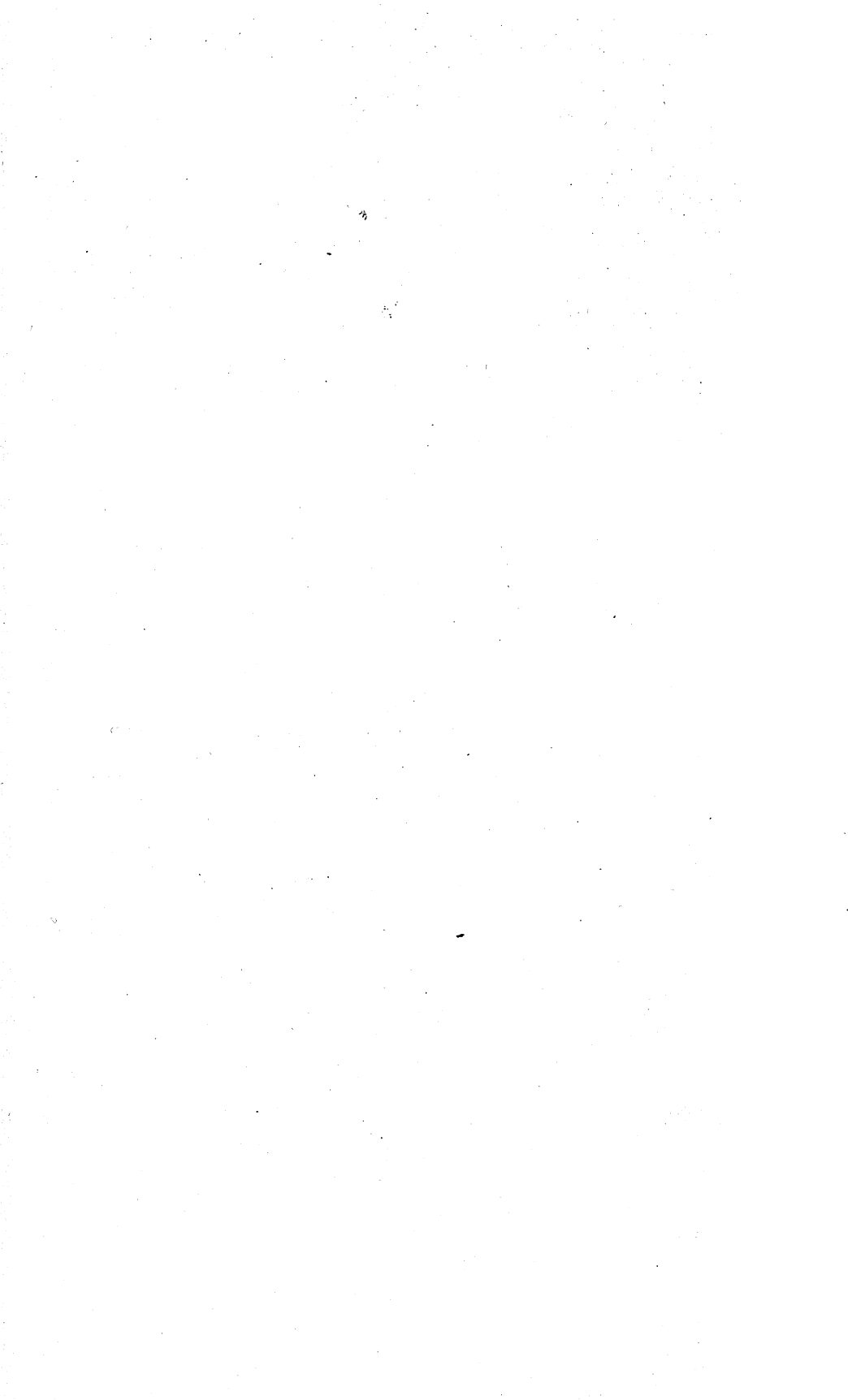




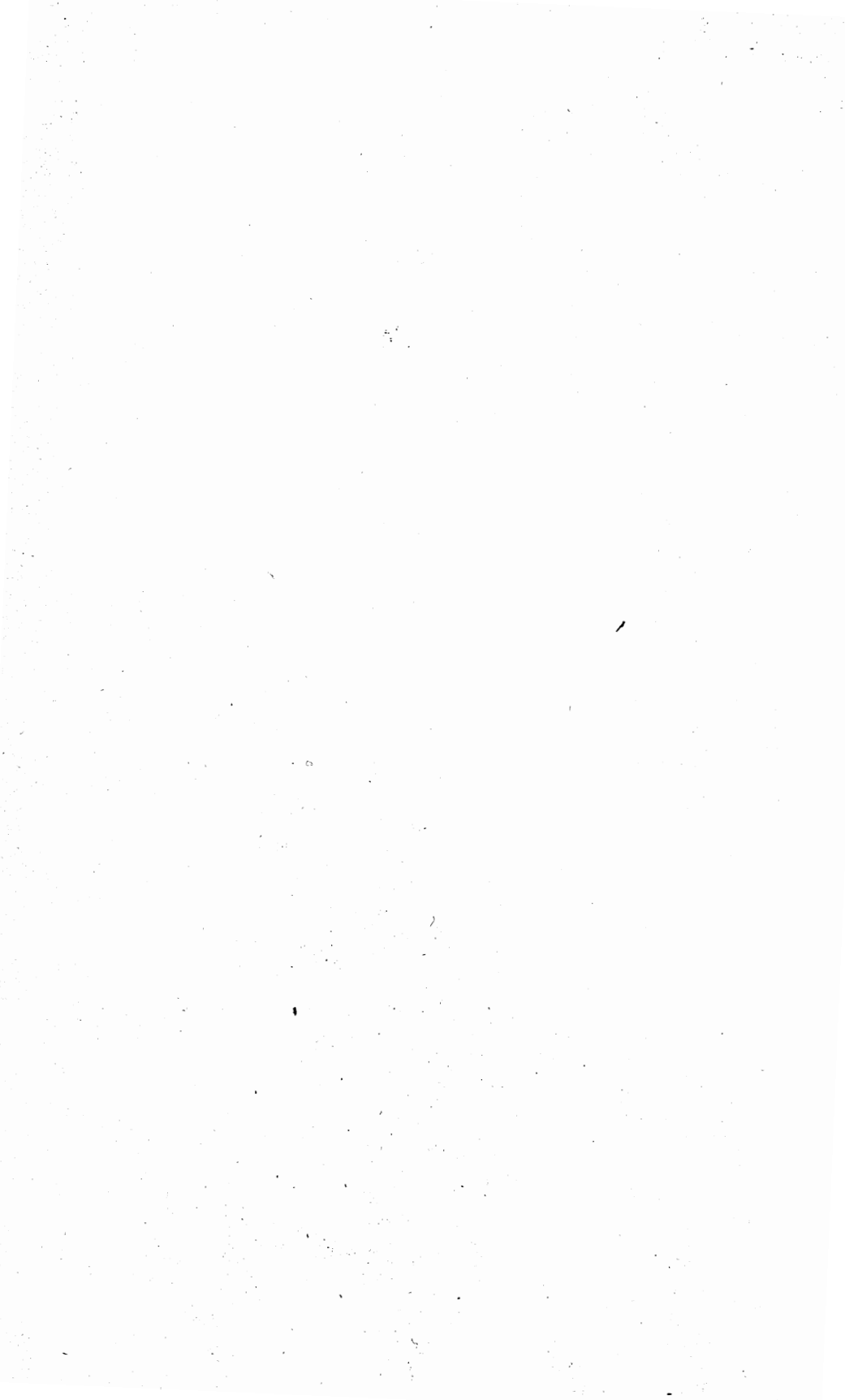


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STATE OF DELAWARE.

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# Journal of the Senate

AT A SESSION OF THE

## General Assembly

CONVENED AND HELD AT DOVER, ON TUESDAY, THE  
THIRD DAY OF JANUARY, IN THE YEAR OF OUR LORD  
ONE THOUSAND EIGHT HUNDRED AND NINETY-  
NINE, AND OF THE INDEPENDENCE OF  
THE UNITED STATES, THE ONE HUN-  
DRED AND TWENTY-THIRD.

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1899:  
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may 21, 1930

# OFFICERS AND MEMBERS OF THE STATE SENATE.

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PRESIDENT,

CHARLES H. SALMON, Summitt Bridge, New Castle Co.

CLERK,

C. W. KENNEY, Laurel, Sussex Co.

READING CLERK,

THOMAS G. BAXTER, Kent Co.

SERGEANT-AT-ARMS,

STOCKLEY DANIELS, New Castle Co.

CHAPLAIN,

REV. LOUIS RANDALL, Kent Co.

PAGE,

WILLIE WALLS, Kent Co.

MEMBERS,

JOHN PYLE, New Castle Co.....	Wilmington
CHARLES H. SALMON, New Castle Co .....	Summit Bridge
GEORGE M. D. HART, New Castle Co .....	Townsend
SAMUEL M. KNOX, New Castle Co... ..	Wilmington
WEBSTER BLAKELY, New Castle Co.....	Henry Clay
JAMES M. SHAKESPEARE, New Castle Co .....	Marshallton
ROBERT McFARLIN, New Castle Co. ....	Farnhurst
SAMUEL R. MEREDITH, Kent Co.....	Willow Grove
J. F. ALLEE, Kent Co. ....	Dover
STEPHEN SLAUGHTER, Kent Co.....	Dover
ROBERT H. LEWIS, Kent Co.....	Dover
S. J. ABBOTT, Kent Co .....	Milford
W. T. MOORE, Sussex Co.....	Bethel
ELISHA H. F. FARLOW, Sussex Co.....	Laurel
FRANKLIN C. MAULL, Sussex Co....	Lewes
SIMEON S. PENNEWILL, Sussex Co.....	Greenwood
ISAIAH J. BRASURE, Sussex Co.....	Selbyville



State Doc.

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1899

# JOURNAL

## OF THE

# STATE SENATE.

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Dover, Delaware, January 3, 1899.

At a session of the General Assembly of the State of Delaware, convened and held at Dover, on Tuesday, the third day of January, in the year of our Lord one thousand eight hundred and ninety-nine, and of the independence of the United States, the one hundred and twenty-third,

Messrs. John Pyle, Charles H. Salmon, George M. D. Hart, Samuel M. Knox, Webster Blakely, James M. Shakespeare and Robert McFarlin

Of New Castle County, and

Messrs. Samuel R. Meredith, J. F. Allee, Stephen Slaughter, Robert H. Lewis and S. J. Abbott

Of Kent County, and

Messrs. Wm. T. Moore, Elisha H. F. Farlow, Franklin C. Maull, Simeon S. Pennewill and Isaiah J. Brasure

Of Sussex County

Appeared and took their seats.

Secretary of the Senate, Simon P. Doherty called the Senate to order.

Mr. Moore nominated Mr. Pyle for temporary chairman.

There being no other nominations, and

Mr. Pyle having received the unanimous vote of the Senate was declared duly elected as temporary chairman.

On motion of Mr. Meredith,

Mr. Farlow was chosen temporary secretary of the Senate.

The certificates of election of the several Senators were presented and read.

By the certificate of returns, approved by the Judges of the Superior Court of New Castle county, it appeared that on the Tuesday next after the first Monday in the month of November last at the several and respective places appointed by law for the holding of the election in and for said county, Samuel M. Knox, Robert McFarlin, Webster Blakely and George M. D. Hart were duly chosen to represent the said county in the Senate of the State of Delaware for the ensuing term of four years.

And James M. Shakespeare and Charles H. Salmon were duly chosen to represent the said county in the Senate of the State of Delaware for the ensuing term of two years.

By the certificate of returns approved by the Judges of the Superior Court of Kent County, it appeared that on the Tuesday next after the first Monday in the month of November last at the several and respective places appointed by law for the holding of the election in and for said county, Sylvester John Abbott, Stephen Slaughter and James Frank Allee were duly chosen to represent the said county in the Senate of the State of Delaware for the ensuing term of four years.

And Robert H. Lewis was duly chosen to represent the said



county in the Senate of the State of Delaware for the ensuing term of two years.

By the certificate of returns approved by the Judges of the Superior Court of Sussex County it appeared that on the Tuesday next after the first Monday in the month of November last at the several and respective places appointed by law for the holding of the election in and for said county, Simeon S. Pennewill, Franklin C. Maull and Dr. Elisha H. F. Farlow were duly chosen to represent the said county in the Senate of the State of Delaware for the ensuing term of four years,

And Isaiah J. Brasure was duly chosen to represent the said county in the Senate of the State of Delaware for the ensuing term of two years.

