.—"*And be it further enacted*, that the sum of twenty-five thousand dollars out of the money herein to be raised, be and the same hereby is directed to be paid to the Treasurer of New Castle county to be applied to the debt contracted by the purchase of the Wilmington Bridge."

Extract from the Journal.

WM. HUFFINGTON.

Clerk of the Senate.

On motion of Mr. Chambers,

The further consideration of the bill was
For future consideration.

Postponed,

On motion,

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

SATURDAY, 10 o'clock, A. M., February 7th, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Newton,

The bill entitled "An act to provide for the payment of certain sums of money to the State, by the New Castle and Frenchtown Turnpike and Railroad company, and for other purposes," was taken up for consideration.

Mr. Newton submitted the following amendment, which,

On his motion,

Was read, as follows :

Amend the third section by striking out in the 17th line immediately after the word "fifty-two," the following words, to wit :

"Be it therefore enacted, In consideration of the premises, that it shall not be lawful for any other person or persons body politic or corporate, to construct any other Railway or Road to be used or travelled by Locomotive Engines or Engines propelled by steam, within New Castle county, between the waters of the Appoquinimink creek and those of the Christiana river, or within a distance from the New Castle and Frenchtown Rail Road on each side thereof, as great as the mouth of the said Appoquinimink creek and of said Christiana river is from said Rail Road at the town of New Castle, for the space of twenty years from and after the passing of this act."

Mr. Newton moved,

That the amendment be adopted.

Upon which, the House being divided,

The yeas and nays were called, which on being taken, were as follows, to wit :

Yeas.—Messrs. Boys, Derrickson, Lodge, Newton, Pride, Spruance and Mr. Speaker. 7.

Nays.—Messrs. Chambers, Harper, Harrington, Hosea, Martin, Powell, Rogers, Satterfield, Scribner, C. Smithers, E. Smithers and Waples. 12.

So the amendment was

Lost.

Mr. Lodge offered the following amendment, which,

On his motion,

Was read as follows, to wit :

Amend section 4, of the bill, by striking out all between the words "fund" in the sixth line, and the word "and" in the twelfth line, and insert in lieu thereof the following :

"Which shall constitute and be a loan to the company incorporated under the name and title of the "Delaware Rail Road company," incorporated by the act entitled, "An act to incorporate the Delaware Rail Road company," passed at Dover, June 20th, 1836, and the several supplements thereto; upon the same terms and in the same manner, as a portion of the State funds were loaned to the "Wilmington and Susquehanna Rail Road company," under an act entitled, 'An act to invest the States' share of the surplus revenue of the United States distributed to the several States,' under the act entitled, 'An act to regulate the deposits of the public money.'"

Mr. Lodge moved,

That the amendment be adopted.

Which motion was

Lost.

By yeas and nays, as follows :

Yeas.—Messrs. Boys, Dertickson, Lodge, Newton, Spruante and Mr. Speaker. 6.

Nays.—Messrs. Chambers, Harper, Harrington, Hosea, Martin, Pride, Powell, Rogers, Satterfield, Scribner, C. Smithers, E. Smithers, and Waples. 13.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House, that the Senate had concurred in the passage of the following bills and resolutions, viz :

"An act to incorporate the Leipzig Steamboat Navigation company."

"A supplement to an act entitled, 'An act to authorize the sale of the Real Estate of Jacob Bowman, deceased, in New Castle county, Delaware.'"

"A Joint resolution concerning chapter 53, of the revised code."

Also, a "Joint resolution requesting our Senators and Representative in Congress, to aid in procuring appropriations for the improvements in the Delaware river and bay."

"An act to limit the hours of labor and to prevent the employment of children in factories under ten years of age," with an amendment.

And he withdrew.

Mr. Chambers moved,

That the bill 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," be read a third time with a view to pass the House,

And the question being on the passage of the first section,

The yeas and nays were called, which when taken, were as follows;

Yeas.—Messrs. Chambers, Harper, Harrington, Hosea, Martin, Pride, Powell, Satterfield, Scribner, C. Smithers, E. Smithers and Waples. 12.

Nays.—Messrs. Boys, Derrickson, Lodge, Newton, Rogers, Spruance and Mr. Speaker. 7.

So the first section

Passed the House.

The question then being on the passage of the second section, and the House being divided,

The yeas and nays were again called, which when taken, were as follows :

Yeas.—Messrs. Chambers, Harper, Harrington, Hosea, Martin, Pride, Powell, Satterfield, Scribner, C. Smithers, E. Smithers and Waples. 12.

Nays.—Messrs. Boys, Derrickson, Lodge, Newton, Rogers, Spruance and Mr. Speaker. 7.

So the second section

Passed the House.

The question then being on the passage of the third section,

The yeas and nays were again called, which on being taken, were as follows :

Yeas.—Messrs. Chambers, Harper, Harrington, Hosea, Martin, Pride, Powell, Rogers, Satterfield, Scribner, C. Smithers, E. Smithers and Waples. 13.

Nays.—Messrs. Boys, Derrickson, Lodge, Newton, Spruance and Mr. Speaker. 6.

So the third section

Passed the House.

The question then being on the passage of the fourth section,

The yeas and nays were again called, which when taken, were as follows :

Yeas.—Messrs. Chambers, Harper, Harrington, Hosea, Martin, Pride, Powell, Rogers, Satterfield, Scribner, C. Smithers, E. Smithers and Waples. 13.

Nays.—Messrs. Boys, Derrickson, Lodge, Newton, Spruance and Mr. Speaker. 6.

The question then being on the final passage of the bill, and the House being divided,

The yeas and nays were again called, which upon being taken, were as follows, to wit :

Yeas.—Messrs. Chambers, Harper, Harrington, Hosea, Martin, Powell, Satterfield, Scribner, C. Smithers, E. Smithers and Waples. 11.

Nays.—Messrs. Boys, Derrickson, Lodge, Newton, Pride, Rogers, Spruance and Mr. Speaker. 8.

So the bill

Passed the House,

Ordered to be returned to the Senate.

Mr. Boys moved,

That the bill entitled "An act for the benefit of the State of Delaware," be indefinitely postponed.

Upon which motion, the House being divided,

The yeas and nays were called, which when taken, were as follows :

Yeas.—Messrs. Boys, Chambers, Derrickson, Harper, Harrington, Lodge, Martin, Spruance and Mr. Speaker. 9.

Nays.—Messrs. Hosea, Newton, Pride, Powell, Rogers, Satterfield, Scribner, C. Smithers, E. Smithers and Waples. 10.

So the motion to postpone was

Lost.

On motion of Mr. Newton,

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

Were

Concurred in.

By yeas and nays as follows :

Yeas.—Messrs. Chambers, Harrington, Hosea, Martin, Newton, Pride, Powell, Rogers, Satterfield, Scribner, C. Smithers, E. Smithers and Waples. 13.

Nays.—Messrs. Boys, Derrickson, Harper, Lodge, Spruance and Mr. Speaker. 6.

Mr. Newton offered the following amendment to chapter 51, of the revised code, entitled, "General provisions respecting the Police," which

On his motion,

Was read as follows, and

Adopted.

Amend chapter 51, in section 12, by inserting in the sixth line, between the words "person" and "shall," the words, "except the manager or managers of any Lottery authorized by law of this State, his or their assigns or agents."

On motion,

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

MONDAY, 11 o'clock, A. M., February 9th, 1852.

The House met pursuant to adjournment.

On motion of Mr. Newton,

The bill entitled, "An act allowing an additional Constable to the county of Sussex," was read a second time.

Mr. Boys moved,

That the ninth rule be suspended, in order to enable him to introduce a bill,

Which motion

Prevailed.

Mr. Boys then asked, and

On motion of Mr. Rogers,

Obtained leave to introduce a bill entitled, "An act relating to the attachment of Vessels," which,

On his motion,

Was read.

On motion of Mr. Newton,

The bill entitled, "An act allowing an additional Notary Public to Little Creek Hundred in Sussex county," was read a second time.

Mr. Boys offered the following Joint resolutions, which,

On his motion,

Were read as follows:

Joint resolutions of the Senate and House of Representatives of the State of Delaware.

WHEREAS, It is known to this General Assembly that the Government of the United States, has no public buildings within the District of Delaware, wherein the Collector of Customs can transact his business with comfort, or deposit his papers with security. *And whereas*, the Government is under rent for buildings in Wilmington, which are not only uncomfortable and insecure but reflect discredit upon the country. Therefore,

Be it resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, 1st. That our Senators and Representative in the Congress of the United States be, and they are hereby requested, to use their exertions to procure from the present Congress a suitable appropriation, for the purpose of erecting a Custom House in the District of Delaware.

2d. That a copy of these resolutions signed by the Speakers of each

House and attested by the Clerk's, be forwarded to the Senators and member of Congress at Washington.

On motion of Mr. Boys,

The said Joint resolution was

Adopted.

On motion of Mr. Martin,

The bill entitled, "An act to amend the act entitled, 'An act to incorporate the Cape Henlopen Sea Bathing and Steamboat company,'" was taken up for consideration.

Mr. Martin submitted the following amendment, which,

On his motion,

Was read, as follows :

Amend the bill by striking out of the seventh line of section 2, the words "not belonging," and inserting the following words, "running in a regular line of opposition," in lieu thereof.

Said amendment was

Adopted.

On motion of Mr. Newton,

Chapter 109, of the revised code, "Of Juries," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House, that the Senate had passed and requested the concurrence of the House, in the passage of the following chapters of the revised code, viz:

Chapter 85, "Of Intestate Real Estates."

" 113, "Of Defects in Pleading, and the amendment thereof."

Also, that the Senate had concurred in the passage of chapter 24, of the revised code, with an amendment.

And he withdrew.

On motion of Mr. Boys,

The communications from the Senate were read.

The amendment from the Senate to chapter 24, was read as follows, to wit :

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

I ~~do~~ do solemnly swear (or affirm) that I have not since the

fifth day of July 1852, 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 a 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 absenting himself from the polls at any election, so help me God, (or so I affirm)

Also make sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15, to read sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16.

On motion of Mr. Newton,

Chapter 85, of the revised code, "Of Intestate Real Estate," was referred to a committee.

Whereupon,

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

On motion,

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

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

The House met pursuant to adjournment.

The Speaker laid before the House a communication from the Select and Common Councils of the City of Philadelphia, relative to the erection of National Monuments in Independence Square of said city, which,

On motion of Mr. Newton,

Was read as follows:

PHILADELPHIA, January 1st, 1852.

To the Honorable, the Senate and House of Representatives of the Commonwealth of Delaware.

GENTLEMEN:—The undersigned, the Presidents of the Select and Common Councils of the City of Philadelphia, beg leave to present to your honorable bodies, the accompanying resolutions of the Select and

common Councils of the City of Philadelphia, and to desire you to further the object therein expressed.

We are, very respectfully,
Your ob't. servants,

WILLIAM MORRIS,
President of Select Council.
THOMAS SNOWDEN,
President of Common Council.

CITY HALL, Philadelphia, Sept. 25, 1851.

At a meeting of the Select and Common Councils of the City of Philadelphia, held this day, the following preamble and resolutions were adopted :

WHEREAS, The spot on which the Congress of the American colonies declared their Independence, should be dear to the whole nation to which that act gave birth. It is hallowed, not only by the heroism of the men, who, in the name of a small and scattered people, renounced the rule of a powerful King, but by the first formal promulgation of the principles of Political Liberty, which are the inheritance of our own great Republic, and the guide and hope of the friends of man throughout the world. Viewed with this reference, the Hall of the old State House of the Colony of Pennsylvania, may take precedence in interest of every other edifice, ancient or modern. In it assembled the Apostles of Political Freedom. In it calling God to witness the truth of their cause, they pledged their lives to that Revelation of Right, from the progress of which, within the brief period of a human life, we are assured that in due time it will embrace the convictions, and secure the happiness of the whole family of mankind.

It is assumed, therefore, that the Thirteen States of 1776, feel a common and special pride in the alliance of their names with the Declaration of Independence,—with the wisdom which conceived it—the valor which resolved it—the fortitude which sustained it—the glory which still confirms it, and that they will unite in further consecrating the place of its adoption, by memorials worthy of the act and of its authors. Entertaining these views,

Be it, and it is hereby resolved by the Select and Common Councils of the City of Philadelphia.

First.—That it is expedient to have erected in the Grove belonging to the Hall, in which the National Independence was declared “one or more” Monuments, commemorative respectively, of the States and of the men, parties to that glorious event.

Secondly.—That in order to accomplish this patriotic design the President's of the Select and Common Councils, are hereby directed to furnish a copy of these proceedings to, and memorialize the Legislatures of

the States of Massachusetts, New Hampshire, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, suggesting to those legislatures to appoint each, two delegates to a Convention, to assemble in Independence Hall, on the Fourth day of July, 1852, as the guests of the City of Philadelphia, there to deliberate upon a plan of carrying into effect this proposition, in a manner becoming the means of their constituents and the memories of the illustrious dead.

Thirdly.—That in the event of this proposition having a favorable response from the States addressed, the Select and Common Councils of the City of Philadelphia in the name of the citizens, are pledged to hold the grounds of Independence Hall free from all encroachments upon the monuments therein to be erected, and to guard the same, equally with the Hall itself, as a sacred and National Trust, forever.

Attest, THOMAS BIRCH, *Clerk of Common Council.*
 EDMUND WILCOX, *Clerk of Select Council.*

Said communication was *Laid on the table.*

For further consideration.

Mr. Newton presented the claim of Nathaniel Farson and Mr. Vangesel, for expenses incurred in executing a requisition issued by Governor Tharp upon Governor Lowe, of Maryland, &c., which,

On his motion,

Was read and referred to the committee on claims.

On motion of Mr. Pride,

The bill entitled "An act to authorize Burton J. Hart and C. C. Hart, to erect two gates across a certain road in Broadkilm Hundred, in Sussex county," was taken up for consideration.

Mr. Pride then presented a remonstrance from James Steel and 53 others, which,

On his motion,

Was read and *Laid on the table.*

Mr. Pride then moved,

That the said bill be indefinitely postponed.

Which motion *Prevailed.*

Mr. Harper presented the petition of William Berry and others, asking for a new School district in Kent county, out of districts Nos. 9, 8, 15 and 16, which,

On his motion,

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

Whereupon,

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

Mr. C. Smithers. presented a remonstrance signed by James Johns and 88 others, counter to the object of the above petition, which,

On his motion,

Was read and referred to the same committee.

Mr. Pride presented the following resolution, which,

On his motion,

Was read as follows, and

Adopted.

Resolved, That George B. Dickson be allowed the privilege of a seat on the floor of the House in order to report the proceedings.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House, that the Senate had passed, and requested the concurrence of the House in the passage of the following bills, viz :

"An act to authorize commissions to repair a public wharf at Seaford."

Also, "An act to incorporate the Broadkilm and Philadelphia Steamboat Company."

And he withdrew.

On motion of Mr. C. Smithers,

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

Passed the House,

Ordered to the Senate for concurrence.

On motion of Mr. Boys,

The bill entitled "An act for the protection of the Telegraph Line," was taken up for consideration.

He then offered the following amendments, which,

On his motion,

Was read as follows :

1st, Amend the bill in the 16th line by striking out the word "ten" between the word "offence" and "dollars" and insert in lieu thereof the words "twenty-five."

2d, Amend in the 17th line, by striking out the word "fifteen" between the words "offence" and "dollars" and insert in lieu thereof the word "fifty."

3d, Amend in the 18th line by inserting between the words "be" and "for" the words "one-half"

4th, Insert in the 18th line by striking out all between the word "use" and the word "and" and insert in lieu thereof "and benefit of such Telegraph Company, as may be injured, or their agent or agents; and the other half to such person or persons, who may give such information as may lead to conviction," which,

On his motion,

Were

Adopted.

The said bill was then,

On motion of Mr. Boys,

Read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Waples,

Chapter 101, of the revised code, "Of Justice's jurisdiction in cases of forcible entry and detainer, and holding over," was read a second time by its title.

On motion of Mr. Martin,

The bill entitled, "An act to amend the act entitled, 'An act to incorporate the Cape Henlopen Sea Bathing and Steamboat company,'" was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Lodge,

Chapter 52, of the revised code, "Of Free Negroes and Mulattoes," was taken up for consideration.