On motion of Mr. Moore, the Senate proceeded to elect, by ballot, a President pro tempore.

Mr. Meredith nominated Charles H. Salmon of New Castle County.

Mr. Abbott nominated Webster Blakely of New Castle County.

On motion, the temporary chairman was directed to appoint two tellers.

The temporary chairman appointed Messrs. Lewis and Allee as tellers.

Upon the votes being counted it was found that

Charles H. Salmon had received nine votes, and

Webster Blakely had received seven votes, and

One blank ballot appeared.

Whereupon the temporary chairman declared that Charles

H. Salmon, having received a majority of all the votes cast, was duly elected President pro tempore of the Senate.

The temporary chairman appointed Messrs. Knox and Moore a committee to conduct the President pro tempore-elect to the chair.

Mr. Salmon, the President pro tempore-elect, was conducted to the chair by the committee appointed for that purpose.

The President pro tempore and members elect were then qualified according to the Constitution of the State and the provisions of the act of Congress entitled

"An act to regulate the time and manner of administering certain oaths,"

As appears by the following certificate, to wit:

I, John Pyle, a member of the Senate of the State of Delaware, from the County of New Castle, do hereby certify that Charles H. Salmon, a member of the Senate from New Castle County, was, previous to taking his seat as President pro tempore, duly sworn by me to support the Constitution of the United States, to support the Constitution of the State of Delaware, and to perform the duties as President pro tempore of the Senate of the said State with fidelity.

And I, Charles H. Salmon, President pro tempore of the Senate of the State of Delaware, do hereby certify that George M. D. Hart, Samuel M. Knox, Webster Blakely, James M. Shakespeare and Robert McFarlin, all of New Castle County, members elect and present of the Senate, were, previous to entering upon any other business and previous to taking their seats, sworn by me, in due form of law, that they and each of them would respectively support the Constitution of the United States, support the Constitution of the State of Delaware, and perform their duties as members of the General Assembly of the said State with fidelity.

And I, Charles H. Salmon, President pro tempore of the Senate of the State of Delaware, do hereby certify that Stephen Slaughter, Robert H. Lewis, J. F. Allée and S. J. Abbott, all of Kent County, members elect and present of the Senate, were, previous to entering upon any other business, and previous to taking their seats, sworn by me, in due form of law, that they and each of them would respectively support the Constitution of the United States, support the Constitution of the State of Delaware, and perform their duties as members of the General Assembly of the said State with fidelity.

And I, Charles H. Salmon, President pro tempore of the Senate of the State of Delaware, do hereby certify that Elisha H. F. Farlow, Franklin C. Maull, Simeon Pennewill and Isaiah J. Brasure, all of Sussex County, members elect and present of the Senate, were, previous to entering upon any other business, and previous to taking their seats, sworn by me in due form of law that they and each of them would respectively support the Constitution of the United States, support the Constitution of the State of Delaware, and perform their duties as members of the General Assembly of the said State with fidelity.

Witness our hands this third day of January, in the year of our Lord one thousand eight hundred and ninety-nine.

JOHN PYLE,  
CHARLES H. SALMON.

On motion of Mr. Farlow the Senate proceeded, by ballot, to elect a Secretary.

Mr. Moore nominated C. W. Kenney of Sussex County.

Mr. Abbott nominated Frank Davis of Kent County.

The President pro tempore appointed as tellers Messrs. Moore and Brasure.

Upon the votes being counted it was found that

C. W. Kenney had received nine votes, and

Frank Davis had received eight votes.

Whereupon the President pro tempore of the Senate declared that C. W. Kenney having received a majority of all the votes cast, was duly elected Secretary of the Senate.

The President pro tempore of the Senate appointed Messrs. Allee and Maull a committee to wait upon and inform him of his election, and to conduct him to the Senate chamber.

Mr. Kenney, being introduced, was duly qualified and assumed the duties of his office.

On motion of Mr. Meredith, the Senate proceeded to elect, by ballot, a Reading Clerk.

Mr. Lewis nominated Thomas G. Baxter of Kent County.

Mr. Brasure nominated E. C. Johnson of Sussex County.

The President pro tempore appointed as tellers Messrs. Meredith and Brasure.

Upon the votes being counted it was found that Thomas G. Baxter had received nine votes, and

E. C. Johnson had received eight votes,

Whereupon the President pro tempore of the Senate declared that Thomas G. Baxter, having received a majority of all the votes cast, was duly elected Reading Clerk of the Senate.

The President pro tempore of the Senate appointed Messrs. Slaughter and Hart as a committee to notify him of his election, and conduct him to his seat.

Mr. Baxter, having appeared, was introduced, and, after being duly qualified, assumed his duties.

On motion of Mr. Hart the Senate proceeded to elect by ballot, a Sergeant-at-Arms.

Mr. Pyle nominated Stockley Daniels of New Castle County.

Mr. Allee nominated John Montague of Kent County.

The President pro tempore appointed Messrs. Shakespeare and Pyle as tellers.

Upon the votes being counted it was found that Stockley Daniels had received nine votes, and

John Montague had received eight votes,

Whereupon the President pro tempore of the Senate declared that Stockley Daniels, having received a majority of all the votes cast, was duly elected Sergeant-at-Arms of the Senate.

The President pro tempore appointed Messrs. Hart and McFarlin as a committee to notify Mr. Daniels of his election and induct him into the duties of his office.

Mr. Daniels, having been introduced and duly qualified, assumed the duties of his office.

On motion of Mr. Slaughter Willie Walls was appointed Messenger of the Senate.

Mr. Pyle moved that Rev. Louis Randall be requested to officiate as Chaplain of the Senate.

Which motion

Prevailed.

The President pro tempore of the Senate appointed Messrs. Pyle and Meredith to notify Mr. Randall of the action of the Senate.

On motion of Mr. Maull the rules governing the last session were adopted until new rules shall have been reported.

Mr. Farlow offered the following resolution:

"Be it resolved by the Senate of the State of Delaware that the Clerk be and is hereby authorized to order two daily papers of their choice, and one weekly paper from each county for each member."

Which, on his motion,

Was read.

And, on motion of Mr. Allee,

Was

Adopted.

On motion of Mr. Pyle the Secretary of the Senate was instructed to notify the House that the Senate was organized and ready to transact business.

Mr. Kenney, Secretary of the Senate, reported that the House

Had not effected an organization, and that he was refused recognition.

Mr. Moore offered the following Senate resolution, entitled

"Resolved, That the following committees be appointed by the chair to act as Standing Committees, to wit:

A Committee on Corporations,

A Committee on Cities and Towns,

A Committee on Enrolled Bills,

A Committee on Elections,

A Committee on Accounts,

A Committee on Claims,

A Committee on Finance,

A Committee on Vacant Lands,

A Committee on Judiciary,

A Committee on Revised Statutes,

A Committee on Agriculture,

A Committee on Printing,

A Committee on Education,

A Committee on Fish, Oysters and Game."

Which, on his motion,

Was read,

And, on motion of Mr. Lewis,

Was Adopted.

Mr. Meredith offered the following resolution:

"Be it resolved by the Senate of the State of Delaware that the President pro tem authorize the Clerk by written order to procure stamps, stamped wrappers and postal cards for the use of the Senate,"

Which, on his motion,

Was read,

And, on motion of Mr. Abbott,

Was Adopted.

Mr. Maull moved that the Senate elect an attorney,

And placed A. F. Polk of Sussex County in nomination.

Mr. Abbott nominated M. T. Smithers of Kent County.

Mr. Lewis moved that further consideration of the matter be deferred until some future day,

Which motion Prevailed.

Mr. Brasure asked the privilege of filing documents in the contest of Hiram R. Burton to the seat of Mr. Maull.

On motion of Mr. Pyle the documents

Were referred to the Committee on Elections (to be appointed.)

Mr. Pyle moved that a standing committee on rules be named at once by the President pro tempore of the Senate.

Which motion Prevailed.

Thereupon the President pro tempore of the Senate appointed as such committee Messrs. Pyle, Farlow, Knox, Hart and Pennewill.

On motion the Senate took a recess until 3 o'clock, P. M.

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Same Day—3 o'clock, P. M.

Senate reassembled at expiration of recess.

The President pro tempore announced that documents re-



plying to Hiram R. Burton's contest for the seat of Mr. Maull were in his hands for the action of the Senate.

Mr. Pyle moved that they be referred to the Committee on Elections (to be appointed),

Which motion Prevailed.

Mr. Pyle offered the following resolution:

"Resolved, That the Clerk of the Senate be and he is hereby directed to furnish each member of the Senate with a copy of the Revised Code, and Volume 18 of the Laws of Delaware."

Which, on his motion,

Was read,

And, on motion of Mr. Blakely,

Was Adopted.

Mr. Pyle gave notice that on to-morrow or some future day he would ask leave to introduce a bill entitled

Senate Bill No. 1, entitled

"An act in relation to water taxes in the city of Wilmington."

Mr. Pyle offered a Senate joint resolution

Senate Joint Resolution No. 1, entitled

"Senate joint resolution appointing a joint committee to wait upon the Governor and notify him of the organization of the General Assembly."

Which, on his motion

Was read,

And, further on his motion,

Was

Adopted.

Mr. Knox offered the following resolution:

"Be it resolved by the Senate of Delaware

"That the Secretary of the Senate be and is hereby authorized to have printed for the use of the Senate, the necessary blanks, form and record books,"

Which, on his motion,

Was read,

And, further on his motion,

Was

Adopted.

On motion the Senate adjourned until 11 o'clock, A. M., tomorrow.

Wednesday, January 4, 1899—11 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Allee, Brasure, Blakely, Farlow, Hart, Knox, Lewis, Maull, Moore, Meredith, McFarlin, Pyle, Pennewill, Slaughter, Shakespeare, Mr. President pro tem.

Journal read and approved.

On motion of Mr. Hart the Senate took a recess until 3 o'clock, P. M.

Same Day—3 o'clock, P. M.

Senate reassembled at the expiration of the recess.

Mr. Pennewill offered the following Senate resolution:

“Be it resolved by the Senate of the State of Delaware that the Secretary of the Senate be authorized to procure for the use of

the officers and members of the Senate copies of Smith's Diagram of Parliamentary Rules,"

Which, on his motion,

Was read,

And, further on his motion,

Was

Adopted.

Mr. Farlow offered a Senate resolution entitled

"Senate resolution authorizing the appointment of the standing committees of the Senate,"

Which, on his motion,

Was read,

And, on motion of Mr. Meredith,

Was

Adopted.

Mr. Moore offered the following Senate resolution:

"Resolved, That the privileges of the floor be accorded to ex-members of the Senate, members and ex-members of the House of Representatives, Governor and other State officials, members of the bar, women and representatives of the press."

Which, on his motion,

Was read,

And, on motion of Mr. Pyle,

Was

Adopted.

On motion of Mr. Knox the Senate adjourned until 11 o'clock, A. M., to-morrow.

Thursday, January 5, 1899—11 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs, Abbott, Allee, Brasure, Blakely, Farlow, Hart, Knox, Lewis, Maull, Moore, Meredith, McFarlin, Pyle, Pennewill, Slaughter, Shakespeare, Mr. President pro tem.

Journal read and approved.

Mr. Moore offered the following Senate resolution:

“Be it resolved by the Senate of the State of Delaware that it is the sense of this body that the senior Senator shall devote the time going to waste while waiting for the organization of the House, to addresses of instruction concerning the methods of practical legislation.”

Which, on his motion,

Was read,

And, further on his motion,

Was Adopted.

In pursuance to the foregoing resolution Mr. Pyle took the floor, and, after thanking the Senate for the courtesy extended to him, proceeded to discuss the customs of legislation.

On motion of Senator Lewis the Senate took a recess until 4 o'clock, P. M.

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Same Day—4 o'clock, P. M.

Senate reassembled at expiration of recess.

On motion of Mr. Lewis, Mr. Pyle was requested to continue his practical talk on parliamentary law and practice.

Mr. Blakely, following Mr. Pyle's remarks, offered a resolution,

Which, on his motion,

Was read as follows:

"Be it resolved by the Senate of the State of Delaware that the thanks of this body are hereby extended to the senior Senator for his able and instructive remarks upon parliamentary customs."