Mr. Lodge then offered the following amendment, which,

On his motion,

Was read as follows, to wit:

Amend the first section of the bill by adding,

Provided, That any citizen of this State may employ and hire for the purposes of labor, any free negro or mulatto residing in any adjacent State, for any period of time not exceeding one year. Such citizen entering into a recognizance to the State of Delaware, in the sum of two hundred dollars, before any Justice of the Peace in the county in which said citizen shall reside, with condition that such free negro or mulatto so employed shall depart this State, within five days after the expiration of said term of service for which he or she may be employed and hired, and that such free negro or mulatto shall be of good behavior while remaining within the limits of this State, and shall not become a charge upon either of the counties of this State. And it shall be the duty of every Justice of the Peace in the State, to forward all recognizances

taken pursuant to the provisions of this section, to the Attorney General of the State, who shall sue out and recover the penalties of all such as may be forfeited.

Amend section 2, by striking out from the sixteenth line the word "five" and inserting in lieu the word "three."

Amend the second section by striking out the words, "other necessary and temporary purposes," in the seventh and eighth lines and insert in lieu thereof, the following: "temporarily, for the purpose of visiting persons suffering under sickness, or attending the funerals of the dead, and in such cases, the person or persons so entering within the State, shall depart therefrom within a period of five days, after the object for which, he, she or they, may have so come to in the State, is accomplished."

Amend section 3, by striking out all between the word "state" in the eighth line and the word "if," in the fifteenth line and inserting in lieu the following: "and if it shall appear that such person has heretofore, been a resident of the State, or is the issue of such resident, and is also of good character and repute for honesty, industry, sobriety and civility, the said Court or Judge may grant such permit."

Mr. Newton offered an amendment which,

On his motion,

Was read as follows, to wit:

Chapter 52, amend the 2d section by adding in the 29th line of the 2d section after the word "in" the words "or out of," also amend the 8th section, by adding after the word "fined" in the 6th line, the words "five, nor more than," and in the 7th line after the word "dollars" the words "in the discretion of any justice of the peace in this State."

When,

On motion of Mr. Pride,

The further consideration of the bill was postponed until Friday next

On motion of Mr. Harper,

Chapter 82 "Of Escheats," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

Mr. Spruance presented the petition of John M. Denning and 44 others, praying for an act authorizing the school commissioners of District No. 5, to raise by taxation, four hundred dollars per annum," which,

On his motion,

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

Whereupon,

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

On motion of Mr. Rogers,

Chapter 114, "Of costs in Civil Suits," was read a second time by its title.

On motion,

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

TUESDAY, 10 o'clock, A. M., February 10th, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Scribner,

Chapter 47, of the revised code, "Of Physicians," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Boys,

The Senate amendment to the bill entitled, "An act to limit the hours of labor and prevent the employment in factories of children under ten years of age," was read, and

On his motion,

Non-concurred in.

Ordered that the Senate be informed thereof.

On motion of Mr. Rogers,

Chapter 114, of the revised code, "Of costs in Civil Actions," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

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

He also informed the House, that the Senate had passed and requested the concurrence of the House, in the passage of a bill entitled, "An act to incorporate Hope Lodge, No. 4, of the Order of Ancient Free Masonry, in the State of Delaware."

Also, that the Senate had concurred in the passage of a bill entitled, "An act for the benefit of Public Schools in Wilmington."

And he withdrew.

• On motion of Mr. Boys,

The bill entitled, "An act to authorize the sale of certain Real Estate of John Springer, deceased," was read a second time.

On motion of Mr. Martin,

The bill entitled, "An act to incorporate Hope Lodge, No. 4, of the Order of Free Masonry, in the State of Delaware," was read.

On motion of Mr. Boys,

The bill entitled, "An act relating to the attachment of Vessels," was read a second time.

On motion of Mr. Martin,

The following bills from the Senate were read, viz :

"An act to incorporate the Broadkirk and Philadelphia Steamboat Company."

"An act to authorize Commissioners to repair a public wharf at Seaford."

On motion of Mr. Martin,

Chapter 112, "Of Defects in Pleading, and the amendment thereof," was read a second time by its title.

Mr. Spruance moved,

That the ninth rule be suspended, in order to enable him to introduce a bill,

Which motion

Prevailed.

He then asked, and]

On motion of Mr. Harper,

Obtained leave to introduce a bill entitled, "A further supplement to the act entitled, "An act to authorize the construction of a Rail Road from the town of New Castle to the city of Wilmington," which,

On his motion,

Was read.

On motion of Mr. Newton,

The bill entitled, "An act allowing an additional Notary Public to Little Creek Hundred in Sussex county," was read a third time and

Passed the House,

Ordered to be returned to the Senate.

Mr. Chambers presented the petition of John Jarrell, of William, praying "An act to change the day on which to organize Hudson's Branch Ditch company," which,

On his motion,

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

Whereupon,

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

On motion,

The House adjourned, until 2 o'clock this afternoon.

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

The House met pursuant to adjournment.

On motion of Mr. Waples,

Chapter 101, of the revised code, "Of Justice's jurisdiction in cases of forcible entry and detainer, and holding over," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

Mr. Rogers presented the Memorial of the town Commissioners of New Castle, relative to the Free Burying Ground of the Poor, which,

On his motion,

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

Whereupon,

Messrs. Rogers, C. Smithers and Martin, were appointed said committee.

Mr. C. Smithers presented the remonstrance of James Boyer and others, remonstrating against the division of School Districts, Nos: 8, 9, 15 and 16, of Kent county, which,

On his motion,

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

Mr. Boys presented the petition of John W. Walker and others, asking, "An act of incorporation for Jefferson Lodge, No. 14, of Ancient York Masons, of Lewes, Delaware," which,

On his motion,

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

Whereupon,

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

On motion of Mr. Scribner,

Chapter 78, of the revised code, "Of Guardians and Wards," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Martin,

Chapter 112, of the revised code, "Of Defects in Pleadings, and the amendment thereto," was read a third time by paragraphs, by special order, and

Passed the House.

Ordered to be returned to the Senate.

Mr. Boys from the committee, to whom was referred the petition of Patrick McManus and others, submitted the following report, which,

On his motion,

Was read as follows, to wit:

The committee, to which was referred the petition of Patrick McManus and others, praying the Legislature to pass a law, by which the Mayor's Court of the City of Wilmington, may be authorized to naturalize foreigners, report as follows:

The power of naturalization is exclusively in Congress, aliens can become citizens of the United States only by a compliance with such requisites as Congress, in the exercise of this power, may prescribe. By act of Congress, of April 14th, 1802, establishing a uniform rule of

Naturalization, the declaration of an alien's intentions to become a citizen and his admission to citizenship, are required to be before a Court of Record, having common law jurisdiction with a Seal and Clerk.

The Mayor's Court of Wilmington as it is now constituted, is one of a *special statutory* jurisdiction, it only has cognizance by information, of certain criminal offences of a minor character specified in Article VI, section 15, of the amended Constitution, and only of these when committed within the city limits, also, of offences against the laws and ordinances of the city (acts of January 18th, 1832, section 17, and February 10th, 1841, section 1). By the act of February 28th, 1843, it is expressly declared not to be a Court of common law jurisdiction.

It is apparent, that the General Assembly cannot under the act of Congress referred to, authorize the Mayor's Court of Wilmington to naturalize foreigners, otherwise than by investing it with a common law jurisdiction, such as is exercised by the Superior Court, a jurisdiction giving cognizance of civil actions at large with trial by jury. It is not represented that such a jurisdiction within the city is needed or desired, the presumption is to the contrary, since a Court of this jurisdiction, called the City Court, having been constituted under the original City Charter, of January 18th, 1832, (sections 21, 22, 23, 24) was after an experiment of ten years, abolished by acts of February 10th, 1841.

The committee are unable to recommend any legislation, that would affect the object of the petitioners, and ask to be discharged from the further consideration of the subject.

Said report was

Adopted.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House, that the Senate had non-concurred in the amendment of the House, to the bill entitled, "An act providing for a Convention."

He also informed the House, that the Senate had passed and requested the concurrence of the House, in the passage of the following chapters of the revised code, viz :

Chapter 100, "Justice's jurisdiction in Trespass cases."

" 102, "Of the commencement of Actions."

" 115, "Of Habeas Corpus."

" 116, "Of Arbitrators."

" 126, "Of offences against the sovereignty of the State."

Also, that the Senate had concurred in the passage of chapter 123, "Limitation of Personal Actions," with an amendment.

And he withdrew.

On motion of Mr. Harper,

The communications from the Senate were read.

On motion of Mr. Harper,
Chapter 100, was referred to a committee of three.

Whereupon,
Messrs. Harper, Lodge and Scribner, were appointed said committee.

On motion of Mr. Derrickson,
Chapter 102, was referred to a committee of three.

Whereupon,
Messrs. Derrickson, Chambers and Pride, were appointed said committee.

On motion of Mr. Newton,
Chapter 115, was referred to a committee of three.

Whereupon,
Messrs. Newton, Spruance and Satterfield, were appointed said committee.

On motion of Mr. Boulden,
Chapter 116, was referred to a committee of three.

Whereupon,
Messrs. Boulden, Powell and Martin, were appointed said committee.

On motion of Mr. Waples,
Chapter 126, was referred to a committee of three.

Whereupon,
Messrs. Waples, E. Smithers and Rogers, were appointed said committee.

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

WEDNESDAY, 10 o'clock, A. M., February 11th, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplain.

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

"An act to enable Elihu Jefferson to wharf out into the river Delaware at the town of New Castle."

Also, "An act to authorize Thomas Lockwood, administrator of Penelope Warren, deceased, to sell certain Real Estate, and for other purposes."

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

Mr. Newton moved,

That the House recede from its amendment to the bill entitled "An act providing for a Convention."

Which motion

Prevailed.

Mr. Newton presented the claim of S. Kimmey for public printing, which,

On his motion,

Was read and referred to the committee on claims.

On motion of Mr. Martin,

The bill entitled, "An act to authorize Commissioners to repair a public wharf at Seaford," was read a second time by its title.

On motion of Mr. Martin,

The bill entitled, "An act to incorporate the Broadkilm and Philadelphia Steamboat Company," was read a second time by its title.

Mr. Chambers moved,

That the ninth rule be suspended to enable him to introduce a bill.

Which motion

Prevailed.

He then asked, and

On motion of Mr. Harper,

Obtained leave to introduce a bill entitled, "A supplement to the act entitled, 'An act for the better regulation of the streets of Delaware City, and for other purposes,' " which,

On his motion,

Was read.

Mr. Chambers then presented the petition of Isaac Hunter and others, upon the subject of the aforesaid bill, which,

On his motion,

Was read and

Laid on the table.

Mr. Chambers reported chapter 58, "Of Strays," with amendments, which,

On his motion,

• Were read as follows, and

Adopted.

Amend chapter 58. "Of Strays," by striking out all of section 4, after the word "water" in the twenty-eighth line, and the same is hereby repealed.

Also, amend said chapter by striking out the word "kill," wherever it occurs in said chapter.

On motion of Mr. Chambers,

Said chapter was then read a second time by its title.

On motion of Mr. Waples,

Chapter 26, "Of offences against the Sovereignty of the State," was read a second time by its title.

On motion of Mr. Boulden,

The Senate's amendment to chapter 55, "For the protection of Fish, Oysters and Game," was read as follows, and

Concurred in.

Amend section 11, by inserting between the word "destroy" and the word "any" in the second line, the following, "in either of the counties of Kent or Sussex."

Amend further, by inserting after the word "October" in the fourth line, the following, "nor in the county of New Castle between the first of January and the 15th of October."

Amend further, by inserting after the word "Woodcock" in the fourth line, "in either of said counties."

Mr. Chambers, chairman of the committee, to whom was referred the petition of John Jarrell and others, reported a bill entitled, "A supplement to the act entitled, 'An act to incorporate the Hudson's Branch Ditch company.'"

Mr. C. Smithers offered the following amendments to chapter 86, "Of Joint Estates and Partition."

1st. Strike out all of section 14.

2d. Strike out in the commencement of section 15, the words, "if the premises appraised as aforesaid be not taken pursuant to the foregoing section," and insert these words in lieu thereof, "if from the return of the Commissioners it shall appear that no partition of the premises has been made."

3d. Strike out the words "an assignment or purchase" in the commencement of section 16, and insert in lieu thereof, "a purchase." Also, strike out the word "taking" and insert the word "purchasing."

4th. Strike out all of section 17, which,

On his motion,

Were read and

Laid over,

For further consideration.

On motion of Mr. Spruance,

The bill entitled, "A further supplement to the act entitled, 'An act to authorize the construction of a Rail Road from the town of New Castle to the City of Wilmington,'" was read a second time by its title.

On motion of Mr. Newton,

The bill entitled, "An act to incorporate Hope Lodge, No. 4, of the Order of Ancient Free Masonry, in the State of Delaware," was read a second time by its title.

Mr. Rogers from the committee to whom was referred the memorial of the commissioners of the town of New Castle, reported a bill entitled, "A supplement to the act entitled, 'An act constituting the Commissioners of the town of New Castle Trustees of the Free Burying Ground of the Poor, in the said town,'" which,

On his motion,

Was read.

On motion of Mr. Boulden,

The bill entitled, "An act to authorize the sale of certain Real Estate late of John Springer, deceased," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion,

The House adjourned, until 2 o'clock this afternoon.

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

The House met pursuant to adjournment.

On motion of Mr. Chambers,

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

Mr. Chambers then presented a petition from Sarah E. Alexander and

84 other ladies of Delaware City, upon the subject of the above bill, which,

On his motion,

Was read,

Mr. Pride moved,

That the said bill be indefinitely postponed.

Upon which the House being divided,

The yeas and nays were called, when,

Mr. Newton asked, and

On motion of Mr. Pride,

Was excused from voting on said postponement.

Mr. Speaker also asked, and

On motion of Mr. C. Smithers,

Was also excused from voting.

The question then being on the postponement of the bill,

The yeas and nays were taken, and were as follows, to wit :

Yeas.—Messrs. Boys, Derrickson, Harper, Lodge, Martin, Pride, Powell, Rogers, Satterfield, Scribner, C. Smithers and E. Smithers. 12.

Nays.—Messrs. Boulden, Chambers, Harrington, Spruance and Waples. 5.

So the motion to indefinitely postpone,

Prevailed.

On motion of Mr. Lodge,

Chapter 120, "Of Landlord and Tenant," was read a third time by paragraphs, and

Passed the House,

Ordered to the Senate for concurrence.

Mr. Scribner presented the claim of J. Hart Conrad, for printing, which,

On his motion,

Was read and referred to the committee on claims.

Mr. Harper from the committee to whom was referred the petition of William Berry, submitted the following report, which,

On his motion,

Was read and

Adopted.

Inasmuch, as there are six times as many remonstrating against as

there are petitioning for, a division of School districts, No. 9, No. 8, No. 15 and No. 16, the committee consider it inexpedient to legislate upon the subject at this time.

On motion of Mr. Boulden,

Chapter 116, "Of Arbitrations and Awards," was read a second time by its title.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House, that the Senate had adopted, and requested the concurrence of the House in the adoption of, "A Joint resolution to appropriate the money payable to the State Treasurer, under the act entitled, 'An act for the benefit of the State of Delaware.'"

And he withdrew.

On motion of Mr. Scribner,

The communication from the Senate was read, as follows, to wit:

Joint resolution to appropriate the money payable to the State Treasurer under the act entitled, "An act for the benefit of the State of Delaware."

Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the money payable to the State Treasurer, by virtue of the provisions of an act entitled, "An act for the benefit of the State of Delaware," passed on the seventh day of this present month of February, 1852, be, and the same is hereby appropriated and disposed of in the following manner, that is to say, the State Treasurer is authorized and required, out of the ten thousand dollars payable under the act aforesaid on or before the first day of April, 1852, as soon as the same shall be received by him, to subscribe and pay for two hundred shares of the capital stock of the Cape Henlopen Steamboat company, in the name and behalf of the State, and the balance of said ten thousand dollars, to wit, the sum of five thousand dollars, he shall pay over to the commissioners under the act entitled, "An act to establish a company under the name of the Mispillion Navigation company," passed at Dover, February, 1st, 1827, and the several supplements thereto, passed respectively at Dover, February 11th, 1837, and February 9th, 1849, to be expended under the authority and direction of the said commissioners, in the improvement of the navigation of Mispillion Creek; and he is hereby further authorized and required, out of the ten thousand dollars payable under said act on or before the 1st day of January, 1853, as soon as the same shall be received by him, to apply and pay over the same, as follows, viz: Four thousand dollars to the aforesaid commissioners of the Mispillion Navigation company aforesaid, to be expended as aforesaid. Two thousand dollars to any commissioners that may hereafter be appointed by authority of the Legislature, to superintend and conduct the improvements of the navigation of Indian River, to be expended under the authority and direction

of the said commissioners, in the improvement of the navigation of said river. Two thousand dollars to the commissioners under the act entitled "An act to establish a company under the name of the Murderkill Navigation company," passed at Dover, February 10, 1837, to be expended under the authority and direction of said commissioners in the improvement of the navigation of Murderkill Creek, and the residue or sum of two thousand dollars, to such persons as may hereafter be elected directors, of what is now called the Dover Rail Road company, to be expended by them for the purpose of making, of earth and gravel, that part of the road contemplated by the act incorporating said company, from Mahon river to the main road, from Little Creek Landing to Leipsic, and for no other purpose, whatsoever: and he is, hereby further authorized and required, out of the ten thousand dollars payable under said act on or before the 1st day of January, 1854, and out of the like sum payable on the 1st day of January, 1855, as soon as the same shall be received by him, to pay over the sum of two thousand dollars, as each of the said sums of ten thousand dollars shall be received, to any commissioners who may be appointed as aforesaid, by the Legislature, to superintend and conduct the improvement of the navigation of Indian river, to be expended by them as aforesaid, and the sum of eight thousand dollars, as each of the said sums of ten thousand dollars shall be received, to the Treasurer of the Delaware Rail Road company, for the use of said company; and he is hereby further authorized and required, out of the ten thousand dollars payable under said act on or before the 1st day of January, 1856, as soon as the same shall be received by him, to pay over the sum of one thousand dollars to the commissioners who may be appointed aforesaid, by the Legislature, to superintend and conduct the improvement of the navigation of Indian river, to be expended for the purpose aforesaid; and, the sum of nine thousand dollars, to the aforesaid Treasurer of the said Delaware Rail Road company, for the use of said company as aforesaid; and he is hereby further authorized and required, to pay over the next two several sums of ten thousand dollars, payable under the said act first mentioned, on the first day of January, in each of the years of 1857 and 1858, also five thousand dollars of the sum of ten thousand dollars, payable under the said act on the 1st day of January, 1859, to the aforesaid Treasurer of the said Delaware Rail Road company, for the use of said company as aforesaid: and he is hereby further authorized and required, to pay over the residue of the said last mentioned sum of ten thousand dollars, being the sum of five thousand dollars, and also the two several sums of ten thousand dollars payable under the said act first mentioned, on the 1st day of January in each of the years of 1860 and 1861, to the County Treasurer of New Castle county, to be applied to the debt contracted by the purchase of the Wilmington Bridge: the same being intended as the twenty-five thousand dollars provided and directed to be paid to the Treasurer of the said county, for the purpose aforesaid, in the sixth section of the said act herein before first mentioned, and not in addition thereto.

Mr. Boulden moved,

That the resolution be postponed for further consideration until to-morrow.

Upon which the House being divided,

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

Yeas.—Messrs. Boys, Boulden, Derrickson, Harper, Lodge, Rogers, Spruance and Mr. Speaker. 7.

Nays.—Messrs. Chambers, Harrington, Martin, Newton, Pride, Powell, Satterfield, Scribner, C. Smithers, E. Smithers and Waples. 11.

So the motion was

Lost.

Mr. Scribner moved,

That the said resolution be concurred in,

Which motion

Prevailed.

By yeas and nays, as follows, to wit:

Yeas.—Messrs. Chambers, Harrington, Martin, Pride, Powell, Satterfield, Scribner, C. Smithers, E. Smithers and Waples. 10.

Nays.—Messrs. Boys, Boulden, Derrickson, Harper, Lodge, Newton, Rogers, Spruance and Mr. Speaker. 9.

Ordered to be returned to the Senate.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in the passage of a bill entitled, "An act to incorporate the town of Camden, and for other purposes."

And he withdrew.

On motion,

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

THURSDAY, 10 o'clock, A. M., February 12th, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Waples,

Chapter 126, "Of offences against the sovereignty of the State," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Martin,

The bill entitled, "An act to authorize commissioners to repair a public wharf at Seaford," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Martin,

The bill entitled, "An act to incorporate the Broadkill and Philadelphia Steamboat company," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House, that the Senate had passed and requested the concurrence of the House, in the passage of the following chapters of the revised code, viz :

Chapter 121, "Of Insolvency."

" 104, "Of Attachments."

Also, that the Senate had passed, and requested the concurrence of the House, in the passage of the following bills, viz :

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

"A bill for the relief of George Blackiston."

Also, that the Senate had concurred in the passage of the following bills, viz :

"An act to incorporate Olive Branch Tent, No. 1, Daughters of Washington."

"A supplement to the act entitled, 'An act to establish a company under the name of the Leipsic Navigation company.'"

Also, "An act to create an additional School district in Sussex county," with an amendment.

And he withdrew.

On motion of Mr. Boys,

The communications from the Senate were read.

On motion of Mr. Martin,

The amendment of the Senate to the bill entitled, "An act to create an additional School district in Sussex county," was read as follows, and

Concurred in.

IN SENATE, February 11, 1852.

Amend the bill by inserting between the words "authorize as" in the sixth line of section 1, the words "they being first sworn or affirmed."

Amend further by adding,

SECTION 3. *And be it further enacted*, That this act shall be deemed and taken to be a public act.

Extract from the Journal.

WM. HUFFINGTON, *Clerk of the Senate.*

Mr. Lodge from the Committee of Enrollment, reported the following bills as duly and correctly enrolled.

"An act to incorporate Wilmington Plank Road company."

"An act vacating part of Water street in the city of Wilmington."

"An act for the relief of Peter Conner and Mary his wife."

On motion of Mr. Rogers,

The bill entitled "A supplement to the act entitled, 'An act constituting the Commissioners of the town of New Castle, Trustees of the Free Burying Ground of the poor in the said town,'" was read a second time by its title.

Mr. Spruance from the committee to whom was referred the petition of John M. Denning and others, reported a bill entitled, "An act in relation to School district No 5, in Kent county," which,

On his motion,

Was read.

On motion of Mr. Harper,

Chapter 100, "Of Justice's jurisdiction in Trespass cases," was read a second time by its title.

On motion of Mr. Derrickson,

Chapter 102, "Of the commencement of Actions," was read a second time by its title.

Mr. Chambers from the committee to whom was referred the petition of William Caulk and others, reported a bill entitled, "An act more

effectually to prevent swine from running at large within certain limits in Murderkill Hundred," which,

On his motion,

Was read.

On motion of Mr. C. Smithers,

The bill entitled, "An act to incorporate the town of Camden, and for other purposes," presented by the Senate for concurrence,

Was read.

On motion of Mr. Boulden,

Chapter 116, of the revised code, "Of Arbitrations and Awards," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Newton,

Chapter 121, was referred to a committee of three.

Whereupon,

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

On motion of Mr. Waples,

Chapter 104, was referred to a committee of three.

Whereupon,

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

On motion,

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

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

The House met pursuant to adjournment.

Mr. Boulden offered the following Protest of a portion of the New

Castle delegation, upon the passage of the bill re-chartering the "New Castle and Frenchtown Rail Road Company," which,

On his motion,

Was read as follows, to wit :

The undersigned, members of the General Assembly of the State of Delaware, for themselves, and on behalf of their constituents, enter and record their solemn protest against the passage of the bill entitled, "An act providing for the payment of certain sums due the State from the New Castle and Frenchtown Turnpike and Rail Road company.

We make this protest, affirming, That the principle of *Monopoly*, which is the effect and object of this bill, notwithstanding its specious title, is wrong, iniquitous, anti-republican, unjustifiable in any exigency, and demoralizing to the hitherto incorrupt legislation of our State.

Affirming, That the bill is uncalled for, not needed or desired by the people of New Castle county, whose rights are alone affected by it.

Affirming, That nine tenths of the people of the county of New Castle are opposed to the bill, and believe that their constitutional rights are outraged and infringed by its passage.

Affirming, That the counties of Kent and Sussex, by a combination of their members, with one exception, in this General Assembly, have no right to force through any bill which, while it does not affect them, inflicts the greatest injustice upon their sister county of New Castle; and that too, with the whole delegation of that county opposed to it.

Affirming, That the appropriation by the said bill, of the money to be paid by this Turnpike and Rail Road company, is a departure from the settled principle which has heretofore governed our Legislature, this being the first attempt ever made to apply the revenue of the State to local objects.

Affirming, That this very appropriation of the money is, first, an indirect *bribe*, for support for a bill otherwise highly obnoxious; and second, is a prostitution of our legislative duties and powers. Therefore, remembering as we do, the oaths we took as members of this General Assembly, and believing upon those oaths, that every fair and honest principle of legislation, of right and of justice, is grossly violated by this bill, we avail ourselves of this, now our only alternative, of spreading upon the Journal of this house, *this our protest.*

SAMUEL JEFFERSON,
AQUILA DERRICKSON,
WILLIAM C. LODGE,
NATHAN T. BOULDEN,
ABRAHAM BOYS,
JAMES B. ROGERS.

On motion of Mr. Scribner,

The said protest was

Laid on the table.

On motion of Mr. Newton,

The bill entitled, "A supplement to the act entitled, 'An act constituting the Commissioners of the Town of New-Castle, Trustees of the Free Burying Ground of the Poor in said town,'" was taken up and amended.

The amendment was read as follows :

Amend the bill by adding after the word "ground" in the seventh line of the first section, the following words : "To the line of Elihu Jefferson as now held by him."

On motion of Mr. Boys,

The bill entitled "An act relating to the Attachment of Vessels," was taken up for consideration.

Mr. Boys then offered the following amendment, which,

On his motion,

Was read, as follows :

Amend the bill in the first section and ninth line, by striking out between the words "of" and "years," the word "three" and insert in lieu thereof, the word "two."

And, on his motion,

Said amendment was

Adopted.

The said bill was then,

On motion of Mr. Boys,

Read a third time, and

On motion of Mr. Newton,

Was

Laid over,

For further consideration.

On motion of Mr. Boys,

The amendment of the Senate to chapter 123, of the revised code, was read as follows, and

Concurred in:

IN SENATE, February 9, 1852.

Amend chapter 123, by adding the following section :

SECTION 17. No party to a suit, other than an executor or administrator, shall be permitted to avail himself of the defence of the plea of the act of Limitations, at the trial of an action of debt or assumpsit, on simple contract for the payment of money, nor shall any such defence

be made at such trial by way of replication, to a plea of set off, unless the party pleading such plea or replication (as the case may be) shall, at or before the trial, make affidavit, and file the same in the cause, that he verily believes the cause of action sued upon or set off, (as the case may be) has been satisfied to the plaintiff or defendant, (as the case may be) in money or otherwise by his agreement. This provision shall extend to actions before a Justice of the Peace, founded on simple contract for the payment of money, although such action may not have begun in form by such Justice, of debt or assumpsit.

Extract from the Journal.

WM. HUFFINGTON,

Clerk of the Senate.

On motion of Mr. Spruance,

The bill entitled, "A further supplement to the act entitled, 'An act to authorize the construction of a Rail Road from the town of New Castle to the city of Wilmington,'" was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Martin moved,

That the ninth rule be suspended to enable him to introduce a bill.

Which motion,

Prevailed.

Mr. Martin then asked, and

On motion of Mr. Scribner,

Obtained leave to introduce a bill entitled, "An act to improve the navigation of Indian River," which,

On his motion,

Was read.

On motion of Mr. Newton,

Chapter 115, "Of the Writ of Habeas Corpus," was read a second time by its title.

On motion of Mr. Chambers,

Chapter 95, "Of the Court of Chancery," was read a second by its title.

On motion of Mr. Chambers,

Chapter 58, "Of Strays," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion,

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

FRIDAY, 10 o'clock, A. M., February 13th, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Rogers,

The bill entitled, "A supplement to the act entitled, 'An act constituting the Commissioners of the Town of New Castle Trustees of the Free Burying Ground for the Poor in said town,'" was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Martin,

The bill entitled, "An act to improve the navigation of Indian River," was read a second time by its title.

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

"An act concerning Sabbath Schools."

"An act to incorporate Lafayette Lodge, No. 14, of Ancient York Masons, Wilmington, Delaware."

Also, "A Joint resolution requesting our Senators and Representative in Congress, to procure an appropriation for the purpose of erecting a Custom House in the District of Delaware."

He also informed the House that the Senate had passed, and requested the concurrence of the House in the passage of a bill entitled, "An act to change the name of Sowardtown to Hazletville."

And he withdrew.

On motion of Mr. Newton,

The communications from the Senate were read.

Mr. Martin presented the petition of John R. McFee and 91 others, relative to the old Jail at Georgetown, Delaware, which,

On his motion,

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

Whereupon,

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

On motion of Mr. Newton,

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

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Spruance,

The bill for the relief of George W. Blackiston, was read a second time by its title.

On motion of Mr. Spruance,

The bill entitled, "An act in relation to School District, No. 5, in Kent county," was read a second time by its title.

On motion of Mr. C. Smithers,

The bill entitled, "An act to incorporate the Town of Camden and for other purposes," was read a second time by its title.

On motion of Mr. Derrickson,

Chapter 102, "Of the commencement of Actions," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

Mr. Lodge offered the following resolution, which,

On his motion,

Was read as follows, and

Adopted.

Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That a Joint Committee of three members on the part of the House and three members on the part of the Senate be appointed to confer, and adopt measures in reference to the resolutions from the Select and Common Council of Philadelphia.

Whereupon,

Messrs. Lodge, Spruance and Waples were appointed said committee on the part of the House.

On motion of Mr. Lodge,

The amendments to chapter 52, "Of Free Negroes and Mulattoes," which were postponed till to-day for consideration, were taken up, considered, and

On motion of Mr. Chambers,

Were

Indefinitely Postponed.

On motion of Mr. Chambers,
Chapter 95. "Of the Court of Chancery," was read a third time by paragraphs, and

Passed the House.

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

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

The House met pursuant to adjournment.

On motion of Mr. Newton,
Chapter 97, of the revised code, "General powers, duties and jurisdiction of Justice's in criminal cases," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had adopted, and requested the concurrence of the House in the adoption of a "Joint resolution directing the State Treasurer to subscribe on behalf of the State to the capital stock of the Delaware Rail Road company."

On motion of Mr. Newton,

The communication from the Senate was read as follows, to wit:

Joint Resolutions directing the State Treasurer to subscribe on behalf of the State to the Capital Stock of the Delaware Rail Road Company.

1. *Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met,* That the sum of one hundred and thirty thousand dollars, part of the sum of two hundred thousand dollars accruing under and by virtue of the third section of the act 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," passed at Dover, Feb. 7th, A. D. 1852, and which said sum of one hundred and thirty thousand dollars is the aggregate amount of the several sums of six thousand five hundred dollars set apart and appropriated by the fourth section of the said act, be and the same is hereby appropriated and applied to the subscription on behalf

of this State as hereinafter directed for the Capital Stock of the Delaware Rail Road Company, incorporated by the provisions of the act entitled "An Act to incorporate the Delaware Rail Road Company," passed at Dover, June 26th, A. D., 1836, and the supplement thereto and the payment of the interest to accrue on the Bonds hereinafter provided to be issued, and for no other purpose.

2. *Resolved*, That when the books shall have been re-opened by the commissioners for subscription to the Capital Stock of the said Company, and the sum of seventy-five thousand dollars shall have been subscribed by other persons, the State Treasurer be, and he is hereby authorized and directed to subscribe on behalf of this State for such number of shares, at the par value thereof, as with the shares already subscribed for by others will amount to the number of five thousand shares, requisite to enable the said company to organize, and after the said company shall have been organized, and the further sum of fifty-five thousand dollars shall have been subscribed by others to the Capital Stock of said company, then the said State Treasurer is hereby authorized and directed to subscribe further on behalf of the said State for so many and such other number of shares of said stock as the said company shall from time to time and at any time by a resolution of the Board of Directors certified under the corporate seal of said company determine and direct, provided that the number of shares hereby authorized to be subscribed shall not in the aggregate be greater than the sum of one hundred and thirty thousand dollars above mentioned will be sufficient to purchase, after deducting the amount which will be necessary to provide for the payment of the interest to accrue on the bonds hereinafter directed to be prepared and issued.

3. *Resolved*, That to provide for the payment of the said subscription to said stock the State Treasurer is hereby directed immediately upon any subscription as aforesaid, to cause Bonds to be prepared to an amount equivalent to the amount at that time subscribed, in sums of five hundred dollars each, and made payable in the case of the first subscription at such time or times as the Board of Directors of the said company shall at any time direct, and in case of any subsequent subscription, at such time or times as shall have been fixed by said Board of Directors, at the time of directing the subscription as hereinbefore provided, with interest payable semi annually.