And, on motion of Mr. Abbott,

The resolution was Adopted.

On motion of Mr. Lewis the Senate adjourned until 11 o'clock, A. M., to-morrow.

Friday, January 6, 1899—11 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Abbott, Allee, Brasure, Blakely, Farlow, Hart, Knox, Lewis, Moore, Meredith, Maull, McFarlin, Pyle, Pennewill, Slaughter, Shakespeare, Mr. President pro tem.

Journal read and approved.

Mr. Farlow offered a Senate joint resolution entitled

Senate Joint Resolution No. 1, entitled

“Joint resolution authorizing appointment of joint committee to notify the Governor of the organization of the General Assembly,”

Which, on his motion,

Was read,

And, further on his motion,

Was

Adopted.

Ordered to the House for concurrence.

Thereupon the President pro tem

Appointed Messrs. Farlow and Pyle as such committee on part of the Senate.

Mr. Pyle offered a Senate joint resolution entitled

Senate Joint Resolution No. 2, entitled

"Joint resolution authorizing the appointment of a joint committee to draft rules for government of intercourse between the two houses,"

Which, on his motion,

Was read,

And further on his motion,

Was

Adopted.

Thereupon the President pro tem

Appointed Messrs. Pyle and Abbott as such committee on part of the Senate.

Ordered to the House for concurrence.

Mr. Meredith gave notice that on to-morrow or some future day he would ask leave to introduce a bill;

Senate Bill No. 2, entitled

"An act to authorize the commissioners of School District No. 52, in Kent County, to borrow money to pay for a new schoolhouse."

On motion of Mr. Farlow the Senate took a recess until 2 o'clock, P. M.



Same Day—2 o'clock, P. M.

Senate reassembled at the expiration of the recess.

Mr. Allee offered the following resolution:

"That the Secretary of the Senate be authorized to order a telephone put in the Secretary's private office for the use of the members of the Senate,"

Which, on his motion,

Was read,

And further on his motion,

Was

Adopted.

Mr. Sheppard, Clerk of the House, being admitted, informed the Senate that the House was organized and ready for the transaction of business.

Also, that the House had concurred in the following Senate joint resolutions:

Senate Joint Resolution No. 1, entitled

"Joint resolution authorizing the appointment of a joint committee to wait upon the Governor and inform him of the organization of the General Assembly,"

And that the Speaker of the House had named as committee on part of the House, Messrs. Donahoe, Robertson and Davis.

Senate Joint Resolution No. 2, entitled

"Joint resolution authorizing the appointment of a joint committee to draft rules of intercourse between the two houses."

And that the Speaker of the House had appointed as com-

mittee on part of the House, Messrs. Donahoe, Dennison and Jenkins.

And returned the same to the Senate.

Hon. James H. Hughes, Secretary of State, being admitted, presented to the Senate the Governor's biennial message, together with the following papers, viz:

Report of the Adjutant General,

Report of the Board of Pardons,

Appointment of J. B. Hutton to be a Justice of the Peace.

On motion of Mr. Pyle the Governor's Message

Was read as follows:

## **GOVERNOR'S MESSAGE.**

### **STATE OF DELAWARE.**

#### **EXECUTIVE DEPARTMENT.**

Gentlemen of the Senate and House of Representatives:

You have the distinction of being the first Legislature elected under the New Constitution of this State and consequently the first elected from Senatorial and Representative Districts. As representatives of districts your individual responsibility to your constituency is confined to smaller territory; but, while this is the case there is no such limit to your duty as the lawmakers of the State, for your duty cannot be circumscribed by such narrow limits, but is coextensive with the needs and general welfare of all parts of the State. Your increased numbers should bring to the body a more diversified and complete information of the needs and requirements of all interests of the State and give you a more efficient membership. Under the New Constitution your powers and duties differ from those of legislatures under our former Constitution. Among these essential differences are the restrictions upon special legislation, and consequently the

taking away of the power to legislate on divorces, special corporations, roads, ditches, and kindred subjects which heretofore took so much of the time of legislative sessions, and deprived the State of that careful and undivided attention to the general needs which is the proper and legitimate function of legislative bodies. In view of these changes you are limited to a session of sixty days, unless the public interest so demands your attention as to induce you to remain longer without compensation. You will, therefore, readily appreciate the necessity of immediate and prompt attention to the work which shall come before you. Your session must necessarily be a busy one if you are to give to the subjects on which you will be called to act that careful consideration which the public interest demands. Every interest to be affected by proposed legislation and the public generally, who are interested in all legislation, should be given ample opportunity to be heard. The Constitution guarantees to all citizens the right of petition, remonstrance or address to persons entrusted with the powers of government, and there is no surer way to avoid hasty and ill-advised legislation than full and free hearings in committee. You will find this impossible to do during your daily sessions, when your duties call you to the body. You can greatly expedite your business and more satisfactorily perform your duties by remaining at the Capitol at night, where committee hearings can be held and information obtained which is so necessary for your intelligent action. As the Executive, whose duty it is to pass upon proposed laws, I assure you that I shall endeavor to act as promptly as a careful and conscientious performance of my duties will permit. Whatever may be our affiliations we represent the same people, and our acts, whether good or bad, affect all alike. The people have delegated to us certain powers and have set us to perform certain duties. If we act wisely we not only deserve their commendation but render a lasting benefit to the State and to mankind. The welfare of the State and of its citizens should stand first in our thoughts and the common good should appeal to us above all other considerations. The duties of legislators are not confined merely to the enactment into laws of the desires and demands of constituents, for you are sometimes confronted with unreasonable requests and demands of dissatisfied and restless citizens, who would subvert the general good to serve their fa-

natical and selfish purposes. The advancement of the general welfare should be your aim, and that which will improve the condition of the masses of our people rather than carry out the theories and desires of a few. It is your duty to study carefully every interest of the State and the needs and necessities of her citizens as a whole. Legislation should be the crystalization into law of the known will and desires of the governed, and no more serious error has crept into legislative bodies than the impression that the people are best served by abundance of laws. Let the wisdom of your actions speak for the faithfulness of your labors rather than the volume of statutes passed.

I welcome you to your newly furnished and comfortable chambers, and stand ready to enter with you upon the work of your session.

### FINANCES.

I call your attention to the gratifying condition of the finances of the State. The able and careful management of the past has borne fruit in a small public debt and reasonable taxes. While the report of the State Treasurer, which will come to your hands later, will give you full information on this subject, I deem it advisable to call your attention briefly to the condition of the Treasury and the more important matters relating to the public funds, which will need your attention at this session.

The following is a brief statement of the assets and liabilities of the State and the estimates of the State Treasurer of Receipts and Expenditures for the fiscal year of 1899:

### ASSETS.

#### Investments, benefit of General Fund.

#### Bank Stock.

1,275 shares of Farmers' Bank, at	
\$65.00 per share .....	\$ 82,875 00
20 shares of National Bank of Delaware, at \$500 per share .....	10,000 00
	<hr/> \$ 92,875 00

## Mortgages.

Junction and Breakwater Railroad Company, at 3 per cent .....	\$185,000 00
Breakwater and Frankford Railroad Company, at 3 per cent .....	200,000 00
	<hr/> \$ 385,000 00

## Benefit of School Fund.

## Bank Stock.

5,000 shares of Farmers' Bank, at \$36.00 per share .....	\$180,000 00
2,439 shares of Farmers' Bank, at \$65.00 per share .....	158,535 00
37 shares of National Bank of Dela- ware, at \$500 per share .....	18,500 00
114 shares National Bank of Smyrna, at \$70.00 per share .....	7,980 00
245 shares of Union National Bank, at \$78.00 per share .....	19,812 00
	<hr/> \$ 384,827 00

## Bonds.

One bond, State of Delaware, at 6 per cent .....	\$156,750 00
One bond, Sussex County, at 6 per cent .....	5,000 00
	<hr/> \$ 161,750 00
	<hr/> \$1,024,452 00

In addition to the assets of the State given above, the State in the last few years, has acquired and added in improvements the following property, viz:

State Hospital, at Farnhurst .....	\$105,000 00
Farm adjoining Hospital, about ....	4,500 00
Armory at Wilmington .....	10,000 00

Addition to State Library .....	10,000 00
Repairs and improvements to State House .....	15,467 16

Total extraordinary expenditures for property and improvements .....	\$ 144,967 16
Other Assets .....	1,024,452 00
Total Assets .....	\$1,169,419 16

### LIABILITIES.

250 bonds, \$1,000 each, at 3 per cent., issue of 1887, payable June 1, 1907, redeemable at option of the State on any June 1 or December 1, in or after 1897 .....	\$250,000 00
35 bonds, \$1,000 each, at 3½ per cent., issue of 1895, payable July 1, 1915, redeemable at option of the State on any January 1 or July 1, in or after 1906 .....	35,000 00
245 bonds, \$1,000 each, at 3 per cent., issue of 1897, payable December 1, 1927, redeemable at option of the State on any June 1 or December 1, after December 1, 1922 .....	245,000 00
	<u>\$ 530,000 00</u>
One bond to School Fund, issued in 1881, at 6 per cent., payable July 1, 1906 .....	\$156,750 00
Certificate of Indebtedness to Delaware College, at 6 per cent., perpetual .....	83,000 00
Farmers' Bank, temporary loan, 3½ per cent .....	50,000 00
	<u>\$ 289,750 00</u>
Total Liabilities .....	\$ 819,750 00
Excess of Assets over Liabilities .....	\$ 349,669 16

From the estimates of the State Treasurer of the Receipts and Expenditures for the fiscal year of 1899, it appears as follows:

General Fund.

Receipts of the General Fund .....	\$ 338,319 20
Estimated Expenditures .....	\$ 304,230 00

School Fund.

Estimated Receipts.

Income from Investments .....	\$ 31,105 00
Appropriation from General Fund .....	100,000 00
Total .....	\$ 131,105 00

Estimated Expenditures.

Free Text Books .....	\$ 12,000 00
Apportionment of Dividends .....	119,105 00

Sinking Fund.

Estimated Receipts.

Oyster Revenue .....	\$ 4,500 00
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Estimated Expenditures.

Salaries, expense of Guard Boat, Fish and Oyster Police, food, fish and commissioners.....	\$ 4,310 00
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Owing to the unusual demands on the general fund for paying the expenses of the Constitutional Convention and the Adjourned Session of the Legislature, held for the purpose of making changes in the laws made necessary by the adoption of the new Constitution, the State Treasurer, in addition to the \$50,000.00 derived from the extra number of bonds of the issue of 1897, was compelled to obtain a temporary loan from the Farmers' Bank at Dover of \$50,000.00, at  $3\frac{1}{2}$  per cent. This was done under authority of Chapter 17 of Volume 21 of the Laws of Delaware. This loan has not been paid and I recommend that you take into consideration the best means of paying it. From the estimated receipts and expenditures of 1899, made by the

State Treasurer, it appears that there may be a balance in the Treasury nearly sufficient for this purpose; and a proper care and economy in the appropriations of your session would insure the discharge of this debt. When we take into consideration the extraordinary demands on the Treasury during the past two years, we can readily see that a return to the usual expenditures of previous years, will make the income of the State ample to meet all necessary expenses.

In compliance with the provisions of Chapter 380 of Volume 20, Laws of Delaware, authorizing the issue of bonds for the purpose of redeeming the 120 bonds of the issue of 1887, and the 75 bonds of the issue of 1891, both bearing 4 per cent. interest, and to procure \$50,000.00 to meet the extraordinary expenses of the Constitutional Convention, 245 bonds were issued bearing interest at 3 per cent. This is most flattering to our financial standing, as few States are able to carry their indebtedness at so low a rate of interest. All of our bonded indebtedness, except \$35,000.00 of the issue of 1895, which bears interest at  $3\frac{1}{2}$  per cent., is now carried at 3 per cent.

There is in the Treasury to the credit of the School Fund \$42,093.84, derived from license fees, which accumulated in that fund since the distribution in 1897 and before the passage of the present school law. This evidently was not intended by the last Legislature, when \$100,000.00 was appropriated to the School Fund and the license fees were diverted to the General Fund. But as no authority was given the State Treasurer to use this money as a part of the General Fund or of the School Fund, he has retained it in the School Fund for your disposal. I recommend that this money be diverted to the General Fund at once, as it is badly needed to meet present demands on that fund.