Provided that no such bond shall be made payable at any shorter time than that the said sum of one hundred and thirty thousand dollars, as the same shall accrue under the provisions of the act aforesaid will be sufficient to meet the payment of the said bond, with the interest thereon, and provided also that it shall be the duty of the State Treasurer, whenever there is any money in the treasury from the appropriation aforesaid, of the said sum of six thousand five hundred dollars annually, to apply the same to the purchasing and cancelling of the said bonds, so issued at the market price, not exceeding the par value thereof, unless by the consent of the company.

Provided also, and it is made an express condition hereto, that all the property, assets and credits of the said Delaware Rail Road Company, shall be liable for the repayment to the State of any loss that may accrue from payments made on account of said bonds from the failure of the said sum of one hundred and thirty thousand dollars, accruing as aforesaid from the said New Castle and Frenchtown Turnpike and Rail Road Company, to pay the same.

4. *Resolved*, That the bonds provided for in the foregoing resolution, shall be signed by the Governor and made payable to the State Treasurer, by whom they shall be endorsed in his official capacity, and they shall be according to this form :

"Internal Improvement Bond.—The State of Delaware engages to pay to ——— State Treasurer, or to his order at the Farmer's Bank at Wilmington, Five Hundred Dollars on the _____ day of _____ A. D., 18 _____ with interest at six per centum per annum, payable semi-annually at the same place."

The great seal of the State shall be affixed by the Secretary of State, to each of the said Bonds, and the public faith is hereby solemnly pledged for their payment at maturity with interest, semi-annually as in them shall be expressed. To each of said Bonds shall be annexed as many coupons for the payment of interest as their shall be instalments of interest to accrue of said Bonds, to be prepared in the ordinary form, for such papers as used by States or Corporations, and to be signed by the Governor. The said Bonds when so prepared shall be delivered by the State Treasurer, to the Treasurer of the said Delaware Rail Road Company, and shall be received by him in full payment of the subscription, by the State to the amount for which the said Bonds shall have been issued, and the said Bonds shall be sold and converted into money, for the benefit of the said Company, under the direction and at the discretion of the Directors thereof.

5. *Resolved*, That the expenses attending the preparation and sale of the said Bonds, shall be borne and paid by the said Delaware Rail Road Company.

On motion of Mr. Lodge,

The resolutions from the Senate were

Postponed.

Until Thursday next.

On motion of Mr. Waples,

Chapter 104, "Of Attachments," was read a second time by its title.

On motion of Mr. Chambers,

The bill entitled, "A supplement to the act entitled, 'An act to incorporate the Hudson's Branch Ditch Company,'" was read a second time.

On motion of Mr. Newton,

Chapter 121, "Of Insolvency," was read a second time by its title.

Mr. Boys from the committee to whom was referred the petition of John W. Walker and others, reported a bill entitled, "An act to incorporate Jefferson Lodge, No. 15, of Ancient York Masons, Lewes, Delaware," which,

On his motion,

Was read.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had passed, and requested the concurrence of the House in the following bill, viz: "A further supplement to the act entitled, 'An act to incorporate Dover Rail Road company.'"

Also, the following Joint resolution:

"Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the State Treasurer be, and he is hereby authorized and directed to pay to Col. James D. Graham of the United States Topographical Engineers, out of any money remaining in the Treasury, the sum of three hundred dollars, for services rendered as Chief Engineer in the Boundary Survey in the years 1849 and 1850."

On motion of Mr. Boys,

The communications from the Senate were read.

Mr. Martin presented the petition of John R. McFee and others, praying for an act to incorporate a Rail Road company from Lewes to the Nanticoke river, which,

On his motion,

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

Whereupon,

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

On motion,

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

SATURDAY, 10 o'clock, A. M., February 14th, 1852,

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Newton,

Chapter 42, "Of Free Schools," was read a second time by its title.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the passage of the following bills and resolution, viz :

"An act concerning the division of School districts, Nos. 54, 62 and 63 in Sussex county."

"A further additional supplement to the act entitled, 'An act for improving and extending the navigation of that part of Pokomoke river, which is situated in the State of Delaware.'"

"A Joint resolution appointing a committee to take into consideration the communication from the Select and Common Council of Philadelphia."

Also, that the Senate had passed and requested the concurrence of the House in the passage of the following bills, viz :

"An act to change the course of Forest street in the town of Dover."

"An act allowing an additional Notary Public to Northwest Fork Hundred in Sussex county."

And he withdrew.

On motion of Mr. Newton,

The communications from the Senate were read.

On motion of Mr. Martin,

The bill entitled, "An act to improve the navigation of Indian river," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence,

On motion of Mr. Newton,

Chapter 121, of the revised code, "Of Insolvency," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate,

On motion of Mr. Boys,

The bill entitled, "An act to incorporate Jefferson Lodge, No. 15, of

Ancient York Masons, Lewes, Delaware," was read a second time by its title.

Mr. Boulden from the Committee of Enrollment, reported the following bills and Joint resolution as duly and correctly enrolled, viz :

"An act authorizing the Levy Court and Court of Appeal in and for New Castle county, to compensate the Clerk of the Orphan's Court in said county, for arranging the papers belonging to the respective offices."

"A further supplement to the act entitled, 'An act for the encouragement and support of schools in this State.'"

"A Joint resolution concerning chapter 53, of the revised code."

On motion,

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

MONDAY, 11 o'clock, A. M., February 16th, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplain.

The Speaker being absent,

On motion of Mr. Harper,

Mr. C. Smithers was elected Speaker pro. tem.

Mr. Waples presented the petition of James Stuart and others, praying for an act authorizing the Clerk of the Orphan's Court, &c., of Sussex county, to procure a new seal of office, which,

On his motion,

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

Whereupon,

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

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate adhered to its amendment to the bill entitled, "An act to limit the hours of labor, and prevent the employment of children in certain factories therein named," and that the Senate proposed a committee of conference on said subject; and that the Senate

had appointed Messrs. Hoffecker and Sorden such committee on the part of the Senate.

And he withdrew.

On motion of Mr. Newton,

Chapter 115, "Of the Writ of Habeas Corpus," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

Mr. Boulden from the Committee of Enrollment, reported the following bills as duly and correctly enrolled:

"An act to enable Joseph Cleaver to sink a Pier and extend his wharf in the river Delaware at Port Penn."

"An act to incorporate La Fayette Lodge, No. 14, of Ancient Masons, Wilmington, Delaware."

"An act for the relief of School district No. 9. in New Castle county."

"An act directing the Levy Court and Court of Appeal in Kent county, to make an appropriation to open a certain road."

"An act for the better regulation of the streets of Newark and for other purposes."

"An act concerning Schools in New Castle county."

"An act to create an additional School district in Sussex county."

"A supplement to the act entitled, "An act to establish a company under the name of the Leipsic Navigation company."

"An act to incorporate Olive Branch Tent, No. 1, Daughters of Washington, of Wilmington, Delaware."

"An act authorizing the Register for the Probate of Wills and granting Letters of Administration in and for New Castle county, in the State of Delaware, to procure a new General Index Book, and to transcribe or copy the General Index now in said Register's office therein, and to collate the same."

"An act to enable Elihu Jefferson of the town of New Castle to wharf out into the river Delaware, at the said town of New Castle."

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in chapter 125, "Of the Fees of Public officers."

And he withdrew.

On motion of Mr. Harper,

The communications from the Senate were read.

On motion,

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

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

The House met pursuant to adjournment.

On motion of Mr. Boulden,

Chapter 125, "Of the Fees of Public Officers," was referred to a committee of three.

Whereupon,

Messrs. Boulden, Scribner and Powell, were appointed said committee:

Mr. Lodge from the Committee of Enrollment, reported the following bills as duly and correctly enrolled, viz :

"A further additional supplement to the act entitled, 'An act for improving and extending the navigation of that part of Pokomoke river which is situated in the State of Delaware.'"

"An act to authorize Thomas Lockwood, administrator of Penelope Warren, deceased, to sell certain real estate and for purposes."

"An act to authorize the Recorder of Deeds in and for New Castle county, to transcribe the mortgage index of his said office, and to procure a new seal of office."

"An act for the benefit of Public Schools in Wilmington."

"A supplement to the act entitled, 'An act to authorize the sale of the real estate of Jacob Bowman, deceased, in New Castle county, Delaware.'"

"Joint resolution requesting our Senators and Representative in Congress, to aid in procuring appropriations for the improvement of the Delaware River and Bay."

On motion of Mr. Newton,

Chapter 42, of the revised code, "Of Free Schools," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Martin,

The bill entitled, "A further additional supplement to the act entitled, 'An act to prevent persons from suffering swine to go at large within certain limits,'" was read a second time.

On motion of Mr. Newton,

The bill entitled, "An act to incorporate the town of Camden and for other purposes," was read a third time by paragraphs, and

Passed the House, by a majority of two-thirds of the whole House.

Ordered to be returned to the Senate.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House, that the Senate had concurred in the passage of the bill entitled, "A further supplement to the act entitled, 'An act to authorize the construction of a Rail Road from the town of New Castle to the City of Wilmington.'"

He also informed the House, that the Senate had passed and requested the concurrence of the House in the passage of, the following bills, viz :

"An act to incorporate the Trustees and Proprietors of the Smyrna Union School."

"An act to incorporate the Market House company of Smyrna."

And he withdrew.

On motion of Mr. Martin,

Chapter 73, of the revised code, "Of the City of Wilmington," was read.

On motion of Mr. Scribner,

Chapter 73, was referred to a committee of three members.

Whereupon,

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

On motion,

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

TUESDAY, 10 o'clock, A. M., February 17th, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Newton,

The communications from the Senate of yesterday were read.

On motion of Mr. Harper,

The bill entitled, "An act for the relief of George W. Blackiston," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

Mr. Pride from the committee to whom was referred 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.

Mr. Martin moved,

That the Joint resolution adjourning both Houses sine die, be taken up for consideration.

Which motion, *Prevailed.*

Mr. Martin then offered the following amendment, which,

On his motion,

Was read as follows, and *Adopted.*

Amend the resolution, by striking out the figures "17" in the fourth line, and insert the figures "24" in lieu thereof.

On motion of Mr. Martin,

The resolution as amended, was *Adopted.*

Ordered to the Senate for concurrence.

On motion of Mr. Harper,

The bill entitled, "An act in relation to School district, No. 5, in Kent county," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Waples from the committee to whom was referred the petition of James Stuart and others, reported a bill entitled, "An act to authorize the Clerk of the Orphan's Court of Sussex county to procure a new Seal of office," which,

On his motion,

Was read.

On motion of Mr. Martin,

The bill entitled "An act to incorporate Jefferson Lodge, No. 15, of Ancient York Masons, Lewes, Delaware," was read a third time by paragraphs, and

Passed the House, by two-thirds of the members of the whole House voting therefor.

Ordered to the Senate for concurrence;

On motion of Mr. Harper,

The bill entitled, "A further supplement to the act entitled, 'An act

to incorporate Dover Rail Road company," was taken up for consideration.

Mr. Harper then offered an amendment, when,

On motion of Mr. Pride,

The bill was

Postponed,

Until to-morrow, for further consideration.

Mr. Lodge offered the following resolution, which,

On his motion,

Was read as follows:

Resolved, That the use of the Representative Chamber be granted to the Hon. Charles Marim, on Thursday evening next, for the purpose of delivering a lecture.

On his motion,

Said resolution was

Adopted.

On motion of Mr. Waples,

Chapter 104, of the revised code, "Of Attachments," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had adopted, and requested the concurrence of the House in the adoption of, 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 Saturday, the 21st instant, sine die.

On motion of Mr. Scribner,

The said resolution was

Non-concurred in.

Ordered that the Senate be informed thereof.

Mr. Newton moved,

That the vote on the House resolution be reconsidered.

Which motion,

Prevailed.

The said resolution was then,

On his motion,

Taken up for consideration, when,

He moved,

To amend the said resolution, by striking out "Tuesday the 24th" and insert "Wednesday the 25th."

Which motion,

Prevailed.

On motion of Mr. Martin,
The resolution as amended was
Ordered to the Senate for concurrence.

Adopted.

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

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

The House met pursuant to adjournment.

On motion of Mr. Scribner,

Chapter 107, "Of Witnesses and Evidence," was read a second time by its title.

On motion of Mr. Chambers,

The bill entitled, "A supplement to the act entitled, 'An act to incorporate the Hudson's Branch Ditch company,'" was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Newton,

Chapter 85, "Of Intestate Real Estate," was read a second time by its title.

On motion of Mr. Chambers,

The bill entitled, "An act more effectually to prevent swine from running at large within certain limits in Murderkill Hundred," was read a second time by its title.

Mr. Chambers from the committee to whom was referred the petitions of Barratt Conner and Jacob Prettyman, reported a bill entitled, "A further additional supplement to the act entitled, 'An act to restrain persons from suffering swine to go at large within certain limits,'" which,

On his motion,

Was read.

On motion of Mr. Newton,

The bill entitled, "An act to incorporate Hope Lodge, No. 4, of the Order of Ancient Free Masonry, in the State of Delaware," was read a third time by paragraphs, and

Passed the House unanimously.

Ordered to be returned to the Senate.

On motion of Mr. Harper,

Chapter 85, of the revised code, was taken up for consideration.

Mr. Harper then offered the following amendment, which,

On his motion,

Was read as follows, to wit :

Amend the bill in section 1, in the sixth division of said section, by inserting the following in place of the words struck out, to wit : "who shall have had by said intestate during their marriage, issue born alive, whether such issue have lived or died."

On motion of Mr. Harper,

The said amendment was

Adopted.

By yeas and nays, as follows :

Yeas.—Messrs. Chambers, Derrickson, Harper, Harrington, Powell, Rogers, C. Smithers, E. Smithers, Spruance and Waples. 10.

Nays.—Messrs. Boulden, Hosea, Martin, Newton and Scribner. 5.

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

"An act to incorporate Friendship Lodge, No. 22, of the I. O. O. F."

"An act to incorporate Hope Lodge, No. 21, of the I. O. O. F., of the State of Delaware, in the City of Wilmington."

Mr. Martin, chairman of the committee, to whom was referred the petition of John R. McFee and others, reported a bill entitled, "An act to incorporate the Sussex County Rail Road company," which,

On his motion,

Was read.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House, that the Senate had passed and requested the concurrence of the House in the passage of, the following chapters of the revised code, viz:

Chapter 129, "Of Forgery and Counterfeiting."

" 119, "Of Ejectment."

On motion of Mr. Newton,

The communications from the Senate were read.

On motion of Mr. Rogers,

Chapter 129, was referred to a committee of three.

Whereupon,

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

On motion of Mr. Harper,

Chapter 119, was referred to a committee of three.

Whereupon,

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

On motion of Mr. Boulden,

Chapter 125, "Of the Fees of Public Officers," was read a second time by its title.

On motion,

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

WEDNESDAY, 10 o'clock, A. M., February 18th, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Waples,

The bill entitled, "An act to authorize the Clerk of the Orphans' Court of Sussex county, to procure a new seal of office," was read a second time by its title.

On motion of Mr. Chambers,

The bill entitled, "An act more effectually to prevent swine from running at large within certain limits in Murderkill Hundred," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Harper,

The bill entitled, "A further supplement to the act entitled, 'An act

to incorporate the Dover Rail Road company," was taken up for consideration.

Mr. Harper then asked, and

On motion of Mr. C. Smithers,

Obtained leave to withdraw his amendment offered yesterday."

Thereupon,

He offered the following amendment, which,

On his motion,

Was read as follows, and

Adopted:

Amend the bill by inserting after the words, "earth, sand and gravel" the words "or plank," wherever they occur.

Also, amend the bill by striking out all after the word, "Railway" in the thirteenth line of the second section of said bill.

The said bill was then,

On his motion,

Read a second time by its title.

On motion of Mr. Rogers,

Chapter 129, "Of Forgery and Counterfeiting," was read a second time by its title.

On motion of Mr. Newton,

Chapter 85, "Of Intestate's Real Estate," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Martin,

The bill entitled, "An act to incorporate the Sussex county Rail Road company," was read a second time by its title.

On motion of Mr. Harper,

Chapter 119, "Of Ejectments," was read a second time by its title.

On motion of Mr. Newton,

The bill entitled, "An act to incorporate the Trustees and Proprietors of the Smyrna Union School," was read a second time by its title.

On motion of Mr. Chambers,

The bill entitled, "A further additional supplement to the act to restrain persons from suffering swine to go at large within certain limits," was read a second time by its title.