I call your attention to the excellent showing of the Oyster Revenue, which constitutes our Sinking Fund. While this fund fell short of meeting the expenses in 1895 and 1896, under the present excellent management a surplus appears to the credit. This is the result of the enforcement of the laws and the careful collection of license fees and the economical management of the fund.



## ELECTIONS.

I congratulate the people of the State on the success of the provisions in the new Constitution relating to elections. The open and scandalous use of money for the influence of voters had assumed such proportions as to threaten the peace and stability of our institutions, and no work of the Constitutional Convention was watched with keener interest than that looking to the suppression of bribery. Then came the test of an exciting election, with all the old attempts to evade the law and continue the shameless practices that had become such a factor in the decision of the important questions which our voters have been called upon to decide. It had been demonstrated that political offenders can be punished in a trial by Court, and if the law-abiding citizens, who love their State more than party and her welfare more than political advantage, will do their duty, we have good reasons to look forward to honest and fair elections. While there is little doubt that the law was violated in many instances at the last election, it is manifest that it is not the fault of the law nor of the means of its execution. A healthier and more determined sentiment in favor of its stringent enforcement is the need of the hour. A united effort of the honest men of all parties can rid Delaware of this evil, and it is your duty as representatives of the best interests of the State to do nothing that will discourage this sentiment or interfere with the safeguards so carefully placed around the ballot.

The fact that there were so many spoiled ballots at the last election has brought into disfavor the use of ink in marking the ballot, and I recommend that some safer and better means be provided. In doing so, however, I caution you against the adoption of any method that would destroy the secrecy of the ballot or in any manner open the way to corruption or fraud.

Frequent and radical changes of late in our election laws have made it difficult to familiarize ourselves with the requirements, and it would be in the interest of intelligent voting to avoid all unnecessary legislation on this subject.

## PUBLIC SCHOOLS.

There is no subject in which our people have a deeper interest than our free schools. One of the great objects and importance of a free government is to afford the greatest opportunities and advantages for the development of the individual on the lines of industry and intelligence, and it is now axiomatic that the most useful citizen is the most intelligent. Whatever may be the native capacity of man until the animal instincts are subdued and the mind by training and enlightenment is brought to see the nobler and better possibilities of the race, good citizenship, industrial success and the higher civilization, which has been the hope of the thinkers and workers through all the ages, are but a dream that is forgotten while we sleep. The veil of ignorance shutting out the fairer visions of nature's promises, dwarfing the arm of man's power, feeding the lower instincts of self love, envy and passion, makes citizens the pliant tools and ready instruments of designing and unscrupulous leaders who place self above State, and party and creed above the general good. Recognizing the great importance of good schools, laws have been enacted for their establishment in all parts of our State, and the State funds have been liberally devoted to their maintenance. Unfortunately our public revenues will not justify a more liberal appropriation for this purpose, and we must look to the liberality, care and interest which have been awakened in the minds of our people for a proper and adequate support of schools in each district. By the law providing text books out of the school fund, parents have been relieved of a considerable expenditure, and it is the duty of the people in each district to rise to the level of their opportunities and by proper means of taxation raise enough money, which added to their portion of the school fund will run the schools at least eight months in the year. Owing to the increased number of colored schools and the equal distribution of the school fund among them, each district's share is less this year than last, but when it is considered that the State is still paying more than three-fourths of the expenses of our schools we can readily appreciate the necessity of the people in each district doing their duty by raising more money for school purposes. As this will probably not be done unless required by law, I suggest for your con-

sideration the advisability of increasing the amount to be raised by taxation in order to entitle districts to their portion of the dividend.

Section 2 of the new School Law requires the State Board of Education to make a report to the General Assembly; and, while the law now in force has been in operation less than a year, the State Board has made a report containing much valuable information, and will submit it to you later in your session.

The new school law, with its many new and modern provisions, seems to be well adapted to our needs, and we have every reason to believe that a few years of its operation will demonstrate its many good features and materially improve the condition of our schools. I request for it a fair trial, and believe that the progress and growth of interest in education will bear testimony to its merits. There are a few amendments which it will be necessary for you to enact, and your attention is called to them in the report above referred to.

### CORPORATIONS.

I earnestly urge your careful consideration of the subject of a General Corporation bill, as contemplated by the Constitution. This subject received the attention of a large part of the adjourned session of the last Legislature, but without the hoped for result of the enactment of a law. And I now desire to impress upon you, as I did on the last Legislature, the immediate and urgent necessity of providing the State with a fair, safe and comprehensive law under which companies may become incorporated.

The law now in force is meagre in its scope and entirely inadequate, and few charters have been obtained under its provisions. Aggregation of capital in companies has proven the greatest stimulant to industry and advancement. From the lack of a proper corporation law the industrial and commercial advancement of the State has been hampered and retarded for nearly three years and the State has incidentally been deprived of much revenue.

It will probably be difficult to obtain a perfect law or one that shall meet with the unanimous approval of those interested in its provisions, but future experience and the test of its operation will dictate proper and necessary changes from time to time. I would recommend that the provisions of such a law be liberal enough to invite and encourage the employment of capital in the building up of our industries, the broadening of the opportunities to labor and the means of transportation of the increasing products of our farms, yet with all proper and adequate safe guards for the necessary protection of the rights and privileges of the individual and the existing interests. You have all the advantages of the experience of other states that have such a law and guided by that light and your knowledge of the needs of this State you should have no difficulty in arriving at a proper conclusion. The general corporation bills which were prepared and considered at the last session of the General Assembly are also in your possession and form a basis for your action.

### COUNTY GOVERNMENT.

The management and control of the affairs of our counties is a subject that comes more closely home to our taxpayers than most other questions of governmental policy. It is there that taxes are levied and collected directly from us and expended. Our roads and bridges, almshouses, courts and jails are there supported and maintained. On the honest and careful performance of the duties of our county governing body, the Levy Court, depends the public conveniences and the safety of our people and their property. Extravagance and mismanagement not only waste our substance but deprive us of the benefits and advantages of safe and easy means of travel and the institutions for the protection against the vicious and the maintenance of the poor and afflicted.

Whatever has been the political power of the Levy Courts in the past, they are now rightly deprived of it and are purely business bodies, sent to represent the taxpayers in the management of the affairs of the county. Honest and capable business men should be charged with these duties and each commissioner should be elected in his district and held responsible for his offi-

cial conduct by his constituency. The election of members of the Levy Court in their districts, either Levy Court districts as in New Castle county or Representative districts as in Kent county, seems to meet with general approval and I recommend that a law similar to one of those be enacted for Sussex county

As the condition of the County Treasury and the prompt payment of bills of the county depend on the promptness and honesty of collectors of county rates in collecting and paying over the taxes entrusted to them for collection, and the economy and care of the Levy Court in contracting bills and passing orders, I recommend such changes in the present laws as will insure frequent settlements of collectors with the County Treasurer. And I recommend that the Levy Courts be prohibited by law from contracting bills and passing orders for which there is not sufficient money in the Treasury to pay. The pernicious system of incurring county debts and issuing orders for the same, when the income of the county is not sufficient to meet them, or when carelessness and gross mismanagement deprive the Treasury of the funds to which it is entitled, is contrary to every rule of sound finance and honesty and should be prohibited.

## ROADS.

This subject has been referred to often by my predecessors in Messages to the General Assembly, and I feel that its importance scarcely needs mention from me. But as our lands are developed and the resources of agriculture become more important we are confronted with the need of better highways as the means of easy and convenient access to markets. Owing to the even surface of our land it should not be difficult or expensive to make and maintain good roads. In an agricultural community nothing adds more to the comfort and convenience than well kept roads, and few things add more to the attractiveness and beauty. Liberal appropriations are annually made for this purpose, and with careful management our roads should be kept in good condition. But, either through ignorance of the proper methods of building and improving them or a settled custom of inadequate patching and mending, they are far from what the expenditure would justify. Much of the money is spent on un-

necessary roads, laid out for the convenience of individuals and of doubtful public benefit. In many places they parallel each other in close proximity, while other sections are deprived of the needed conveniences. Then, too, much of the money spent finds its way into the pockets of overseers in payment of the per diem in overseeing two or three men. I do not mean to reflect on the honesty of overseers, but to condemn the system under which they act.

In my judgment it would be in the interest of economy to cause our roads to be put in proper condition at once in accordance with the best methods, and then they could be kept in good condition with a small annual outlay. I therefore recommend that proper restrictions be provided for the laying out of new roads; that the Levy Courts or other bodies having control of highways be required to cause them to be generally repaired and put in good condition, that overseers be given a larger number of miles to work, be restricted as to the season of work and the smallest number of men to be employed; and that the members of the Levy Court be required to visit and inspect the roads in their districts more frequently.

### DELAWARE VOLUNTEERS.

We all feel a just pride in the Delaware Regiment of Volunteers. While it is a source of regret to them and to us that they were not called into active service in the war, yet their ready response to their country's call, their devotion to duty and their record for military efficiency won them the commendation of their commanders and demonstrated that the splendid record of Delaware's soldiery in the past is maintained in the present generation.

When the call for troops came Delaware had less than half a full regiment of National Guard, poorly equipped and much disorganized, and to meet the pressing emergency I asked the Legislature for an appropriation of \$30,000 to cover the expense of an encampment, believing that the best means of mobilizing our troops and inculcating a proper enthusiasm in our people. From this movement a well equipped and efficient

regiment of more than one thousand men was organized and responded to the call for troops. \$22,275.36 of this appropriation has been expended. This small amount was the contribution of those who remained at home to the proper equipping and comfort of the brave men who offered their lives in the cause of their country. We are assured, however, that all of this money will be refunded by the Federal Government.

### STATE PRINTING AND SUPPLIES.

Section 8 of Article 15 of the Constitution provides: "All stationery, printing, paper and fuel used in the legislative and other departments of government shall be furnished, and the printing, binding and distribution of the laws, journals, official reports, and all other printing and binding, and the repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its committees, shall be performed under contract to be given to the lowest responsible bidder below such maximum price and under such regulations as shall be prescribed by law. Such bids shall be opened in the presence of the persons making the bids or their representatives.

No member or officer of any department of the government shall be in any way interested in any such contract when awarded to or by any such member, officer or department."

You will readily see the motive that dictated this provision of the Constitution. The public printing and supplies of the different departments of the government are important items in the expenditure of the public funds. A law under which the benefits of a healthy competition may be secured would not only afford the State better service and greater economy, but would prove generally more satisfactory to the several departments and to those who stand ready to render the service.

The State Librarian has complied with the spirit of this provision of the Constitution in purchasing the coal to heat the State House and some other officers have felt bound to do the same with printing, but until a proper law is enacted the State cannot derive the benefits that the makers of the Constitution intended.

The State has been imposed upon not only in excessive charges for printing and supplies, but in the quality of the material used and the execution of the work.

I recommend that you provide that all printing to be done and supplies furnished be done and furnished by contracts awarded on bids made on specifications duly advertised and that a board, composed of persons who have no printing to award or supplies to be furnished, be created for that purpose. In this connection I suggest for your consideration that it would be in the interest of economy and better work and material if a member of such board should be a practical printer, whose knowledge would prevent imposition and secure a better grade of work. Such a member could be designated a Public Printer or otherwise, as you think best, and should be compensated with a moderate salary. His duties would not be arduous and his salary need not be large. Such members should be prohibited from bidding for contracts or being in any manner interested in their award. The money thus saved to the State would, I am sure, much more than pay the expenses of such a system.

I recommend this matter to your attention, feeling that you will appreciate your duty in providing necessary legislation.

#### STATE COLLEGE FOR COLORED STUDENTS.

Comparatively few of our people, including the colored people of our State, are familiar with the objects and advantages of this institution. The farm on which this college is situated is located near Dover in one of the best and most delightful farming sections. It is fertile and productive, and affords excellent opportunities for experimental agriculture.

The buildings are well equipped, comfortable and in every way suited for the purposes of an industrial school. Here the colored youth of the State, at a comparatively small expense, are afforded an opportunity to acquire a good education and a useful trade.



The State appropriation to this college has been judiciously expended and will, I believe, yield a valuable harvest in the future development and progress of the race in whose interest it is invested. The need of the institution is a larger attendance and a greater interest on the part of the colored people.