On motion of Mr. Chambers,

The bill entitled, "An act to change the name of Sowardtown to Hazletville," was read a second time.

On motion of Mr. Scribner,

Chapter 107, "Of Witnesses and Evidence," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Scribner,

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

On motion of Mr. Scribner,

The bill entitled, "An act allowing an additional Notary Public to North West Fork Hundred in Sussex county," was read a second time by its title.

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

He also informed the House, that the Senate had concurred in the passage of the bill entitled, "A supplement to the act to incorporate the Cape Henlopen Sea Bathing and Steamboat company," with an amendment.

And he withdrew.

On motion of Mr. Martin,

The Senate amendment just presented for concurrence, was read as follows, to wit:

IN SENATE, February 18, 1852.

Amend the second section of the bill by striking out between the word "belonging" in the fifth line and the word "to" in the sixth line, the words "or which may hereafter belong."

Amend the same section, by striking out of the 7th line, the words, "running in a regular line of opposition," and insert in lieu thereof the words, "or vessels employed in carrying passengers not belonging to, chartered by, or connected with."

Extract from the Journal.

WM. HUFFINGTON,

Clerk of the Senate.

On motion of Mr. Martin,

The Senate's amendment, presented for concurrence several days since to the bill entitled, "An act concerning the division of School Districts, Nos. 54, 62 and 63, of Sussex county," was read as follows, and

Adopted:

IN SENATE, February 13, 1852.

Amend the bill by adding: .

SECTION 7. *And be it further enacted*, That this act shall be deemed and taken to be a public act.

Extract from the Journal.

WM. HUFFINGTON,

Clerk of the Senate.

On motion of Mr. Harper,

The bill entitled, "An act to change the course of Forest street in the town of Dover," was read a second time by its title.

On motion,

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

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

The House met pursuant to adjournment.

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

"An act to incorporate Jefferson Lodge, No. 15, of Ancient York Masons, Lewes, Delaware."

"An act to improve the navigation of Indian River."

"A supplement to the act entitled, 'An act constituting the Commissioners of the town of New Castle, Trustees of the Free Burying Ground of the Poor in the said town.'"

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

And he withdrew.

On motion of Mr. Martin,

The communications from the Senate were read.

On motion of Mr. Newton,

The bill entitled, "An act to incorporate the Market House company of Smyrna," was read a second time by its title.

On motion of Mr. Waples,

The bill entitled, "An act to authorize the Clerk of the Orphans' Court of Sussex county, to procure a new seal of office," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in the passage of, the following chapters of the revised code, viz:

Chapter 127, "Of offences against the lives and persons of individuals."

" 130, Of offences against Public Justice."

" 131, Of offences against Religion, Morality and Decency."

On motion of Mr. Martin,

The communications from the Senate were read.

On motion of Mr. Newton,

Chapter 127, was referred to a committee of three.

Whereupon,

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

On motion of Mr. Derrickson,

Chapter 130, was referred to a committee of three members.

Whereupon,

Messrs. Derrickson, E. Smithers and Scribner were appointed said committee.

On motion of Mr. Martin,

Chapter 131, was referred to a committee of three.

Whereupon,

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

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had non-concurred in the House's amendment to chapter 65, "Of Intestate's Real Estate."

And he withdrew.

Mr. Chambers moved,

" That the bill entitled, " A further additional supplement to the act entitled, ' An act to restrain persons from suffering swine to go at large within certain limits,' be read a third time, by special order, with a view to pass the House.

Which motion,

Prevailed.

The question then being on the passage of the first section, it was lost.

So the bill was

Lost.

On motion of Mr. Newton.

The bill entitled, " An act to amend the act entitled ' An act to incorporate the Cape Henlopen Sea Bathing company,' was taken up for consideration.

Mr. Newton then offered the following amendment, which,

On his motion,

Was read as follows, to wit :

Amend the Senate's amendment, by striking out in the fourth line of section 2, the word " fifty," and insert in lieu thereof, the word " five."

Mr. Newton moved,

That the resolution be adopted, upon which the House being divided, the yeas and nays were called, which when taken, were as follows, to wit :

Yeas.—Messrs. Derrickson, Hosea, Lodge, Newton, Rogers, C. Smithers, Spruance and Mr. Speaker. 8.

Nays.—Messrs. Chambers, Harper, Harrington, Martin, Pride, Powell, Satterfield, Scribner, E. Smithers and Waples. 10.

Mr. Martin moved,

That the Senate amendment to said bill be concurred in, on which the House being divided, the yeas and nays were called, which when taken, were as follows :

Yeas.—Messrs. Martin, Pride, Powell, E. Smithers and Waples. 5.

Nays.—Messrs. Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Newton, Rogers, Satterfield, Scribner, C. Smithers, Spruance and Mr. Speaker. 13.

On motion,

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

THURSDAY, 11 o'clock, A. M., February 19th, 1852.

The House met pursuant to adjournment.

On motion of Mr. Boys,

The "Joint resolutions directing the State Treasurer to subscribe on behalf of the State to the capital stock of the Delaware Rail Road company," were taken up for consideration, and

On his motion,

Were

Indefinitely Postponed.

By yeas and nays, as follows, to wit:

Yeas.—Messrs. Boys, Boulden, Derrickson, Harper, Lodge, Martin, Rogers, Spruance, Waples and Mr. Speaker. 10.

Nays.—Messrs. Chambers, Harrington, Hosea, Newton, Powell, Satterfield, Scribner, C. Smithers and E. Smithers. 9.

On motion of Mr. Martin,

The bill entitled, "An act supplementary to an act to enable all the religious denominations in this State to appoint Trustees, who shall be a body corporate, for the purpose of taking care of the temporalities of their respective congregations," was read a second time by its title.

On motion of Mr. Chambers,

The bill entitled, "A further supplement to the act entitled, 'An act to incorporate the Dover Rail Road,'" was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Newton,

The vote upon the Senate's amendment to the bill entitled, "An act to amend the act entitled, 'An act to incorporate the Cape Henlopen Sea Bathing and Steamboat company,'" was reconsidered, when,

Mr. Newton offered the following amendment, which,

On his motion,

Was read as follows, and

Adopted:

Amend section 2, by striking out in the fourth line the word "fifty," and insert in lieu thereof the word "fifteen."

On motion of Mr. Harper,

The bill entitled, "An act to change the course of Forest Street in the town of Dover," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Newton,

The bill entitled, "An act to incorporate the Market House company of Smyrna," was read a third time by paragraphs, and

Passed the House unanimously.

Ordered to be returned to the Senate,

On motion of Mr. Martin,

The "Report on the Boundary Question," was taken up for consideration.

Mr. Martin then offered the following amendment, which,

On his motion,

Was read as follows :

Amend the resolution by striking out of the seventh line, the words, "three hundred dollars," and insert in lieu thereof the words "six hundred and sixty-six dollars sixty-six cents and sixty-six hundredths of a cent."

On motion of Mr. Martin,

The amendment was

Adopted.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House, that the Senate had passed and requested the concurrence of the House in the passage of the bill entitled, "An act to create an additional School district in Kent county."

And he withdrew,

On motion of Mr. Rogers,

Chapter 129, "Of Forgery and Counterfeiting," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate,

On motion of Mr. Derrickson,

Chapter 130, "Of offences against Public Justice," was read a second time by its title.

On motion of Mr. Lodge,

Chapter 52, "Of Free Negroes and Mulattoes," was read a second time by its title.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in the passage of chapter 79, "Of Masters, Apprentices and Servants."

And he withdrew,

On motion of Mr. Boys,
The communications from the Senate were read.

On motion of Mr. Scribner,
Chapter 79, was referred to a committee of three.

Whereupon,
Messrs. Scribner, Lodge and Chambers, were appointed said committee.

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

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

The House met pursuant to adjournment.

On motion of Mr. Newton,
Chapter 127, "Of offences against the lives and persons of individuals," was read a second time by its title.

On motion of Mr. Chambers,
The bill entitled, "An act to create an additional School district in Kent county," presented for concurrence, was read.

On motion of Mr. C. Smithers,
The bill entitled, "An act relating to the Attachment of Vessels," was taken up for consideration.

Mr. C. Smithers then offered the following amendment, which,

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

Amend the bill by striking out sections 1 and 2, as they now stand, and insert in lieu thereof, as follows:

Be it enacted by the Senate and House of Representatives of the State of Delaware, in General Assembly met, as follows, to wit:

SECTION 1. Any ship-builder or ship-builders who shall build, repair, fit, furnish or equip any ship, steamboat or vessel, under contract with and for another person or persons, shall for two years from the completion of such building, repairing, fitting, furnishing or equipping have a

lien for the price of the same upon said ship, steamboat or vessel in preference to other debts due from the owner or owners thereof. But this section shall not be construed to create any lien whatever upon a ship, steamboat or vessel, sold and assigned by a ship-builder, for any work done or materials furnished to the same, while in the possession of such ship-builder.

SEC. 2. For enforcing such lien, a libel may be filed in the office of the Prothonotary of the Superior Court of any county wherein such ship, steamboat or vessel may be found, against such ship, steamboat or vessel, her tackle, furniture and apparel. If two or more ship-builders have at the same time such lien as aforesaid upon any ship, steamboat or vessel, they may join in one libel for the recovery of all their claims, in the manner permitted to mariners by the usages of Courts of Admiralty, for the recovery of their wages; and after a libel shall be filed, any ship-builder or ship-builders other than the libellant having such lien as aforesaid may at any time during the pendency of the proceeding upon petition to the Court, be made a party libellant jointly, with the other person or persons who commenced the proceeding.

Mr. C. Smithers moved,

That the amendment be adopted.

Which motion,

Prevailed.

The said bill was then,

On his motion,

Read a third time as amended, and

Lost.

By yeas and nays, as follows :

Yeas.—Messrs. Boys, Boulden, Derrickson, Lodge, Martin, Newton, Rogers, Waples and Mr. Speaker. 9.

Nays.—Messrs. Chambers, Harper, Harrington, Hosea, Powell, Satterfield, Scribner, C. Smithers, E. Smithers and Spruance. 10.

On motion of Mr. Boulden,

Chapter 125, "Of the Fees of Public Officers," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Martin,

Chapter 131, "Of offences against Religion, Morals and Decency," was read a second time by its title.

Mr. Newton offered the following Joint resolutions, which,

On his motion,

Were read as follows, to wit :

Joint resolutions directing the State Treasurer to subscribe on behalf of the State, to the capital stock of the Delaware Rail Road Company.

1. *Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met,* That the sum of one hundred and thirty thousand dollars, part of the sum of two hundred thousand dollars, accruing under and by virtue of the third section of the act 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," passed at Dover, February 7, 1852, and which said sum, one hundred and thirty thousand dollars, is the aggregate amount of the several sums of six thousand five hundred dollars, set apart and appropriated by the fourth section of the said act be, and the same is hereby appropriated and applied to the subscription on behalf of this State as hereinafter directed for the capital stock of the Delaware Rail Road company, incorporated by the provisions of the act entitled, "An act to incorporate the Delaware Rail Road company, passed at Dover, June 26, A. D. 1836, and the supplement thereto, and the payment of the interest to accrue on the Bonds hereinafter provided to be issued, and for no other purpose.

2. *Resolved,* That when the books shall have been re-opened by the Commissioners, for subscription to the capital stock of said company, and the sum of seventy-five thousand dollars shall have been subscribed by other persons, and the New Castle and Frenchtown Turnpike and Rail Road company, shall have signified their acceptance of the act 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" aforesaid, as provided in said act then the State Treasurer be, and he is hereby authorized and directed to subscribe on behalf of this State, for such number of shares at the par value thereof, as with the shares already subscribed for by others, will amount to the number of five thousand shares, requisite to enable the said company to organize, and after the said company shall have been organized and the further sum of fifty-five thousand dollars shall have been subscribed by others, to the capital stock of said company, then the said State Treasurer is hereby authorized and directed, to subscribe further on behalf of the said State, for so many and such other number of shares of said stock, as the said company shall, from time to time and at any time by a resolution of the Board of Directors, certified under the corporate seal of said company, determine and direct. *Provided,* That the whole number of shares hereby authorized to be subscribed, shall not in the aggregate, be greater than the sum of one hundred and thirty thousand dollars above mentioned, will be sufficient to purchase, after deducting the amount which will be necessary to provide for the payment of the interest to accrue on the bonds hereinafter authorized to be prepared and issued.

3. *Resolved,* That to provide for the payment of said subscription to

said stock, and to enable the said Delaware Rail Road company to make the same available, the said Delaware Rail Road company, is hereby authorized upon any subscription as aforesaid, to cause Bonds of the said company to be from time to time prepared, to an amount not exceeding the amount at any time subscribed, in sums of five hundred dollars each, which bonds shall be endorsed by the State Treasurer in his official capacity, and be made payable at such times as the Board of Directors of said company shall direct, with interest payable semi-annually. *Provided*, That no such Bond shall be made payable at any shorter time than that the said sum of one hundred and thirty thousand dollars, as the same shall accrue under the provisions of the act aforesaid, will be sufficient to meet the payment of the said Bond with the interest thereon.

And provided also, That it shall be the duty of the State Treasurer, whenever there is any money in the Treasury from the appropriation aforesaid of the said sum of six thousand five hundred dollars annually, to apply the same to the purchasing and cancelling of the said Bonds so issued, at the market price not exceeding the par value thereof, unless by the consent of the company.

And provided also, and it is made an express condition hereto, that all the property, assets and credits of the said Delaware Rail Road Company, shall be liable for the repayment to the State of any loss that may accrue from payments made on account of said bonds from the failure of the said sum of one hundred and thirty thousand dollars, accruing as aforesaid from the said New Castle and Frenchtown Turnpike and Rail Road Company, to pay the same.

Mr. Boys moved,

To lay the Joint resolutions on the table,

On which the House being divided, the yeas and nays were called, which on being taken were as follows :

Yeas.—Messrs. Boys, Boulden, Derrickson, Lodge, Martin, Rogers, Scribner, Waples and Mr. Speaker. 9.

Nays.—Messrs. Chambers, Harper, Harrington, Hosea, Newton, Powell, Satterfield, C. Smithers and E. Smithers. 9.

So the motion to lay on the table was

Lost.

Mr. Boys moved,

That the House now adjourn,

Upon which the House being divided, the yeas and nays were called which when taken were as follows :

Yeas.—Messrs. Boys, Boulden, Derrickson, Lodge, Martin, Rogers, Waples and Mr. Speaker. 8.

Nays.—Messrs. Chambers, Harper, Harrington, Hosea, Newton, Powell, Satterfield, Scribner, C. Smithers and E. Smithers 10.

So the motion to adjourn was

Lost.

Mr. Newton then moved,

The Joint resolutions be adopted,

When the yeas and nays were called, which on being taken, were as follows, to wit:

Yeas.—Messrs. Chambers, Harper, Harrington, Hosea, Martin, Newton, Powell, Satterfield, Scribner, C. Smithers and E. Smithers. 11.

Nays.—None.

On motion,

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

FRIDAY, 10 o'clock, A. M., February 20th, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Lodge presented the claim of Francis Vincent for public printing, also the account of John Wyatt, which,

On his motion,

Were read and referred to the committee of claims and accounts respectively.

On motion of Mr. Scribner,

The bill entitled, "An act allowing an additional Notary Public to North West Fork Hundred in Sussex county," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Martin,

Chapter 131, Of offences against Religion, Morality and Decency," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Newton,

Chapter 127, "Of offences against the lives and persons of individuals," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Harper,

The bill entitled, "An act to incorporate the Trustees and Proprietors of the Smyrna Union School," was read a third time by paragraphs, and

Passed the House, two-thirds of the members of the whole House voting therefor.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House, that the Senate had passed and requested the concurrence of the House in the passage of, the following bills, viz :

"An act to authorize and empower the Levy Court and Court of Appeal of New Castle county, to erect a Pivot Bridge or Draw Bridge over Appoquinimink Creek in New Castle county."

"An act to dispose of certain escheated Real and Personal Estate, late the property of Thomas Gibbs (negro) deceased, of Kent county."

Also, that the Senate had concurred in the passage of the following bills, viz :

"An act to authorize the Levy Court and Court of Appeal of New Castle county, to purchase or acquire the Turnpike Road from Wilmington to Christiana Village, for the purpose of making the same a public and free road."

"An act in relation to School district, No. 5, in Kent county."

Also, an act to divorce Abraham Marvel and Nancy Marvel, late Nancy Baker, from the bonds of matrimony," with an amendment.

And he withdrew.

On motion of Mr. Scribner,

The communications from the Senate were read.