#### DELAWARE STATE HOSPITAL, AT FARNHURST.

It is with pride that we consider the completeness and good work of this Institution. A few years since our indigent insane were languishing in illy equipped almshouses, deprived of the medical attention and proper care which are so necessary to their comfort and treatment, while on the other hand they were depriving other inmates of these county institutions of the room and attention which old age and affliction need so much. This Institution now compares favorably with similar ones in other States, and with proper support and management will rival the best. The Trustees intrusted with its management and control have spared no effort to make it a success. And while the appropriations necessary for its improvement and support have sometimes been large, yet when we consider the great benefits which have been derived by our unfortunates we cannot regret that public funds have been so spent in the discharge of the duty which the State owes to this class of her citizens.

The report of the Board of Trustees, which will be submitted to you later in your session, will contain much valuable information and some recommendations, which it will be your duty to carefully consider and act upon.

#### PARIS INTERNATIONAL EXPOSITION.

The Paris Exposition of 1900 promises to be one of those notable international displays of the world's advancement and progress which speaks so eloquently the victories of peace and prosperity of the nineteenth century.

In this age when Nations vie with each other in the exhibition of the products of the earth, the inventions of genius and the skill and handiwork of their people, we are led to feel that

the ties of mutual interest and comity are becoming too strong to be severed by the sword of war.

The Act of Congress approved July 9, 1897, entitled: "An Act making appropriations to supply deficiencies, &c.," contains a provision to the effect that the invitation of the Republic of France to take part in an exposition of works of art and the products of manufacture and agriculture of all Nations, to be held at Paris, commencing April 15, and closing November 5, 1900, is accepted and that "the Governors of the several States and Territories be and are hereby requested to invite the people of their respective States and Territories to make a proper representation of the products of our industry, and to take such further measures as may be necessary in order to secure to their respective States and Territories the advantages to be derived from this beneficent undertaking."

Delaware is invited to join with other states of the United States in exhibiting her resources and products. Ample space and facilities are promised us for this purpose, and I leave with you the consideration of the advisability of availing ourselves of the opportunity.

#### REPORTS.

In addition to the Reports hereinbefore referred to, I herewith submit the report of the Adjutant General.

#### REPRIEVES, PARDONS AND REMISSIONS.

In accordance with the provisions of the Constitution I also beg leave to lay before you a list of Reprieves, Pardons and Remissions granted by me since the last session of the General Assembly, with the grounds therefor fully set forth.

#### A LIST OF REPRIEVES, PARDONS AND REMISSIONS GRANTED BY THE GOVERNOR FROM JANUARY 11, 1898, TO JANUARY 3, 1899.

January 12, 1898, upon the recommendation of the Board of Pardons, the Governor commuted the sentence of Richard Ma-

han and William H. Crowley, convicted at the November term, A. D., 1897, of the Court of General Sessions of the State of Delaware in and for New Castle County, of the crime of larceny, and sentenced to pay one dollar and twenty-five cents restitution money; on Saturday, November 20, 1897, between 10 o'clock A. M. and 2 o'clock P. M. be whipped with ten lashes; be imprisoned for the term of three months, commencing on the sixteenth day of November, 1897, and ending on the fifteenth day of February, 1898, and pay the cost of prosecution, the said sentence was commuted by the removal of the whipping or lashes imposed, (the same having been respited by the Governor until February 5, 1898) for the following reasons, viz:

It has been requested by the Attorney General and the Deputy Attorney General that the evidence of a felonious intent was extremely doubtful and that, if the Court under the law could have omitted the corporal punishment, it would have done so, and the said Attorney General and the Deputy Attorney General both recommend this action.

March 3, 1898, upon the recommendation of the Board of Pardons, the Governor granted a pardon unto Nora Brinkley, alias Nora Harris, who was convicted at the October Term, A. D. 1897, of the Court of General Sessions of the State of Delaware in and for Kent County, of the crime of forgery, and sentenced to pay the cost of prosecution and be imprisoned for the period of one year, commencing October 29, A. D., 1897, and ending October 28, A. D., 1898; for the following reasons, viz:

1. That the said Nora Brinkley, alias Nora Harris, is pregnant with child and will probably be delivered of such child within a few months and before her sentence expires.
2. That we do not think it right or humane that a female should be subject to imprisonment during her confinement or that birth in prison should be imposed upon an innocent child.

March 3, 1898, upon the recommendation of the Board of Pardons, the Governor, granted a pardon unto Morris Gooding, who was convicted at the February Term, A. D., 1894, of the Court of General Sessions of the Peace and Jail Delivery of

the State of Delaware in and for New Castle County, of the crime of larceny, and sentenced to pay five dollars as restitution money, and stand one hour in the pillory on Saturday, the seventeenth day of February, A. D., 1894, between the hours of 10 o'clock A. M. and 2 o'clock, P. M., and on the same day between the same hours be whipped with twenty lashes and be imprisoned for a term of four years, commencing on the fourth day of February, A. D., 1895, and ending the third day of February, A. D., 1899, and pay the cost of prosecution, for the following reasons, viz:

1. That the said Morris Gooding is suffering from tuberculous ulceration in the spinal column and is so dangerously ill that he is not likely to survive his sentence, especially if confined in prison where there is no means of providing for him or alleviating his suffering.

2. That the mother of the said Morris Gooding, who is a resident of the City of Philadelphia, has undertaken, in case of his pardon, to remove him to her home in said city, where proper care and attention can be given him.

June 8, 1898, upon the recommendation of the Board of Pardons, the Governor granted a pardon unto James Cavanaugh, who was convicted at the April Term, A. D., 1896, of the Court of General Sessions of the Peace and Jail Delivery of the State of Delaware in and for Sussex County, of the crime of larceny, and sentenced to be whipped with twenty lashes, stand one hour in the pillory, to pay \$11.46 restitution money and to be imprisoned for a term of three years, beginning on the seventh day of April, A. D., 1896, and ending on the sixth day of April, A. D., 1899, for the following reasons, viz:

1. That the prisoner is suffering from a severe heart trouble, which as appears from the certificate of the Jail Physician of Sussex County, may cause his death at any time, especially in the crowded condition of the jail of Sussex County.

2. That this pardon is recommended by the Attorney General, who prosecuted him and who is acquainted with his condition.

September 22, 1898, upon the recommendation of the Board of Pardons, the Governor commuted the sentence of William Fisher, convicted at the May Term, A. D., 1898, of the Court of Oyer and Terminer of the State of Delaware in and for New Castle County, of the crime of breaking a dwelling house with intent to commit rape, and sentenced to be taken from the bar of the Court to the prison of New Castle County from whence he came, that he be there safely and securely detained in custody until Friday the seventh day of October, 1898, that on that day between the hours of 10 o'clock in the forenoon and 4 o'clock in the afternoon he be taken to some convenient place of execution within the precincts of the prison enclosure, and that he then and there be hanged by the neck until he be dead. The said sentence was commuted from that of hanging to imprisonment in New Castle Jail for and during his life for the following reasons, viz:

1. That the Jury which convicted the said prisoner, at the time of rendering its verdict, recommended mercy.
2. That the Judges of the Court and the Attorney General all have recommended to the Board of Pardons the commutation of the sentence of the said prisoner.

I take this occasion of commending the action of the Constitutional Convention in creating a Board of Pardons. I have found the work of the Board not only a great assistance in the performance of my duties, but their careful investigation of the many applications brought before them insures the public against the many mistakes and errors which it was difficult for the Executive, acting alone, to avoid.

EBE W. TUNNELL.

Dover, January 3, 1899.

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The report of the Adjutant General, on motion,

Was read as follows:

## ADJUTANT GENERAL'S REPORT.

### STATE OF DELAWARE.

Adjutant General's Office,

Wilmington, Dec. 31, 1898.

To His Excellency, Ebe W. Tunnell, Governor and Commander-in-Chief:

SIR: In compliance with the law I have the honor to submit my report for the two years ending with the above date.

Many changes have taken place since my last report that we hope will bring the National Guard of the State to the more favorable notice of our law-makers; and that a more liberal policy will be extended them, that they may enjoy the broader field of information so generally given by other States, and we may never again be caught with so little information in the school of the battalion or regiment as was our lot when called into service on the twenty-second of April last. Be it said to the credit of the Legislature of 1897, which so fully appreciated our needs, that after a careful consideration of our request it gave us a new law, conforming nearer with that of other more progressive states, and permitting us to arrange our regulations nearer those of the Regular Army; this, with an appropriation of \$5,000 permitted us to make some improvement, but is still insufficient for our needs, being only half the amount we asked for, and quite inadequate for the purpose of giving our troops any field manoeuvres, which is, and has been their greatest want to more fully prepare them for emergency needs. On May 15, 1897, a contingent of our troops took part in the ceremonies incident to unveiling the Washington Monument, in Philadelphia, on which occasion their fine marching and soldierly bearing was such as to elicit favorable comment from the President of the United States, when passing in review.

### ARSENAL.

In September, 1897, the Adjutant General invited the Legislature to visit the Armory to look over the State Arsenal and decide what steps should be taken to arrest further decay in this

building. Many took advantage of the invitation and attended this meeting, and it was unanimously voted by those present that repairs and alterations were necessary, and the Adjutant General was ordered to have such repairs and alterations made as were necessary. An architect was employed, drawings made, bids asked for and opened, and the contract awarded the lowest bidder. Economy, at that time, was so strongly urged that we attempted to do with the old roof, but it is now in fast decay, and, for the proper protection of the building and its contents, it is to be hoped the present Legislature will order a new one substituted.

### DUTY.

On the 20th of April, 1898, it was apparent that the President of the United States would declare war with Spain and call for volunteers. Delaware, quick to grasp the situation, did, by joint resolution, appropriate \$30,000 for mobilizing, arming and equipping her National Guard, and giving them that field training that they had been unable to secure since 1890, when yearly encampments were taken from them. On the 26th of April, the First Delaware Regiment, Col. Wickersham commanding, was ordered into the field at Middletown, Delaware ("Camp Ebe W. Tunnell,") where preparations were at once begun for the muster-in of said force (the President having already made a call for volunteers). On the 9th of May the First Battalion, Companies A, C, F and K, were mustered into the service with Major Theodore Townsend in command. Continuous muster was kept up until the 19th, when the entire force was mustered in and turned over to the President for such duty as they might be called upon to perform. The greatest care was taken by all departments in the expenditure of moneys, and I am, at this writing, informed that no State in the Union put so large a force in the field at so small expense. Our troops remained at "Camp Tunnell" until August, when they were ordered to join General Wade's Division for Porto Rico, which order was later revoked; and later they were ordered to join the Second Army Corps, General William M. Graham, commanding, at "Camp G. G. Meade," Middletown, Pennsylvania. They were there assigned to the Third Brigade, Second Division, Brigadier General Nelson A. Cole, commanding. When marching on the field at "Camp

Meade" their soldierly bearing was such that General Graham designated them as an escort of honor to the President upon the occasion of his visit to that camp.

While the First Delaware was not able to go to the front for service they, nevertheless, filled many positions of trust and honor, and it is much to be regretted that this excellent regiment should have been mustered out of the service in its entirety, and largely through the efforts of parties outside the military arm of the State, and against the expressed desire of a number of its valuable officers and men.

As this regiment, by your order, was furloughed and granted leave of absence to enter the service of the United States, it was also ordered to report at the several armories as soon as the muster-out of the United States' service was completed, which at this writing is accomplished, and, after a short furlough, the usual company manoeuvres and drills will be resumed at the several armories of the respective companies.

I append herewith receipts and expenditures of money passing through the department, vouchers for which are in hand.

By resolution for purpose of taking part in the ceremonies of unveiling Washington Monument, in Philadelphia, May 15, 1897.