The Senate's amendment to the bill just returned amended, was read as follows, and

Concurred in:

IN SENATE, February 20, 1852.

Amend the second section, by striking out the words between the word "she" in the ninth line, and the word "free" in the thirteenth

line, and insert in lieu thereof the words, "has now in her possession."

Extract from the Journal.

WM. HUFFINGTON,

Clerk of the Senate.

On motion of Mr. Scribner,

Chapter 73, "Of the City of Wilmington," was read a second time by its title.

On motion,

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

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

The House met pursuant to adjournment.

On motion of Mr. Derrickson,

Chapter 130, "Of offences against Public Justice," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Chambers,

The bill entitled, "An act to create an additional School district in Kent county," was read a second time by its title.

On motion of Mr. Harper,

Chapter 85, "Of Intestate Real Estate," was taken up for consideration.

Mr. Harper then moved,

● That the House adhere to its amendment to said chapter.

Which motion,

Prevailed.

On motion of Mr. Martin,

The bill entitled, "An act to authorize and empower the Levy Court and Court of Appeal of New Castle county, to erect a Pivot Bridge or

Draw Bridge over Appoquinimink creek in New Castle county," was read a second time, by special order, by its title.

On motion of Mr. Martin,

The bill entitled, "An act to amend the act entitled, 'An act to incorporate the Cape Henlopen Sea Bathing and Steamboat company,'" was taken up for consideration.

Mr. Martin then moved,

'That the Senate's amendment to said bill, be non-concurred in.

Which motion,

Prevailed.

Ordered that the Senate be informed thereof.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House, that the Senate had passed and requested the concurrence of the House in the passage of, chapter 80, of the revised code, "Of Slaves."

And he withdrew.

On motion of Mr. Rogers,

'The communication from the Senate was read.

On motion of Mr. Boys,

Chapter 80, "Of Slaves," was referred to a committee of three.

Whereupon,

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

Mr. Newton offered the following Joint resolution, which,

On his motion,

Was read, as follows, to wit:

WHEREAS, By an act passed at Dover, January 25, 1809, 4 vol. 259, the State of Delaware authorized and empowered their Senators and Representative in Congress, to cede to the United States, the jurisdiction which this State had over the fortification known as Fort Delaware situate in the river Delaware, and opposite to Delaware City, upon the express condition, nevertheless, that the said Fort, Battery or Fortification for the protection of the bay or river Delaware, should be erected at the expense of the United States, within three years from that date, and be continued and kept up forever thereafter for the public use, and *whereas*, the work has progressed considerably and is still in progress on the aforesaid Fortification, therefore be it

Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That our Senators and Representative in Congress be, and they are hereby requested to urge upon Congress, the propriety of carrying out the conditions of the contract

under which Fort Delaware was ceded to the United States, by making such appropriation as they may deem requisite and necessary for the work now in progress.

Resolved, That a duly authenticated copy of these resolutions be forwarded by the Speaker of the House of Representatives, to each of our Senators and Representative in Congress:

On motion of Mr. Martin,

The bill entitled, "An act supplementary to an act entitled, 'An act to enable all the religious denominations in this State to appoint Trustees, who shall be a body corporate, for the purpose of taking care of the temporalities of their respective congregations,'" was read a third time by paragraphs, and

Passed the House:

Ordered to be returned to the Senate.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House, that the Senate had adopted and requested the concurrence of the House in the adoption of a Joint resolution relative to the publication of the revised code.

Also, that the Senate had concurred in the Joint resolution directing the State Treasurer to subscribe on behalf of the State, to the capital stock of the Delaware Rail Road company, with an amendment.

And he withdrew.

On motion of Mr. Newton,

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

Joint resolution directing the Publication of the Revised Code.

Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the Commissioners of Revision; publish an edition of the Revised Code, as enacted at the present session of the General Assembly, and that they shall have authority to make marginal or other notes and references, either from one portion of the work to other parts, or to judicial decisions or otherwise, in explanation to the text; to prefix the Declaration of Independence, the Constitutions of the United States, and of this State; and to add to the whole a copious index.

Resolved, That for this purpose the said Commissioners shall have the charge and custody of the said revised code, and shall when the publication is completed deposit the same in the Secretary's office.

Resolved, That the said Commissioners shall be authorized to contract for printing said edition, and for paper or other materials, and binding; and the Governor is hereby authorized to draw orders on the Treasury for payments according to such contract, as the same shall fall due; such orders to be drawn on the certificates of said Commissioners or a majority of them, stating that the work is well done or materials approved, and the price thereof, according to contract.

Resolved, That twenty-five hundred copies be printed and stitched, of which six hundred copies shall be bound up and distributed among the Counties to the several Prothonotaries, to be sold at one dollar per copy ; the residue shall be deposited in the public Library.

Resolved, That George B. Dickson be and he is hereby appointed, transcribing Clerk to said Commissioners, and be allowed for such service one cent. a line, to be paid by the State Treasurer upon the order of the Commissioners.

IN SENATE, February 20, 1852.

Amend the resolutions by inserting after the word "capacity" in the ninth line, as follows : "by a special endorsement expressing the obligation of the State to pay the said bonds only out of the aforesaid fund."

Also, in same line, strike out "and" and insert "said bonds to."

Also, amend third resolution by striking out the last proviso.

Amend the resolutions further, by adding the following :

Resolved further, That the endorsement of the State Treasurer before provided for, shall be deemed and taken to have, and shall have only this effect; that the faith of the State of Delaware is by said endorsement pledged, that the aforesaid sum of one hundred and thirty thousand dollars hereinbefore mentioned, in such sums as it shall from time to time be paid into the State Treasury, shall be applied by the State Treasurer in payment of the principal and interest of the aforesaid Bonds, as the same shall fall due, or to the purchase of said Bonds as directed in the second proviso to the last above mentioned resolution; so that the said State shall by virtue of said endorsement in no event be rendered liable, except for the payment as aforesaid, of the said sum of one hundred and thirty thousand dollars, as the same shall be received into the Treasury.

Resolved further, That if at the time, any part of the aforesaid sum of one hundred and thirty thousand dollars shall be received into the Treasury there shall be no bonds endorsed as aforesaid, outstanding; it shall be the duty of the State Treasurer to pay the same over to the Treasurer of the Rail Road company for the use of the company; and that the State Treasurer may be able to fulfil this resolution, he shall keep an account of every Bond endorsed by him as aforesaid, and of every Bond paid or purchased by him under these resolutions.

Any payment made as aforesaid, whether in the discharge or purchase of said Bonds, or to the Treasurer of the Delaware Rail Road company, shall be on account of, and in payment *pro tanto* of the subscription hereinbefore directed to be made to the capital stock of said company, on the part of the State.

Extract from the Journal.

WM. HUFFINGTON,

Clerk of the Senate.

On motion of Mr. C. Smithers,

The Joint resolutions respecting the publication of the revised code, were

Adopted.

On motion of Mr. Boys,

The Senate amendments to the "Joint resolution directing the State Treasurer to subscribe on behalf of the State to the capital stock of Delaware Rail Road company," was

Postponed,

Until to-morrow, for further consideration.

On motion of Mr. Martin,

The bill entitled, "An act to incorporate the Sussex County Rail Road company," was read a third time by paragraphs, and

The question being on the final passage of the bill, the yeas and nays were called, which on being taken were as follows, viz :

Yeas.—Messrs. Boys, Boulden, Derrickson, Harper, Hosea, Lodge, Martin, Newton, Rogers, Satterfield, Scribner, Waples and Mr. Speaker. 13.

Nays.—Messrs. Chambers, Harrington, Powell, C. Smithers and E. Smithers. 5.

Mr. Boulden from the Committee of Enrollment, reported the following bills as duly and correctly enrolled :

"An act for the relief of George W. Blackiston."

"An act providing for a Convention."

"An act authorizing the sale of certain Real Estate of John Springer, deceased."

"An act to incorporate the Broadkilm and Philadelphia Steamboat company."

"An act allowing an additional Constable in the County of Sussex."

"An act to authorize Commissioners to repair a public wharf at Seaford."

"An act to improve the navigation of Indian river."

On motion,

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

SATURDAY, 10 o'clock, A. M., February 21st, 1862.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Martin,

The bill entitled; "An act to authorize and empower the Levy Court and Court of Appeal of New Castle county, to erect a Pivot Bridge or Draw Bridge over Appoquinimink Creek in New Castle county," was read a third time by paragraphs, and

Passed the House;

By yeas and nays, as follows :

Yeas.—Messrs. Boys, Chambers, Derrickson, Harper, Harrington, Hosea, Lodge, Martin, Newton, Powell, Satterfield, Scribner, C. Smithers, E. Smithers, Waples and Mr. Speaker, 16.

Nays.—Messrs. Boulden, Rogers and Spruance, 3.

Ordered to be returned to the Senate.

On motion of Mr. Martin,

The Joint resolution attached to the report upon the Boundary Survey, was

Concurred in as amended.

Ordered that the Senate be informed thereof.

On motion of Mr. Chambers,

The bill entitled, "An act to create an additional School district in Kent county," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

Mr. Martin submitted the following Joint resolution, which,

On his motion,

Was read as follows, and

Adopted!

Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, That the two Houses of this General Assembly will assemble in Joint meeting in the Hall of the House of Representatives at 12 o'clock, M., on Monday, the 2nd instant, to hear read the Farewell Address of Washington.

Resolved, That Joseph P. Comegys, Esq., be, and he is hereby invited to read the Address.

Ordered that the Senate be informed thereof.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House, that the Senate had concurred in the Joint resolution convening the two Houses to hear read Washington's Farewell Address, with an amendment.

And he withdrew.

On motion of Mr. Chambers,

The amendment was read.

Mr. Chambers then moved,

That the amendment be concurred in,

Which motion was

Lost.

On motion of Mr. Chambers,

The "Joint resolution directing the State Treasurer to subscribe on the part of the State to the capital stock of the Delaware Rail Road company," was taken up for consideration.

Mr. Chambers then moved,

That the Senate's amendment to said resolution be concurred in.

Which motion,

Prevailed,

By yeas and nays, as follows :

Yeas.—Messrs. Boys, Derrickson, Hosea, Lodge, Martin, Newton, Rogers, Scribner, Waples and Mr. Speaker. 10.

Nays.—Messrs. Boulden, Chambers, Harper, Harrington, Powell, Satterfield, C. Smithers, E. Smithers and Spruance. 9.

Ordered that the Senate be informed thereof.

Mr. Scribner from the committee to whom was referred chapter 79, "Of Masters, Apprentices and Servants," reported said chapter with an amendment, which,

On his motion,

Was read as follows, and

Adopted:

Amend chapter 79, by striking out of the nineteenth line of section 3, the word "forty," and insert in lieu thereof the word "twenty," Also, strike out of the twentieth line of said section the word "sixty," and insert in lieu thereof the word "thirty." Also, strike out of the twenty-first line the word "twenty-five," and insert in lieu thereof the word "ten." Also, strike out of the twenty-third line the word "thirty," and insert in lieu thereof the word "fifteen." Also, strike out of the forty-second line the word "five," and insert in lieu thereof the word "two."

On motion of Mr. Scribner,

The said chapter was then read a second time by its title.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House, that the Senate had receded from its amendment to the resolution convening both Houses, to hear read Washington's Farewell Address.

Also, that the Senate had passed, and requested the concurrence of the House in the passage of, chapter 103, "Of Bail."

And he withdrew.

On motion of Mr. Chambers,

The communications from the Senate were read.

On motion of Mr. Derrickson,

Chapter 103, was referred to a committee of three.

Whereupon,

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

On motion of Mr. Harper,

Chapter 100, "Justice's jurisdiction in Tresspass cases," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Lodge,

Chapter 52, "Of Free Negroes and Mulattoes," was taken up for consideration.

Mr. Lodge then offered the following amendments, which,

On his motion,

Were read as follows, to wit:

1. Amend the second section of the bill, by striking out from the seventh line the words, "the adjoining State of Maryland," and insert in lieu thereof the words, "an adjoining State."

2. Amend section 1, by adding the following proviso:

"*And provided also*, That any free negro or free mulatto may, with the written permission of a Judge previously obtained, come into this State for a necessary and temporary purpose to remain not exceeding five days. The purpose shall be expressed in the permit."

Mr. Lodge moved,

That the amendments be considered separately, and adopted

The question being on the adoption of the first amendment, it was

Adopted.

And the question being on the adoption of the second amendment, it was

Lost.

Mr. Newton then offered the following amendment, which,

On his motion,

Was read as follows, to wit:

Amend section 8, by adding after the word fined in the sixth line, the words, "not less than five nor more than," and in the seventh line after the word "dollars," in the discretion of any Justice of the Peace of the State.

Mr. Newton moved,

That the amendment be adopted.

Which motion was

Lost.

On motion of Mr. Lodge,

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

Passed the House.

Ordered to the Senate for concurrence.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the adoption of the "Joint resolution requesting our Senators and Representative in Congress to urge an appropriation for Fort Delaware."

Also, that the Senate had appointed as a committee of conference on the disagreement of the two Houses, in relation to the amendments of the House to chapter 85, "Of Intestate Real Estate," and that the committee on the part of the Senate, were Messrs. Sorden and Temple.

Mr. Lodge submitted the following Joint resolution, which,

On his motion,

Was read as follows, to wit, and

Adopted:

Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, That a committee of three on the part of the House and two on the part of the Senate be appointed, to wait on Joseph P. Comegys, Esq., and tender to him an invitation to read "Washington's Farewell Address," in the Representative Chamber on Monday next, in accordance with a resolution adopted by both branches of the Legislature.

On motion,

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

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

The House met pursuant to adjournment.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in the passage of chapter 128, of the revised code, "Of offences against private property."

And he withdrew.

On motion of Mr. Martin,

The communication from the Senate was read and referred to a committee of three.

Whereupon

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

On motion of Mr. Scribner,

Chapter 79, "Of Masters, Apprentices and Servants," was taken up for consideration.

Mr. Scribner moved,

That the Senate amendment to said chapter be concurred in.

Which motion

Prevailed.

The Said chapter was then,

On his motion,

Read a third time by paragraphs, and

Passed the House,

Ordered to be returned to the Senate.

On motion,

The House adjourned, until 10 o'clock Monday morning.

MONDAY, 10 o'clock, A. M., February 23d, 1852.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Bradford.

Mr. Huffington, Clerk of the Senate, being admitted, informed the

House that the Senate had passed and requested the concurrence of the House in the passage of, the following bills and resolution, viz :

" A further supplement to an act to restrain persons from suffering swine to go at large within certain limits."

" A further additional supplement to the act entitled, ' An act to survey, lay out and regulate the streets in Smyrna, and for other purposes.'"

" A supplement to the act entitled, ' An act to incorporate the Jordan's Branch Marsh company.'"

" An act for the relief of Sandy Hitch."

" An act in relation to what is now called the Malton River Road company."

" An act in relation to School district No. 3, in Kent county."

" Joint resolution authorizing and directing the State Treasurer to borrow money."

Also, that the Senate had concurred in the passage of the following bills and resolution :

" A supplement to the act entitled, ' An act exempting from Execution process and distress for rent a certain amount of personal property.'"

" An act to authorize the Clerk of the Orphan's Court of Sussex county, to procure a new Seal of office."

" A supplement to the act entitled, ' An act to incorporate the Hudson's Branch Ditch company.' "

" An act more effectually to prevent swine from running at large within certain limits in Murderkill Hundred."

" An act for the protection of the Telegraph Line," with an amendment.

" Joint resolution inviting Joseph P. Comegys to read Washington's Farewell Address," with an amendment.

And he withdrew.

On motion of Mr. Rogers,

The communications from the Senate were read.

The amendment to Joint resolution just presented for concurrence, was read as follows, and

Concurred in.

IN SENATE, February 21, 1852.

Resolved, That a general invitation is hereby extended to the citizens of the town of Dover and vicinity, to attend and hear read the Farewell Address of the immortal Washington.

Extract from the Journal.

WM. HUFFINGTON,

Clerk of the Senate.

The "Joint resolution authorizing and directing the State Treasurer to borrow money," was read as follows, to wit:

Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the State Treasurer be and he is hereby authorized, at such time or times as he shall deem necessary, and upon a credit of not more than one year, to borrow any sum or sums not exceeding in the aggregate twenty thousand dollars, to be applied and used toward the payment of the expenses of the State, and that the faith of the State be, and the same is hereby pledged, for the payment of the said sum or sums of money so borrowed, with interest at the rate of six per centum per annum, and that the Treasurer shall receive for his services one-fourth of one per centum out of the money so obtained.