By check from State Treasurer .....\$ 500.00

#### DISBURSEMENTS.

George C. Whiteman, (horses) .....	\$ 100.75
Band for parade .....	95.00
Wilmington Steamboat Company ....	34.11
Transportation .....	221.00
Col. G. P. Postles (expenses) .....	4.00
Col. A. D. Chaytor .....	48.15

By resolution for the purpose of paying certain bills for repairs at State Armory and approved by the Military Board:

By check from State Treasurer .....\$ 2,401.21



## DISBURSEMENTS.

B F. Shakespeare .....	\$ 1,997.96
H. A. Miller .....	210.50
Simmons & Brother .....	.35.00
Wilmington Electric Company .....	94.65
L. R. Springer .....	63.10

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\$ 2,401.21

Receipts and expenditures from General Appropriation, 1897:  
 January 7th, 1897, by check, State Treasurer .....\$ 500.00

## DISBURSEMENTS.

Voucher No. 1, Janitor .....	\$ 97.50
Voucher No. 2, Janitor .....	50.00
Voucher No. 3, W. H. Hortsman & Sons .....	16.50
Voucher No. 4, Janitor .....	40.00
Voucher No. 5, Evening Journal ....	4.05
Voucher No. 6, Morning News .....	3.30
Voucher No. 7, Every Evening .....	1.68
Voucher No. 8, B. F. Shakespeare ...	84.00
Voucher No. 9, Janitor .....	40.00
Voucher No. 10, Janitor .....	50.00
Voucher No. 11, C. F. Thomas & Co. ...	67.18
Voucher No. 12, H. H. Huffington ..	1.00
Voucher No. 13, Stamps .....	5.00
Voucher No. 14, Stamps .....	5.00
Voucher No. 15, Stamps .....	5.00
Voucher No. 16, Stamps .....	5.00

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Balance forward to 1898 .....\$ 475.21  
 24.79

Receipts and expenditures General Appropriation, 1898:

Balance forward from 1897 .....	\$ 24.79
January 7th, check from State Treasurer .....	3,300.20
January 15th, check from State Treasurer .....	62.00

April 26th, check from State Treasurer .....	300.00
July 20th, check from State Treasurer .....	127.94
September 21st, check from State Treasurer .....	160.87
November 17th, check from State Treasurer .....	97.90

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\$ 4,073.70

## DISBURSEMENTS.

Quartermaster's Department .....	\$ 117.04
J. B. Robinson .....	111.57
Capelle Hardware Co. ....	27.68
Wm. Lawton .....	11.00
H. A. Miller .....	6.92
N. B. Danforth .....	.60
Provident Ice Co. ....	16.32
Consumers Ice and Coal Co. ....	71.25
Hortsmann & Co .....	28.60
James Bradford Co. ....	5.88
J. M. Solomon .....	36.30
J. B. Stidham .....	2.00
J. B. Robinson .....	1.75
W. E. Frank .....	1.00
Sigler & Woodward .....	6.50
F. R. Maxwell .....	26.50
Janitor .....	90.00
Inspector General's Department .....	39.94
J. H. Whiteman .....	50.00
J. H. Hughes .....	16.00
W. K. Foster Co. ....	1.25
Mercantile Printing Co. ....	12.00
Chas. M. Smith .....	50.00
F. A. Mitchell .....	4.50
W. H. Franklin .....	8.67
C. F. Thomas & Co. ....	10.50
Wilmington City Electric Co. ....	100.00
Wilmington City Electric Co. ....	7.78
Regiment Headquarters (Appro. 1897) ..	150.00
Drum Corps .....	75.00
Company A .....	100.00
Company B .....	300.00

Company C .....	100.00
Company D .....	300.00
Company E .....	300.00
Company F .....	100.00
Company G .....	300.00
Company H .....	300.00
Company I .....	300.00
Company K .....	100.00
Pennsylvania R. R. Co .....	21.28
A. L. Johnson .....	1.05
A. W. Harting .....	2.50
H. H. Huffington .....	1.33
Pennsylvania R. R. Co .....	11.16
Pennsylvania R. R. Co .....	3.71
Lieut. H. V. D. Bootes .....	15.00
Stamps .....	5.00
J. W. Pepper .....	20.50
Encampment, &c. ....	15.00
Janitor .....	120.00
Encampment, &c. ....	15.00
Encampment, &c. ....	10.00
Pennsylvania R. R. Co. ....	13.23
Stamps .....	5.00
Janitor .....	50.00
Stamps .....	5.00
Pennsylvania R. R. Co. ....	6.44
Stamps .....	5.00
Janitor .....	40.00
C. K. Lloyd, (clerk) .....	9.92
Stamps .....	5.00
J. & J. N. Harman .....	127.94
Janitor .....	130.00
Pennsylvania R. R. Co. ....	30.87
Insurance .....	30.00
Janitor .....	90.00
	<hr/>
	\$ 4,076.13

Receipts and expenditures by Adjutant General from Special  
Appropriation and other sources for use of National Guard:

Received from State Treasurer .....\$ 1,000.00

Received from State Treasurer .....	16,094.76
Received from State Treasurer .....	378.50
Received from State Treasurer .....	73.50
Received from Col. T. H. Gilpin .....	80.00

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\$17,626.76

## DISBURSEMENTS.

Paid out on pay account amount for which there are vouchers in check...	\$12,962.99
Amount of sundry checks in Adjutant General's office unclaimed .....	34.50
Amount of checks delivered but not pre- sented for payment .....	3.00
Error in pay roll Co. B, retained in Ad- jutant General's office .....	12.00

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\$13,012.49

By check to Quartermaster General's Department .....	1,000.00
By check for payment of sundry bills for which vouchers are in hand. ....	3,082.27
Checks for supplementary pay roll....	205.00
Miscellaneous bills paid from supple- mentary check book for which vouch- ers are in hand .....	113.50
Bill of J. & J. N. Harman .....	73.50
Cash to Col. T. H. Gilpin (ground rent)	80.00
Returned check to State Treasurer ....	60.00

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\$17,626.76

Expended by State Treasurer upon approval of the Military Board, viz:

W. H. Hortsmann & Co. ....	\$ 52.79
J. & J. N. Harman .....	3,008.43
John M. Solomon .....	763.00
Pennsylvania R. R. Co. ....	964.38

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\$ 4,788.60

## RECAPITULATION.

Total expended by Adjutant General . . .	\$17,626.76	
Total expended by State Treasurer . . . .	4,788.60	
	<hr/>	\$22,415.36
Returned to State Treasurer . . . . .	60.00	
Received from T. H. Gilpin . . . . .	80.00	
	<hr/>	\$ 140.00
Total expended by State . . . . .		\$22,275.36

## CONTINGENT FUND.

Jan. 1st, 1897, balance from fund 1896. . . . .	\$ 797.22
Sept. 23d, 1897, check from State Treasurer . . . .	500.00
	<hr/>
	\$ 1,297.22

## DISBURSEMENTS.

C. F. Thomas & Co. . . . .	\$ 51.98
Stamps . . . . .	10.00
C. G. Guyer . . . . .	20.30
I. P. Wickersham . . . . .	100.00
C. M. Hammell . . . . .	25.00
Adjutant General, office expenses . . . .	15.00
A. D. Chaytor . . . . .	65.00
Inspector of rifle practice . . . . .	13.61
Railroad fares . . . . .	2.50
Inaugural expenses . . . . .	10.00
Quartermaster's Department . . . . .	109.37
C. F. Thomas & Co. . . . .	6.75
Stamps . . . . .	5.00
Armory Fund Appropriation . . . . .	50.00
Armory Fund Appropriation . . . . .	30.00
Col. G. P. Postles . . . . .	15.70
Stamps . . . . .	5.00
Stamps . . . . .	5.00
Stamps . . . . .	5.00
Headquarters' supplies . . . . .	60.00
Insurance . . . . .	30.00

H. H. Huffington .....	1.00	
Stamps .....	5.00	
W. J. Faulkner .....	8.00	
J. M. Curtis .....	25.00	
Lichtenstein & Hart .....	111.74	
Adjutant General, office expenses .....	34.75	
	<hr/>	\$ 819.20
		<hr/>
		\$ 478.02

## CONTINGENT FUND.

Balance from fund 1897 .....	\$ 478.02
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## DISBURSEMENTS.

Central Pharmacy .....	\$ 7.00	
A. D. Chaytor, clerk .....	100.00	
Stamps .....	5.00	
G. J. Hart (sundry expenses) .....	100.00	
Stamps .....	5.00	
J. B. Straughan .....	.85	
G. J. Hart (sundry expenses) .....	25.00	
Stamps .....	5.00	
J. M. Curtis .....	25.00	
Army and Navy Register .....	3.00	
J. M. Curtis .....	7.56	
Stamps .....	5.00	
Stamps .....	5.00	
Stamps .....	5.00	
G. J. Hart (sundry expenses) .....	35.78	
	<hr/>	\$ 334.19
		<hr/>
Balance on hand .....	\$ 143.83	

## ARMORY.

This building is the headquarters of the First Regiment N. G. D., and is occupied by the Adjutant General, the First Battalion, Companies A, C, F and K and Band. All military property, State and United States, is stored therein, and should be

inspected by a committee of the Legislature once during every session, for, like all buildings, it will decay from active wear.

### RECORDS.

The attention of the Legislature is especially called to this important matter. A complete record of the military history of this State should be in this office; such is not the case. The records of the late war of 1861-5 are yet incomplete. The war of the Revolution, of 1812, and of the Mexican war there are no records at all. I have persistently asked for these, and again urge the request, upon the ground of its extreme usefulness.

### LEGISLATION.

I respectfully submit there should be such legislation brought about as will increase the military force of the State to twelve companies, making them one regiment of three battalions of four companies each. This will conform to the Regular Army, and avoid irregularities in our formation. To make the National Guard more effective there should be an additional appropriation of \$5,000.00, that some field practice could be had at least once in two years, this being the only means of getting the active force together for any manoeuvres, and I strongly recommend such action.

### CONCLUSION.

The reports of General W. M. Ross, Inspector General, Col. Grantley P. Postles, Inspector of Rifle Practice and Lieut. Col. A. D. Chaytor, Assistant Quartermaster General, are most respectfully herewith submitted, as is also a roster of the military strength and public stores in the custody of the several departments.

I desire in closing, to thank you for the uniform courtesy at all times extended me, and the confidence you have at all times reposed in me, and have the honor to be,

Very respectfully,

GARRETT J. HART,  
Adjutant General.

## APPENDICES.

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Appendix "A," Enrollment of Militia.

Appendix "B," Inspector General's Report.

Appendix "C," Roster of Strength.

Appendix "D," Inspector of Rifle Practice.

Appendix "E," Asst. Quartermaster General's Report.



# APPENDIX "A." ENROLLMENT OF MILITIA.

COUNTY.	Number Sub- ject to Enrollment.	Number Sub- ject to Military Duty.
New Castle, estimated .....	24,295	16,196
Kent, estimated .....	8,166	5,442
Sussex, estimated .....	9,662	6,442
Totals .....	42,123	28,080

Military law makes no provision for an enumeration, consequently, these estimates, which are drawn from the most reliable sources at my command, are all that can, at present, be submitted.

## APPENDIX "B."

Inspector General's Office,  
Seaford, Del., Dec. 23rd, 1898.

Brigadier General, Garrett J. Hart, Adjutant General of Delaware.

Sir: The annual inspection reports for 1898, as compiled by Lt. Col. E. G. Boyd, Ass't Inspector General, are hereby approved and forwarded.

Very respectfully yours,

(Signed) W. M. ROSS,  
Inspector General.

Brigadier General, William M. Ross, Inspector General, National Guard of Delaware:

Sir: I have the honor to report that in pursuance of a General Order C. S. A. G. O., issued after the call of the President

of the United States for volunteers for the Spanish-American War, I inspected the First Regiment National Guard of Delaware, on the field, at "Camp Ebe W. Tunnell," near Middletown, Delaware, on the 27th day of April, 1898, and found the regiment well sheltered and provided for, with the following number of men and officers and men present:

	Officers.	Men.
Field and Staff .....	11	
Non-commissioned Staff .....		6
Drum Corps .....		22
Company A .....	3	64
Company B .....	3	45
Company C .....	3	59
Company E .....	3	41
Company F .....	3	42
Company G .....	3	52
Company H .....	2	55
Company I .....	3	52
Company K .....	3	57
Total .....	37	495

The men presented a fine military appearance, and their arms, accoutrements and clothing were found in fair condition.

Very Respectfully,

(Signed) EVAN G. BOYD,

Lieut. Col. and Asst. Inspector General.

APPENDIX C.  
ROSTER OF NATIONAL GUARD OF DELAWARE.  
Summary.

ORGANIZATION.	Brigadier Generals.	Colonels.	Lieutenant Colonels.	Majors.	Captains.	First Lieutenants.	Second Lieutenants.	Sergeants.	Corporals.	Privates.	Total Rank and File.
General Staff .....	3	9	3	2	2	5		2			17
Field and Staff and Non-Com. Staff..	1	1									17
Drum Corps, 1st Regiment Infantry.										22	22
Company A, Station Wilmington....					1	1	1	5	8	51	67
Company B, Station Milford.....					1	1	1	5	8	32	48
Company C, Station Wilmington....					1	1	1	5	8	46	62
Company D, Station Dover.....					0	0	0	0	0	00	
Company E, Station Wyoming.....					1	1	1	5	8	28	44
Company F, Station Wilmington....					1	1	1	5	8	29	45
Company G, Station Harrington....					1	1	1	5	8	39	55
Company H, Station New Castle.....					1	0	1	5	8	42	57
Company I, Station Laurel.....					1	1	1	5	8	39	55
Company K, Station Wilmington....					1	1	1	5	8	44	60
	3	10	4	2	11	13	9	53	72	372	549

# ROSTER OF THE NATIONAL GUARD OF THE STATE OF DELAWARE.

DATE OF COMMIS- SION.	NAME.	TITLE AND RANK.	SERVICE.	RESIDENCE.
	Ebe W. Tunnell,	Governor and Comman- der-in-Chief.		Lewes.

## GENERAL STAFF.

1897. Jan. 11.	Garrett J. Hart,	Brigadier General and Adjutant General.	Adj. and 1st Lieut., 1st Regt. Inf't'y, March 22, 1880; 2d Lieut. Co. C, 1st Regt. Inf't'y March 22, 1882. Resigned in 1884. Lieut. Col. and Ins. of Rifle Practice, May 11th, 1887. Brig. Gen. and Adj. Gen., Jan. 20th, 1891. Major 1st Regt. Inf't'y, Feb. 19th, 1895. Resigned to ac- cept office of Adj. Gen., May 9, 1895.	Wilmington
Jan. 19.	R. L. Holliday,	Brigadier General and Quartermaster General	Brig. Gen. and Ins. Gen., Aug. 1895. Brig. Gen. and Q. M. Gen., May 12, 1895.	Dover.
Jan. 19.	Willie M. Ross,	Brigadier General and Inspector General.	Brig. Gen. and Ins. Gen., May 14, 1885.	Seaford.

# GENERAL STAFF—(Continued.)

DATE OF COMMISS- SION.	NAME.	TITLE AND RANK.	SERVICE.	RESIDENCE.
1898. May 7.	G. Parke Postles,	Colonel and Inspector of Rifle Practice.	Lieut. Col. and Asst. Adjt. Gen., May 14, 1895. Lieut. Col. and Asst. Adjt. Gen., Jan. 19, 1897.	Wilmington
May 7.	Andrew C. Gray,	Colonel and Judge Ad- vocate General.		Wilmington
Jan. 19.	O. D. Robinson,	Colonel and Surgeon General.	1st Lieut. and Asst. Surg., 1st Inf't'y, May 11, 1887. Col. and Surg. Gen., May 14, 1895.	Georgetown
Jan. 19.	T. H. Gilpin,	Colonel and Aid-de-Camp	Col. and A. D. C., May 14, 1895.	Middletown
Jan. 19.	E. P. Stacey,	Colonel and Aid-de-Camp	Col. and A. D. C., Jan. 1, 1891. Col. and A. D. C., May 14, 1895.	Dover.
Jan. 19. May 7.	L. W. Mustard, Enoch Moore,	Colonel and Aid-de-Camp Colonel and Aid-de-Camp	Col. and A. D. C., May 14, 1895. Col. and Q. M., New Castle Co., May 14, 1895. Col. and Q. M., New Castle Co., Jan. 19, 1897.	Lewes. Wilmington
May 7.	Chas. B. Houston,	Colonel and Aid-de-Camp	Col. and Q. M., Kent Co., Jan. 19, 1897.	Millsboro.
May 7.	H. C. Pennington,	Colonel and Aid-de-Camp	Col. and Q. M., Sussex Co., May 14, 1895. Col. and Q. M., Sussex Co., Jan. 19, 1897.	Seaford.
May 7.	S. L. Kenney,	Lieutenant Colonel and Asst. Adjutant General.	1st Lieut. Troop A, 1st Cav- alry, June 2, 1887.	Laurel.

# GENERAL STAFF—(Continued.)

DATE OF COMMISS- SION.	NAME.	TITLE AND RANK.	SERVICE.	RESIDENCE.
Jan. 19.	A. D. Chaytor,	Lieut. Colonel and Asst. Quartermaster General	1st Lieut. Co. C, 1st Inf't'y, July 21, 1879. Resigned Jan., 1882. 1st Lieut. and Q. M., 1st Inf't'y, May 16, 1882. Re- commissioned May 16, 1889. Acting Asst. Q. M. Gen., Jan. 26, 1891.	Wilmington
Jan. 19.	E. G. Boyd,	Lieutenant Colonel and Inspector General.	2d Lieut. Co. H, 1st Inf't'y, July 18, 1887. 1st Lieut. Co. H, 1st Inf't'y, July 29, 1889. Capt. Co. H, 1st Inf't'y, March 7, 1890. Col. and Q. M., New Castle Co., Nov. 3, 1891. Lieut. Col. and Asst. Ins. Gen., May 14, 1895.	New Castle.

# FIELD AND STAFF, FIRST REGIMENT OF INFANTRY.

DATE OF COMMISSION.	NAME.	TITLE AND RANK.	SERVICE.	RESIDENCE.
1896. Jan. 14	I. P. Wickersham,	Colonel,	2d Lieut. Co. C, 1st Infantry, Jan. 26, 1882. 1st Lieut. Co. C, Feb. 3, 1882. Capt. Co. C, Dec. 21, 1883. Re-commissioned Dec. 21, 1890. Acting Asst. Adjut. Gen. Sept. 26, 1892. Resigned Dec. 10, 1895.	Wilmington
Feb. 4	Chas. M. Stevenson,	Lieut. Colonel,	2d Lieut. Troop B, 1st Cavalry, June 21, 1887. 1st Lieutenant Troop B, Sept. 26, 1887. Re- signed April 1, 1892. 2d Lieut. Co. C, 1st Infantry, August 17, 1894. Captain Co. A, 1st Infantry, Oct. 1, 1894.	Wilmington
1898. Jan. 11	Theo. Townsend,	Major,	1st Lieut. and Quartermaster 1st Inf'ty, March 23, 1880. 1st Lieut. and Adjut. 1st Inf'ty, May 11, 1882. 2d Lieut. Co. B, 1st Infantry, Jan. 28, 1888. 1st Lieut. Co. B, Aug. 8, 1890.	Milford
1896. July 1	John M. Dunn,	1st Lieut. and Adjut.	Appointed from Sergeant Co. A, 1st Infantry.	Wilmington
1898. April 7 April 21	James L. France, R. T. J. Barber,	Major and Surgeon, First Lieut. and Assist- ant Surgeon,		Wilmington Harrington

# FIELD AND STAFF, FIRST REGIMENT OF INFANTRY.—Continued.

DATE OF COMMISSION.	NAME.	TITLE AND RANK.	SERVICE.	RESIDENCE.
1897. July 27	Robt. Pennington,	Captain and Judge Advocate,		Wilmington
1894. Oct. 1	H. V. Bootes,	First Lieut. and Quartermaster.	Appointed from First Lieut. Co. A, 1st Inf., June 14, 1897.	Wilmington
1898. Feb. 5	Vacant, Chas. G. Otwell,	First Lieut. and Commissary. First Lieut. and Inspector of Rifle Practice.	Second Lieutenant Troop A, 1st Cavalry, Nov. 8, 1890. First Lieut. and Asst. of Rifle Practice, Gen. Staff, May 14, 1895. First Lieut. and Ins. of Rifle Practice, Jan. 19, '97.	Laurel
Feb. 5	Clarence D. Sypherd,	First Lieut. and Paymaster.		Dover
1895. Feb. 21	Francis M. Munson,	Captain and Chaplain.		New Castle



## CAPTAINS FIRST REGIMENT OF INFANTRY.

DATE OF COMMISSION.	NAME.	TITLE AND RANK.	SERVICE.	RESIDENCE.
1896. Dec. 1	Harry B. Carter,	Captain Co. A.	2d Lieut. Co. A, July 1, 1896.	Wilmington
1898. Mar. 24	Wm. E. Lank,	Captain Co. B.		Milford
1895. Feb. 14	Albert F. Matlack,	Captain Co. C.	1st Lieut. Co. C, 1st Infantry, May 12, 1893.	Edge Moor
1891. Nov. 6	Charles A. Garton,	Captain Co. E.	2d Lieut. Co. E, 1st Infantry, Feb. 29, 1883. 1st Lieut. same company, Jan. 10, 1897.	Wyoming
1896. Oct. 29	John F. Brennan,	Captain Co. F.	1st Lieut. Co. F, May 26, 1891.	Wilmington
April 17. 1895.	Wm. H. Franklin,	Captain Co. G.		Harrington
Feb. 21. 1890.	Edmund E. Rogers,	Captain Co. H.	2d Lieut. Co. H, Oct. 21, 1894.	New Castle
Oct. 18. 1897.	J. T. Osborne,	Captain Co. I.	1st Lieut. Troop A, June 5, 1890.	Laurel
Nov. 17	Edwin E. Rutan,	Captain Co. K.	1st Lieut. Co. K, Sep. 11, 1896.	Wilmington

# FIRST LIEUTENANTS, FIRST REGIMENT INFANTRY.

DATE OF COMMIS- SION.	NAME.	TITLE AND RANK.	SERVICE.	RESIDENCE.
1897. Oct. 7.	Charles P. Colton,	1st Lieut. Co. A.		Wilmington
1898. April 11.	Arthur E. Reynolds,	1st Lieut. Co. B.		Milford
1896. Sept. 11.	Harry W. Fox,	1st Lieut. Co. C.	2d Lieut. Co. A, 1st Infantry, Dec. 11, 1891. Mustered out of service with Co. A, Aug. 6, 1894.	Wilmington
1891. Nov. 6.	E. H. Garton,	1st Lieut. Co. E.	2d Lieut. Co. E, 1st Infantry, June 25, 1890.	Wyoming
1897. Nov. 17.	Simon P. Doherty,	1st Lieut. Co. F.		Wilmington
1896. July 1.	Wm. J. Richards, Vacant.	1st Lieut. Co. G. 1st Lieut. Co. H.		Harrington
July 1.	H. L. Wootten,	1st Lieut. Co. I.	2d Lieut. Co. I, 1st Infantry, Oct. 29, 1895.	Laurel
1887. Nov. 17.	C. M. Dillon,	1st Lieut. Co. K.	2d Lieut. Co. K, 1st Infantry, Sept. 1, 1896.	Wilmington

## SECOND LIEUTENANTS, FIRST REGIMENT INFANTRY.

DATE OF COMMISS- SION.	NAME.	TITLE AND RANK.	SERVICE.	RESIDENCE.
1896. Dec. 1.	Albert W. Foreman,	2d Lieut. Co. A.	Appointed from Sergeant Co. C.	Wilmington
1898. Oct. 8.	J. J. Foulk,	2d Lieut. Co. B.		Milford
1895. Feb. 14.	Thomas C. Hogue,	2d Lieut. Co. C.		Wilmington
1891. Dec. 12.	William H. Wheatley,	2d Lieut. Co. E.		Wyoming
1897. Feb. 5.	Stephen S. Flynn,	2d Lieut. Co. F.		Wilmington
1896. July 1.	Wm. L. Cooling,	2d Lieut. Co. G.		Harrington
1895. March —	John H. Hammers,	2d Lieut. Co. H.		New Castle
1896. July 1.	E. D. C. Hegeman,	2d Lieut. Co. I.		Laurel
1897. Nov. 1.	Lewis Ellison,	2d Lieut. Co. K.		Wilmington

## APPENDIX "D."

## DEPARTMENT OF RIFLE PRACTICE.

Wilmington, Del., Dec. 1st, 1898.

Brigadier General Garrett J. Hart, Adjutant General of Delaware.

Sir—I have the honor to report the work of this Department for the years 1897-8. Being appointed late in the season of '97 to this department, but small results could be accomplished, for obvious reasons.

For the season of 1898 preparations had been made to carry on the work of rifle practice, but the calling of the regiment into the field at "Camp Tunnell," Middletown, Delaware, preparatory to being mustered into the United States service, confined the work of this department to that time.

Owing to the many duties devolving on officers and men alike incident to the rush to be in the service of the United States, rifle practice, unfortunately, had, of necessity, to be a secondary consideration.

The men, however, with avidity, whenever the opportunity arose, grasped the opportunity of getting on the ranges, showing conclusively, that with proper facilities offered, rifle practice would not be a dead issue with our National Guard, as it has been in past years, owing to the lack of State support.