The Senate's amendment to the bill entitled, "An act for the protection of the Telegraph line," was read as follows, to wit:

IN SENATE, February 23, 1852.

Amend the bill by striking out all therein, after the enacting clause, and inserting in lieu thereof the following, viz: "That if any person or persons shall after the passing of this act, wilfully and maliciously cut down or injure any pole or poles, or shall cut in two or sever, break or displace any wire or wires of any Telegraph company in this State, so as to obstruct the communication of intelligence by the line of said company, every person so offending, shall forfeit and pay for the first offence the sum of twenty-five dollars, and for every subsequent offence the sum of fifty dollars; suits for the foregoing fines may be brought in the name of any agent of any such company, before any Justice of the Peace in the county where the offence shall be committed, or in his name and that of the informer, when the suit is commenced on the information of any other person than the said agent, in which last case the amount recovered shall be for the joint use of the said Telegraph company and such informer; if the suit be in the name of the agent alone, the amount recovered shall be for the use of said company. If judgment be rendered against the defendant there shall be no stay of execution, and further, if the plaintiff or plaintiffs or either of them, if two have joined in the action shall, at the time the judgment is rendered, make affidavit before the Justice that the defendant has not sufficient property in the county to satisfy the said judgment and costs, he shall commit the defendant to prison for the space of one month, and issue to a Constable a warrant for his commitment.

SECTION 2. *And be it further enacted,* That the wires of Telegraph companies shall in all cases be so attached to the poles as to be at least twelve feet above the ground, except when they enter a building, and if any agent of a company who has the supervision of a Telegraph line shall permit the wires to be less than this distance from the ground, for

a period of ten days after notice to him by a letter, placed in the Post office directed to him at the Post Office nearest his place of abode, he shall forfeit and pay to any one who will sue therefor, the sum of twenty dollars, to be recovered as debts of a like amount are recovered by the laws of this State.

Extract from the Journal.

WM. HUFFINGTON,

Clerk of the Senate.

On motion of Mr. Derrickson,

Chapter 103, "Of Bail," was read a second time by its title.

On motion of Mr. Martin,

Chapter 128, "Of offences against private property," was read a second time by its title.

Mr. Boulden from the Committee of Enrollment, reported the following bills as duly and correctly enrolled, viz :

"An act to enable Elihu Jefferson of the town of New Castle, to wharf out into the river Delaware at the said town of New Castle."

"An act to divorce Abraham Marvel and Nancy Marvel, late Nancy Baker, from the bonds of matrimony."

"An act in relation to School district No. 5, in Kent county."

Mr. Harper offered the following resolution, which,

On his motion,

Was read as follows, and

Adopted :

Resolved, That a committee of three be appointed on the part of the House, to act with a like committee of two on the part of the Senate, upon the subject of the disagreement of the two Houses in relation to chapter 85, "Of Intestate's Real Estate."

Whereupon,

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

On motion of Mr. Boys,

The amendment of the Senate to the bill entitled, "An act for the protection of the Telegraph Line," was

Concurred in.

On motion of Mr. Boys,

The Senate's amendment to the resolution appointing a committee to wait upon Joseph P. Comegys, Esquire, and invite him to read Washington's Farewell Address, was

Concurred in.

On motion of Mr. Derrickson,

Chapter 103, "Of Bail," was read, by special order, a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Martin,

Chapter 128, "Of offences against private property," was read, by special order, a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had non-concurred in the House's amendment to Joint resolution concerning the Boundary Survey.

Also, that the Senate had non-concurred in the amendments of the House to chapter 79, "Of Masters, Apprentices and Servants."

Mr. Lodge from the committee appointed to wait upon and invite Joseph P. Comegys, Esquire, to read Washington's Farewell Address, reported that the committee had discharged that duty, and that Mr. Comegys had accepted the invitation.

On motion of Mr. Harper,

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

Lost.

By yeas and nays, as follows, to wit:

Yeas.—Messrs. Harper, Powell, C. Smithers and Mr. Speaker. 4.

Nays.—Messrs. Boys, Boulden, Derrickson, Harrington, Hosea, Lodge, Martin, Newton, Rogers, Satterfield, and E. Smithers 11.

On motion of Mr. Harper,

The Clerk of the House was directed to inform the Senate that the House would be ready to receive the Senate in the Hall of the House to hear read Washington's Farewell Address, in ten minutes.

Which was done.

At the expiration of which time, the Senate preceded by their Speaker, and attended by their Clerk, appeared and took the seats prepared for their reception.

The two Houses being thus convened,

On motion of Mr. Jump, of the Senate.

The resolution convening the two Houses was read:

On motion of Mr. Phillips, of the Senate,

Joseph P. Comegys, Esquire, in pursuance of the resolution, proceeded to read the Farewell Address.

At its conclusion,

On motion of Mr. Sorden, of the Senate,

The Journals of the two Houses were read and compared.

On motion of Mr. Scribner, of the House,

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

On motion,

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

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

The House met pursuant to adjournment.

Mr. Harper from the committee of conference upon the subject of the disagreement of the two Houses relative to the House's amendment to chapter 85, "Of Intestate's Real Estate," reported that the committee on the part of the Senate had agreed to recommend to the Senate, to recede from its non-concurrence, and to concur in the same.

On motion of Mr. Martin,

The report was

Adopted.

Mr. Harper presented the account of S. Kimmey for Printing, which,

On his motion,

Was read and referred to the committee on accounts.

On motion of Mr. Martin,

The "Joint resolution authorizing and directing the State Treasurer to borrow money," was taken up for consideration, read, and

On motion of Mr. Boys,

Was

Postponed,

For further consideration.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House, that the Senate had passed and requested the concurrence of the House in the passage of, chapter 132, "Of offences against public policy."

On motion of Mr. Boys,

The said chapter was read.

On motion of Mr. Waples,

Chapter 132, was referred to a committee of three.

Whereupon,

Messrs. Waples, E. Smithers and Derrickson, were appointed said committee.

Mr. Scribner presented the claim of Samuel Brown, which,

On his motion,

Was read and referred to the committee on claims.

On motion of Mr. Harper,

The bill entitled, "A further additional supplement to the act entitled, 'An act to survey, lay out and regulate the streets in Smyrna, and for other purposes,'" was read, by special order, a second time by its title.

On motion of Mr. Harper,

The bill entitled, "An act in relation to what is now called the Mahon River Road company," was read a second time by special order,

On motion of Mr. Martin,

The bill entitled, "An act for the relief of Sandy Hitch," was read by special order, a second time by its title.

On motion of Mr. Harper,

The bill entitled, "An act in relation to School district No. 3, in Kent county," was read, by special order, a second time by its title.

On motion,

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

TUESDAY, 10 o'clock, A. M., February 24th, 1852.

The House met pursuant to adjournment.

On motion of Mr. Martin,

The "Joint resolution to authorize and direct the State Treasurer to borrow money," was taken up for consideration.

Mr. Boulden then offered the following amendment, which,

On his motion,

Was read as follows, and

Adopted:

Amend the resolution by striking out all after the words "per annum."

On motion of Mr. Martin,

The resolution as amended, was

Concurred in.

Ordered to be returned to the Senate.

On motion of Mr. Scribner,

Chapter 73, "Of the City of Wilmington," was taken up for consideration.

Mr. Scribner then offered the following amendment, which,

On his motion,

Was read, as follows, and

Adopted:

Amend chapter 73, by filling the blank in the second and third lines the words, "two hundred thousand dollars."

Also, by adding to the section the following, viz :

"*Provided*, That nothing in this section contained, shall impair or in any manner effect the authority to borrow for special objects granted to the Mayor and Council of Wilmington, by certain special acts, to wit: Twelve thousand dollars by section 2, of an act entitled, "An act to limit the City debt of Wilmington, and to provide for the discharge thereof," passed February 21, 1849; ten thousand dollars by "A supplement to said act," passed February 1, 1851; fourteen thousand dollars by an act entitled, "An act authorizing the funding of the floating debt of the city of Wilmington," passed January 29, 1852; and ten thousand dollars by an act entitled, "An act for the benefit of Public Schools in Wilmington," passed February 16, 1852.

On motion of Mr. Scribner,

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

Passed the House, two-thirds of the members of the whole

House voting therefor,

Ordered to be returned to the Senate.

On motion of Mr. Waples,

Chapter 132, "Of offences against public policy," was read a second time by its title.

On motion of Mr. Waples,

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

Passed the House.

On motion of Mr. Harper,

The bill entitled, "An act in relation to what is now called the Mahon River Road company," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

Mr. Martin from the committee to whom was referred the petition of C. S. Layton and others, reported a bill entitled, "An act authorizing the Levy Court of Sussex county to lease the old Jail in Georgetown in said county," which,

On his motion,

Was read,

When,

On his motion,

The said bill was read a second time, by special order, by its title.

On motion of Mr. Boys,

Chapter 80, "Of Slaves," was taken up for consideration.

On his motion,

The Senate's amendments to said bill were taken up separately, when the amendments Nos. 1, 5, 6 and 7, were

Concurred in.

* And the 2d, 3d and 4th amendments, were

Non-concurred in.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had adopted, and requested the adoption of the House, in a Joint resolution, voting the thanks of the two Houses to Joseph P. Comegys, Esquire.

And he withdrew.

On motion of Mr. Boulden,

The Joint resolution from the Senate was read, as follows, to wit:

Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the thanks of the Legis-

lature are hereby tendered to Joseph P. Comegys, Esquire, for the able and satisfactory manner, in which he read before the two Houses in Joint meeting on the 23d instant, the Farewell Address of Washington.

On motion of Mr. Harper,

The resolution was

Concurred in unanimously.

On motion of Mr. Chambers,

The bill entitled, "An act to change the name of Sowardtown to Hazletville," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Boys,

Chapter 80, "Of Slaves," was read a second time as amended, when;

On his motion,

Said chapter was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Harper,

The bill entitled, "A further additional supplement to the act entitled, 'An act to survey, lay out and regulate the streets in Smyrna, and for other purposes,'" was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Martin,

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

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Harper,

The bill entitled, "An act in relation to School districts No. 3, in Kent county," was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Harper presented the petition of J. C. Leatherbury, which,

On his motion,

Was read and referred to the committee on claims.

Mr. Boys presented the claim of Evans & Vernon for public printing, which,

On his motion,

Was read and referred to the committee on claims.

On motion of Mr. Harper,

The bill entitled, "An act to dispose of certain escheated Real and Personal Estate, late the property of Thomas Gibbs, (negro) deceased, of Kent county," was read a second time by its title, and

On his motion,

Was read a third time, by special order, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Chambers,

The bill entitled, "A further supplement to an act to restrain persons from suffering swine to go at large within certain limits," was read a second time by its title, when

On motion of Mr. Martin,

The bill was

Indefinitely Postponed.

Ordered that the Senate be informed thereof.

On motion of Mr. Chambers,

The bill entitled, "A supplement to the act entitled, 'An act to incorporate the Jordan's Branch Marsh company,'" was read a second time by its title.

On motion of Mr. Martin,

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

Passed the House.

By yeas and nays, as follows:

Yeas.—Messrs. Boys, Chambers, Harper, Harrington, Hosea, Newton, Powell, Scribner and E. Smithers. 9.

Nays.—Messrs. Boulden, Derrickson, Martin, Rogers, Satterfield, C. Smithers, Waples and Mr. Speaker. 8.

Ordered to the Senate for concurrence.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House's amendment to the "Joint resolution, to authorize and direct the Treasurer of the State to borrow money," with an amendment.

And he withdrew.

On motion of Mr. Boys,

The communication from the Senate was read, as follows to wit:

IN SENATE, February 24, 1852.

Amend the amendment of the House, by adding to said amendment these words, "and the State Treasurer shall receive one eighth of one per centum, for his services out of the money so obtained."

Extract from the Journal.

WM. HUFFINGTON,

Clerk of the Senate.

Mr. Boys moved,

That the amendment be concurred in:

Which motion,

Prevailed,

By yeas and nays, as follows:

Yeas.—Messrs. Boys, Derrickson, Harrington, Hosea, Martin, Newlon, Rogers, Satterfield, Scribner, Waples and Mr. Speaker. 11.

Nays.—Messrs. Boulden, Chambers, Harper, Powell, C. Smithers, and E. Smithers. 8.

Ordered that the Senate be informed thereof.

On motion,

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

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

The House met pursuant to adjournment.

On motion of Mr. Martin,

The bill entitled, "An act authorizing the Levy Court of Sussex county to lease the old Jail in Georgetown in said county," was read a third time, by special order, by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

Mr. Lodge offered the following resolutions, which,

On his motion,

Were read as follows, to wit:

Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the Clerk of the Peace of each county in this State be, and he is hereby authorized, to subscribe for one copy of each of the newspapers published in his county, and to have the same filed, bound and deposited in his office, for public reference.

Also resolved, That the State Librarian be, and he is hereby authorized, to subscribe for one copy of each of the papers published in the State, and to have the same bound, filed and deposited in the State Library, the copies, if such can be procured, to commence from the first of January, 1852, and the expenses to be paid from the State Treasury.

On motion of Mr. Lodge,

The said resolutions were then

Postponed,

Until to-morrow, for further consideration.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House, that the Senate had passed and requested the concurrence of the House, in the following bill and chapters of the revised code:

"A further supplement to the act entitled, 'An act to establish a company under the name of the Mispillion Navigation company.'"

Chapter 133, "General provisions concerning crimes and punishments."

" 106, "Of Pleadings and Practice in Civil Actions."

" 89, "Of the settlement of Personal Estates," with an amendment.

And he withdrew.

On motion of Mr. Rogers,

The communications from the Senate were read.

On his motion,

The Senate's amendment to chapter 89 was

Concurred in:

On motion of Mr. Boulden,

Chapter 133, was referred to a committee of three.

Whereupon,

Messrs. Boulden, Harper and Pride, were appointed such committee

On motion of Mr. Derrickson,
Chapter 106, was referred to a committee of three.

Whereupon,

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

Mr. Huffington, Clerk of the Senate, being admitted, informed the House, that the Senate had appointed a committee of conference on the subject of the disagreement of the two Houses, with regard to the House's amendment to chapter 80, "Of Slaves," and that the committee on the part of the Senate consisted of Messrs. Sorden and Temple.

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

He also informed the House, that the Senate had refused to concur in the passage of the bill entitled, "An act to divorce Eli Donovan and Margaret Donovan, late Margaret Coffin, from the bonds of matrimony."

And he withdrew.

On motion of Mr. Boys,

Chapter 86, "Of Joint Estates and Partition," was taken up and amended.

On motion of Mr. Newton,

Chapter 85, "Of Intestate's Real Estate," was taken up and amended.

Mr. Scribner offered the following resolution, which,

On his motion,

Was read as follows, and

Adopted:

Resolved, That a committee of conference be appointed to consist of three members on the part of the House, to act with a like committee of two on the part of the Senate, upon the subject of the disagreement of the two Houses in relation to chapter 79, "Of Master, Apprentice and Servant."

Whereupon,

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

On motion of Mr. Boys,

Chapter 125, "Of the Fees of Public Officers," was taken up and amended.

On motion of Mr. Boys,

Chapter 111, "Of Execution," was taken up for the consideration of the Senate's amendments thereto, and as the amendments were concurred in or non-concurred in, were endorsed by the Clerk accordingly.]

Mr. Boys offered an amendment to the Senates's amendment, which was read, adopted and endorsed accordingly.

On motion of Mr. Scribner,

The bill entitled, "A further supplement to the act entitled, 'An act to establish a company under the name of the Mispillion Navigation company,'" was read, by special order, a second time by its title.

Mr. Martin offered the following amendment to said bill, which,

On his motion,

Was read as follows :

Amend the bill by striking out of the first line of section 3, the name of "Hiram W. McColley," and insert in lieu thereof the name of "William V. Coulter."

Mr. Boulden moved,

To postpone the bill till to-morrow morning.

Which motion was

Lost.

Mr. Boys moved,

That the amendment be adopted.

Which motion,

Prevailed,

By yeas and nays, as follows, to wit :

Yeas.—Messrs. Boys, Derrickson, Harrington, Hosea, Lodge, Martin, Newton, Pride, Rogers, Satterfield, Scribner and Waples. 12.

Nays.—Messrs. Boulden, Chambers, Harper, Powell, C. Smithers, E. Smithers and Mr. Speaker. 7.

On motion of Mr. Boulden,

Chapter 133, "Of special provisions and penalties," was read a second time, by special order, by its title, and

On his motion,

Said chapter was read, by special order, a third time by paragraphs, and

Passed the House

Ordered to be returned to the Senate.

Mr. Boulden from the Committee of Enrollment, reported the following bill and resolution as duly and correctly enrolled :

"A supplement to an act entitled, 'An act exempting from execution, process and distress for rent, a certain amount of personal property.'"

"Joint resolution directing the State Treasurer to subscribe on behalf of the State to the capital stock of the Delaware Rail Road company."

Mr. C. Smithers moved,

That a committee of three on the part of the House be appointed, to confer with a like committee on the part of the Senate, upon the subject of the disagreement of the two Houses upon the House's amendment to chapter 80, "Of Slaves."

Whereupon,

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

On motion,

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

WEDNESDAY, 10 o'clock, A. M., February 25th, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Boulden moved,

That the ninth rule be suspended to enable him to introduce a bill,
Which motion, *Prevailed.*

Mr. Boulden then asked, and

On motion of Mr. Rogers,

Obtained leave to introduce a bill entitled, "An act to incorporate the town of Leipsic, and for other purposes," which,

On his motion,

Was read.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the "Joint resolution of adjournment sine die," with an amendment.

And he withdrew.

On motion of Mr. Boulden,

The amendment to said resolution, was read, as follows :

IN SENATE, February 25, 1852.

Amend the resolution by striking out the words, "Wednesday the 25th," and substitute, "Friday the 27th."

Extract from the Journal.

WM. HUFFINGTON,

Clerk of the Senate.

On motion of Mr. Newton,

The amendment was

Concurred in.

Mr. Boulden moved,

That the ninth rule be suspended in order to enable him to introduce a bill.

Which motion

Prevailed.

Mr. Boulden then asked, and

On motion of Mr. Harper,

Obtained leave to introduce a bill entitled, "An act to prevent the circulation of certain small notes of foreign Banks," which,

On his motion,

Was read.

On motion of Mr. Scribner,

The bill entitled, "A further supplement to the act entitled, 'An act to establish a company under the name of the Mispillion Navigation company,'" was read a third time by paragraphs, and

Passed the House, two-thirds of the whole House having voted therefor.

Mr. Harper presented the claim and account of John McDonnell, which,

On his motion,

Was read and referred to the committee of claims and accounts respectively.

On motion of Mr. Derrickson,

Chapter 106, "Of Pleadings and Practice in Civil Actions," was read a second time by its title, and

On his motion,

The Senate amendments were read and

Concurred in.

On his motion,

Also, the said chapter was then read, by special order, a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

Mr. Newton offered the following Joint resolution, which,

On his motion,

Was read as follows, to wit:

Resolved by the Senate and House of Representatives of the State

of Delaware, in General Assembly met, That while the people of the State of Delaware sympathise with all nations who are striving to establish free governments, yet they recognize the great principle of the law of nations, which assures to each of them, the right to manage its own internal affairs in its own way, and to establish, alter, or abolish its government at pleasure, without the interference of any other power, and they have now seen and are firmly convinced that the United States Government ought not again to see without deep concern, the violation of this principle of "National Independence."

Resolved, That our Senators in Congress be, and they are hereby instructed, and our Representative be, and he is hereby requested, to urge upon Congress the adoption of a resolution, expressive of the principle of National Independence, as laid down in the foregoing resolution.

Resolved, That copies of these resolutions be signed by the Speakers of both Houses respectively, and transmitted by them to each of the Senators and the Representative of this State, in the Congress of the United States, to be laid before their respective houses.

Mr. Newton moved,

That the resolution lie over till to-morrow, for further consideration.

Which motion

Prevailed.

Mr. Boulden from the Committee of Enrollment, reported the following bills as duly and correctly enrolled :

"Joint resolution requesting our Senators and Representative in Congress, to urge an appropriation for Fort Delaware."

"An act to authorize and empower the Levy Court and Court of Appeal of New Castle county, to erect a Pivot Bridge or Draw Bridge over Appoquinimink Creek in New Castle county."

"An act to incorporate the Trustees and Proprietors of the Smyrna Union School."

"An act allowing an additional Notary Public to North West Fork Hundred in Sussex county."

"An act to create an additional School district in Kent county."

Mr. Lodge from the Committee of Enrollment, reported the following bill as duly and correctly enrolled :

"An act to incorporate the Wilmington Plank Road company."

On motion of Mr. Boulden,

The bill entitled, "An act to prevent the circulation of certain small Notes of Foreign Banks," was read a second time, by special order.

Mr. Martin moved,

That the ninth rule be suspended to enable him to introduce a bill.

Which motion

Prevailed.

Mr. Martin then asked, and

On motion of Mr. Scribner,

Obtained leave to introduce a bill entitled, "An act to amend the act passed at the present session of the General Assembly entitled, 'An act for the benefit of the State of Delaware,'" which,

On his motion,

Was read.

On motion of Mr. Chambers,

The bill entitled, "A supplement to the act entitled, 'An act to incorporate the Jordan's Branch Marsh company,'" was read a third time by paragraphs, and

Passed the House, two-thirds of the whole House having voted therefor.

Ordered to be returned to the Senate.

On motion of Mr. Boulden,

The bill entitled, "An act to prevent the circulation of certain small Notes of Foreign Banks," was read, by special order, a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. C. Smithers,

The bill entitled, "An act to incorporate the town of Leipsic and for other purposes," was read, by special order, a second time by its title.

On motion of Mr. Derrickson,

Chapter 119, "Of Ejectment," was read a third time by paragraphs, and

Passed the House.

Ordered to be returned to the Senate.

On motion of Mr. Martin,

The bill entitled, "An act to amend the act passed at the present session of the General Assembly entitled, 'An act for the benefit of the State of Delaware,'" was, by special order, read a second time by its title.

On motion,

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

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

The House met pursuant to adjournment.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in the passage of, chapter 99, "Of the jurisdiction of Justice's in civil cases of Debt."

He also returned sundry enrolled bills which had received the signature of the Speaker of the Senate.

On motion of Mr. Waples,

The communications from the Senate were read.

On motion of Mr. Boys,

Chapter 99, was referred to a committee of three.

Whereupon,

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

On motion of Mr. C. Smithers,

The bill entitled, "An act to incorporate the town of Leipsie and for other purposes," was read, by special order, a third time by paragraphs, and

Passed the House, two-thirds of the whole House having voted therefor.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House amendment to chapter 111, "Of Execution," with an amendment.

Also, that the Senate had passed and requested the passage by the House of a bill entitled, "An act granting certain portions of Marsh to the Delaware Rail Road company."

And he withdrew.

On motion of Mr. Boys,

The communications from the Senate were read, and

On his motion,

Also, the amendments of the Senate to chapter 111, were

Concurred in.

Mr. Harper presented the claim of J. B. Smith, P. M., for postage on official letters and papers, which,

On his motion,

Was read and referred to the committee on claims.

On motion of Mr. Boys,

The amendments of the Senate to chapter 99, "Justice's jurisdiction of Civil Actions of Debt," were

Concurred in.

The said chapter was then,

On his motion,

Read a second time by title, by special order, and

On his motion,

The said chapter was then read, by special order, a third time by title and

Passed the House.

On motion of Mr. Lodge,

The Joint resolution directing the Clerk of the Peace for each county, to subscribe for, and file in his office the newspapers of his county, &c., was taken up, put upon its final passage, and was

Lost:

On motion,

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

THURSDAY, 11 o'clock, A. M., February 26th, 1852.

The House met pursuant to adjournment.

Prayer by the Chaplain:

On motion of Mr. Scribner,

Chapter 123, was taken up for consideration, the Senate amendment read and reconsidered, when,

On his motion,

The said amendment was

Concurred in.

Ordered that the Senate be informed thereof.

Mr. Huffington, Clerk of the Senate, being admitted, informed the

House that the Senate had appointed a committee of conference on the part of the Senate upon the subject of the disagreement of the two Houses in the amendments to chapter 79. Senate committee, Messrs. Smith and Sorden.

And he withdrew.

Mr. Smith of the Senate, being admitted, returned sundry enrolled bills, which had received the signature of the Speaker of the Senate.

And he withdrew.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House, that the Senate had receded from its amendment to the bill entitled, "An act to amend the act entitled, 'An act to incorporate the Cape Henlopen Sea Bathing and Steamboat company.'"

And he withdrew.

On motion of Mr. Newton,

The "Joint resolutions upon the subject of the interference of one Government in the affairs of another," were taken up for consideration.

Mr. Newton moved,

That the said resolutions be adopted,

Which motion,

Prevailed unanimately.

Ordered to the Senate for concurrence.

Mr. Boulden from the Committee of Enrollment, reported the following bills as duly and correctly enrolled :

"An act concerning the division of School districts, Nos. 54, 62 and 63, in Sussex county."

"An act to incorporate the Odd Fellow's Library company."

"A supplement to the act entitled, 'An act constituting the Commissioners of the town of New Castle, Trustees of the Free Burying Ground of the Poor in said Town.'"

"A further supplement to the act entitled, 'An act to authorize the construction of a Rail Road from the town of New Castle to the City of Wilmington.'"

"An act to incorporate Jefferson Lodge, No. 15, of Ancient York Masons, Lewes, Delaware."

"A supplement to the act entitled, 'An act to incorporate the Hudson Branch Ditch company.'"

"An act to authorize the Levy Court to purchase the Turnpike Road from Wilmington to Christiana Village."

On motion of Mr. Scribner,

Chapter 52, "Of Free Negroes and Mulattoes," was taken up for consideration.

Mr. Scribner then offered the following amendment, which,

On his motion,

Was read, as follows, and

Adopted:

Amend chapter 52, by striking from the first section the words in parenthesis, ("except the issue of such as are lawfully residing here.")

Mr. Rogers presented the claim of D. B. Tinker, which,

On his motion,

Was read and referred to the committee on claims.

On motion of Mr. Martin,

The bill entitled, "An act to amend the act passed at the present session of the General Assembly entitled, 'An act for the benefit of the State of Delaware,'" was read a third time by paragraphs, and

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Scribner,

The bill entitled, "An act granting certain portions of Marsh to the Delaware Rail Road company," was read a second time by its title, when,

On his motion,

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

Passed the House:

Ordered to be returned to the Senate.

Mr. Martin moved,

That the ninth rule be suspended to enable him to introduce a bill.

Which motion,

Prevailed.

Mr. Martin then asked, and

On motion of Mr. Scribner,

Obtained leave to introduce a bill entitled, "A further supplement to the act entitled, 'An act to incorporate the Delaware Rail Road company,'" which,

On his motion,

Was read.

Mr. Scribner presented the claim of George B. Dickson, for stationery &c., which,

On his motion,

Was read and referred to the committee on claims.

Mr. C. Smithers presented the remonstrances of the Commissioners of the Delaware Rail Road company and others, to the bill now before the House entitled, "A further supplement to the act entitled, 'An act to incorporate the Delaware Rail Road company,'" which,

On his motion,

Was read.

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

"An act to incorporate the Town of Leipsic and for other purposes."

"An act to prevent the circulation of certain small Notes of Foreign Banks," with an amendment, which,

On motion of Mr. Boulton,

Was read as follows, and

Adopted:

IN SENATE, February 26, 1852.

Amend the bill by striking out the word "twenty," in the tenth line of the first section, and insert in lieu thereof the word "ten."

Extract from the Journal.

WM. HUFFINGTON,

Clerk of the Senate.

Mr. Lodge of the Committee of Enrollment, reported the following bills as duly and correctly enrolled, viz :

"An act to incorporate the Leipsic Steamboat Navigation company."

"An act to authorize the Clerk of the Orphan's Court of Sussex county to procure a new Seal of office."

"An act more effectually to prevent Swine from running at large within certain limits in Murderkill Hundred."

Mr. Huffington, Clerk of the Senate, being admitted, presented for concurrence an amendment to chapter 51, "General provisions respecting Police."

And he withdrew.

On motion of Mr. Boys,

The said amendment was read, and

Postponed,

Until this afternoon, for further consideration.

On motion,

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

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

The House met pursuant to adjournment.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House's amendment to the bill entitled, "An act to establish a company under the name of the Mispillion Navigation Company,"

And he withdrew.

On motion of Mr. Waples,

Chapter 51, "General provisions respecting Police," was taken up for the consideration of the Senate's amendment thereto.

On motion of Mr. Waples,

The said amendments were read, and

Concurred in.

Ordered that the Senate be informed thereof.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had amended the House amendment to chapter 43, "Of Free Schools."

And he withdrew.

On motion of Mr. Harper,

The communication from the Senate was read.

Mr. Chambers moved,

That the Senate's amendment to said chapter be non-concurred in,

Which motion

Prevailed.

On motion of Mr. Martin,

The bill entitled, "A further supplement to the act entitled, 'An act to incorporate the Delaware Rail Road company,'" was, by special order, read a second time by its title.

Mr. C. Smithers presented the resolution of the Dona Steamboat and Transportation company, releasing to the Delaware Rail Road a certain tract of Salt Marsh, which,

On his motion,

Was read.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had adopted a "Joint resolution in relation to the Revised Code."

Also, a "Joint resolution appointing George B. Dickson to furnish

fuel, stationery, &c., for the next session of the Legislature and for the Convention."

And he withdrew.

On motion of Mr. Harper,

The communications from the Senate were read; as follows, to wit:

Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the several chapters of the Revised Code be referred to the Joint committee upon the Code, heretofore appointed, with instructions to examine whether the parts amended by the Legislature have been correctly transcribed with the amendments incorporated, and if so, that the said chapters be by said committee reported, with an enacting clause, as the Revised Code of this State to the Senate, to be finally acted upon by that body; and if passed by the Senate, the same shall be transmitted to the House of Representatives to be finally acted upon by that body.

When the Revised Code has been finally passed, each chapter shall be endorsed with the signature of the Speaker of each House; and the whole Code shall be signed by them as Acts of Assembly usually are.

Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That George B. Dickson be, and he is hereby authorized and requested, to purchase the necessary Stationery, Coal, Wood, Oil and Candles for the next Legislature; and also to provide the same for the Convention which sits in December, to Revise the Constitution; and the State Treasurer is hereby directed to pay to the said George B. Dickson, or his order, the sum of one hundred and fifty dollars, to enable him to carry the provisions of this resolution into effect; and the said George B. Dickson is hereby directed to present his accounts and vouchers to the next session of the Legislature for allowance.

On motion of Mr. Boys,

Chapter 134, "Of the repeal of the Statutes herein revised," was read.

On motion of Mr. Martin,

The said chapter was referred to a committee of three.

Whereupon,

Messrs. Martin, Boys and Chambers were appointed said committee.

On motion of Mr. Martin,

Said chapter, 134, was then read, by special order, a second time by its title, and

On his motion,

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

Passed the House.

Ordered to the Senate for concurrence.

Mr. Huffington, Clerk of the Senate, being admitted, informed the House that the Senate had adopted a Joint resolution, and requested the concurrence of the House in the same, in relation to the Washington Monument.

And he withdrew.

On motion of Mr. Newton,

The communication from the Senate was read, as follows, to wit :

WHEREAS, In the year 1849, the Board of Managers of the Washington National Monument Association did publish their circular, stating that they would be pleased to receive a Block of Marble, Granite or other suitable stone, from each State in the Union, with the name of such State thereon engraved, which Block should be placed in an appropriate position in the Monument, and in the order of preference in which such stone should be received. *And whereas*, in pursuance of said circular, a public meeting was held in the City of Wilmington, at which Dr. J. W. Thomson, William R. Sellars, William Chandler, Samuel Canby and John Jones were appointed a committee to procure said block and Collectors to procure subscriptions to defray the expenses.

And whereas, The said committee did immediately procure from the banks of the Brandywine and near the Brandywine Battle Ground, a Block of Granite and caused the same to be properly prepared and decorated on the face, with a medallion bust of Washington and the figures "1849" in bold relief; and also, to be inscribed thereon the word "Delaware," with the motto, "The first to adopt, will be the last to abandon the Constitution:" which block with marble casings now occupies its destined position in the obelisk. *And whereas*, sufficient funds have not been contributed to defray the expenses of procuring and placing the said block in its position, but the sum of yet remains due and unpaid.

Therefore be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, That this Legislature does hereby accept the said Block and recognize the same as the contribution of the State of Delaware, to the Monument now being erected to the memory of Washington.

2. *Resolved*, That the State Treasurer be, and he is hereby authorized and directed, to pay the sum of two hundred and fifty dollars to the following persons and in the following proportions :

To William Chandler, or order,
 " Thomas Smith, or order,
 " John Jones, or order,

\$145

30

75

—
 \$250

Mr. Newton moved,
 That the said resolutions be concurred in,