During the encampment two trophies were offered by Mr. C. F. Rudolph and Mr. Samuel H. Baynard, which resulted in spirited company competition.

The Rudolph trophy was offered to the Company qualifying the most men at all ranges, and the Baynard trophy was offered to the Company qualifying the most men at the 500 yard range.

After a spirited competition both trophies were presented to

Company "A," N. G. D., and were awarded to them on the field by the Hon. B. A. Hazell.

Such results as it has been possible to accomplish in the last two years are herewith appended.

I remain, general, very respectfully, your obedient servant,

GRANTLEY P. POSTLES,  
Colonel and Inspector of Rifle Practice.

## STANDARD OF QUALIFICATION.

### RIFLE PRACTICE—CREEDMOOR TARGETS.

Third class, five shot scores, 18 points or better at 100 yards.

Second class, five shot scores, 15 points or better at 200 yards.

First class, five shot scores, 15 points or better at 500 yards.

Marksmen 10 shot scores, 35 points or better at 200 yards.

35 points or better at 500 yards.

Sharpshooter, 10 shot scores, 42 points or better at 200 yards.

43 points or better at 500 yards.

## RECORD OF QUALIFICATIONS—1897.

### COMPANY A, First Regiment Infantry.

#### Third Class, 100 Yards.

Private Lamborn	4	3	4	4	4	19
Private Pierce	3	3	4	4	4	18
Sergeant Reed	4	4	5	3	4	20
Corporal Henderer	4	4	3	3	4	18
Corporal Way	5	2	4	3	2	16
Private Porter	4	4	4	4	5	21
Private Lewis	3	4	4	5	4	20
Private W. M. Hall	4	4	5	5	4	22
Private Mayne	2	4	4	4	4	18
Sergeant Smith	4	3	5	3	3	18

## COMPANY C,

## Third Class, 100 Yards.

Private Heritage .....	3	4	4	4	3	18
Private Morris .....	4	4	4	3	5	20
Private Geo. Pemberton .....	4	4	4	4	2	18
Sergeant M. C. Godfrey .....	4	4	4	4	4	20
Captain A. F. Matlack .....	4	3	3	4	4	18
Private R. J. Register .....	4	4	3	3	4	18
Private E. V. Gooper .....	5	4	3	4	4	20
Lieut. H. Fox .....	4	4	4	5	4	21
Private C. H. Meginnis .....	4	5	4	3	4	20
Sergeant J. A. Hanna .....	4	3	4	3	5	19
Corporal Wm. E. Rank .....	3	3	4	4	4	18
Corporal F. W. Maxwell .....	5	4	3	4	4	20
Sergeant A. H. P. Meredith .....	5	4	5	3	2	19
Lieut. T. C. Hogue .....	4	4	4	4	4	20
Private Atwell .....	2	2	5	4	5	18
Private Barnett .....	3	3	5	4	4	19
Private Irwin .....	2	3	4	4	5	18
Private Anderson .....	3	3	3	5	4	18
Private Hunter .....	3	5	3	3	4	18
Private Stewart .....	3	3	4	4	4	18
Private Barnett .....	3	4	3	3	5	18
Private H. Berger .....	3	4	4	4	5	20

## Second Class, 200 Yards.

Captain A. F. Matlack .....	3	4	4	4	5	19
Lieut. H. Fox .....	4	4	4	4	4	20
Lieut. T. C. Hogue .....	4	4	4	5	5	22
Private Stewart .....	4	3	3	4	3	16
Private Meginnis .....	3	4	0	4	5	16
Private Atwell .....	2	3	4	3	3	15
Private Barnett .....	5	3	5	4	5	22
Private Hunter .....	3	4	4	3	4	18
Sergeant M. C. Godfrey .....	5	3	4	3	5	20
Private Cooper .....	3	4	4	4	4	19
Sergeant Meredith .....	4	4	3	3	5	19
Sergeant Hanna .....	3	5	4	4	5	21

Corporal Rittenhouse .....	4	4	4	4	3	19
Corporal M. E. Rank .....	4	4	4	4	4	20
Private H. Morris .....	4	3	3	3	4	16
Corporal F. R. Maxwell .....	3	4	3	2	4	16

## COMPANY H.

## Third Class, 100 Yards.

Private P. L. Warwick .....	4	4	5	4	4	21
Private W. W. Wise .....	5	0	4	5	4	18
Private Jas. Myers .....	4	4	5	3	3	19
Captain E. E. Rogers .....	4	3	5	4	4	20

## COMPANY K.

## Third Class, 100 Yards.

Captain E. E. Rutan .....	4	4	3	4	4	19
Lieut. Ellison .....	4	4	4	4	4	20
Private C. Dickerson .....	3	4	4	5	3	19
Private A. S. Cathcart .....	4	4	4	4	4	20
Sergeant Ellison .....	4	4	4	4	4	20
Corporal W. J. Hall .....	4	4	4	4	5	21
Sergeant Nelson Gray .....	5	5	4	3	4	21
Lieut. C. M. Dillon .....	4	4	3	4	3	18
Private E. L. Cole .....	3	3	5	4	3	18
Private A. F. Pyle .....	5	3	2	4	4	18
Private W. A. Mayne .....	5	4	4	4	3	20

## Third Class, 100 Yards.

Lieut. C. M. Dillon .....	4	4	4	2	4	18
Lieut. Ellison .....	3	4	5	4	5	21
Private W. M. Hall .....	4	4	3	4	2	17
Captain E. E. Rutan .....	3	3	5	2	3	16
Private C. Dickerson .....	2	4	4	2	4	16
Private A. S. Cathcart .....	2	4	3	3	3	15
Private E. L. Cole .....	3	3	3	3	3	15
Sergeant Ellison .....	3	5	3	3	3	17
Private W. A. Mayne .....	2	3	4	4	4	17
Sergeant Nelson Gray .....	3	4	5	3	2	17

## FIELD AND STAFF.

## Third Class, 100 Yards.

Col. I. P. Wickersham .....	4	4	4	5	4	21
Lieut. Col. C. M. Stevenson .....	4	5	4	4	5	22
Lieut. H. V. D. Bootes .....	3	4	4	4	4	19

## Second Class, 200 Yards.

Lieut. Col. C. M. Stevenson .....	3	3	3	3	3	15
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## UNCOMPLETED QUALIFICATIONS.

## Marksman at 200 Yards.

Captain A. F. Matlack.	4	3	3	4	4	5	4	3	3	3	36
Serg. M. C. Godfrey.	4	4	4	3	5	4	3	4	4	3	38
Lieut. T. C. Hogue.	2	4	5	5	4	3	3	4	4	3	37
Sergeant Hanna	3	3	4	4	4	3	3	4	4	5	39
Lieut. H. Fox	3	3	3	3	4	4	4	4	4	4	35
Corporal W. E. Rank.	3	4	4	4	4	4	4	4	4	4	39
Private Cooper	2	3	3	5	5	2	3	4	5	5	37

## Sharpshooters at 100 Yards.

Lieut. T. C. Hogue.	4	4	3	5	5	4	5	5	3	4	42
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## RECORD OF QUALIFICATIONS, 1898.

## COMPANY A, First Regiment Infantry.

## Third Class, 100 Yards.

Private Wm. O'Conner .....	4	4	4	5	5	22
Private James Miller .....	3	4	5	4	3	19
Corporal W. E. Buckmaster .....	4	4	4	3	4	19
Private A. McCracken .....	5	4	3	5	3	20
Private Brooks .....	3	4	4	3	4	18
Private W. H. Lewis .....	3	5	3	5	4	20
Private H. Coyle .....	3	4	4	3	4	18
Private J. Cole .....	4	5	3	4	5	21
Private R. Ewing .....	4	4	5	4	3	20



Private F. Eastman .....	5	4	4	4	3	20
Private W. J. White .....	3	4	2	5	4	18
Private Geo. Marshall .....	4	4	5	5	4	22
Private Wm. Brown .....	3	4	5	3	4	19
Private A. Lewis .....	3	3	4	4	4	18
Private J. Hill .....	3	3	5	4	4	19
Private J. Wilkinson .....	3	4	4	5	4	20
Sergeant H. M. Smith .....	4	4	4	2	4	18
Sergeant P. L. Henderer .....	4	4	4	4	4	20
Private Scarborough .....	4	4	4	4	4	20
Private H. Taylor .....	5	5	4	0	5	19
Private Cox .....	4	3	4	4	5	20
Private Kelley .....	3	4	3	4	4	18
Private J. Lynam .....	4	4	4	3	3	18
Private J. Seaman .....	3	4	4	4	5	20
Private Foster .....	5	4	3	4	4	20
Private H. C. Wingate .....	3	4	4	4	3	18
Private E. Parks .....	4	4	4	3	3	18
Private H. F. White .....	4	4	4	4	4	20
Private H. Stidham .....	3	4	4	4	3	18
Private Wm. Negendank .....	5	3	4	4	4	20
Private W. Wilkins .....	4	4	3	4	4	19
Private Pickering .....	4	3	4	4	3	18
Private W. S. Smith .....	4	4	4	4	4	20
Private E. L. Kelley .....	3	3	4	4	4	18
Private R. L. McVey .....	4	3	4	4	4	19
Private E. Harvey .....	4	4	4	4	4	20
Private J. B. Lamborn .....	4	4	4	4	4	20
Corporal George Pierce .....	4	4	4	4	4	20
Private James Miller .....	4	3	4	3	4	18
Private F. Murphy .....	3	3	4	4	4	18
Private J. Ryan .....	4	3	3	4	4	18
Private H. George .....	4	4	3	4	3	18

### Second Class, 200 Yards.

Private Foster .....	4	3	2	2	4	15
Private H. C. Wingate .....	3	3	4	2	3	15
Private H. F. White .....	5	4	5	4	5	23
Private Wm. Negendank .....	4	2	3	2	4	15

Private W. Wilkins .....	4	2	3	3	4	16
Private E. K. Kelley .....	2	4	4	4	2	16
Private R. L. McVey .....	2	4	4	2	4	16
Private E. Harvey .....	4	3	2	3	3	15
Private J. B. Lamborn .....	4	5	3	3	0	15
Corporal Geo. Pierce .....	3	4	3	3	3	16
Private R. Ewing .....	3	4	4	4	3	18
Private W. J. White .....	4	4	3	3	3	17
Private A. Lewis .....	3	5	3	3	2	16
Private J. Wilkinson .....	4	3	3	3	4	17
Sergeant H. W. Smith .....	3	2	3	4	3	15
Sergeant P. L. Henderer .....	2	5	4	2	3	16
Private Scarborough .....	4	3	4	5	2	18
Private H. Taylor .....	3	4	4	3	4	18
Private Kelley .....	3	3	2	4	4	16
Private Cox .....	4	3	3	2	4	16
Private J. Lynam .....	2	3	3	4	3	15

## First Class, 500 Yards.

Private W. J. White .....	4	2	4	3	5	18
Private J. Wilkinson .....	5	5	5	0	5	20
Sergeant P. L. Henderer .....	2	5	4	2	5	16
Sergeant Scarborough .....	4	3	4	3	2	16
Sergeant H. Taylor .....	3	2	4	3	4	16
Sergeant Cox .....	4	5	2	4	4	19
Sergeant J. Lynam .....	2	4	0	5	4	15
Sergeant H. F. White .....	3	4	2	4	2	15
Sergeant E. K. Kelley .....	3	2	4	5	2	18
Sergeant R. L. McVey .....	4	3	4	0	5	16
Sergeant E. Harvey .....	0	4	4	4	3	15
Sergeant J. B. Lamborn .....	5	0	5	4	2	15

## COMPANY B.

## Third Class, 100 Yards.

Private John Whaley .....	2	5	4	3	4	18
Private A. Craig .....	5	4	3	4	4	20
Private A. Plumb .....	4	4	4	5	5	22
Private Edwin Lister .....	5	4	4	4	4	21

Private Charles Meredith .....	5	4	4	4	3	20
Private Fred Wilson .....	3	5	4	4	4	20

## Second Class, 200 Yards.

Private C. Craig .....	3	4	3	4	4	18
Private A. Plumb .....	3	2	3	2	5	15
Private Edwin Lister .....	2	2	3	4	4	15
Private Charles Meredith .....	3	4	3	5	4	19

## First Class, 500 Yards.

Private A. Plumb .....	4	3	4	4	3	18
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## COMPANY C.

## Third Class, 100 Yards.

Private R. L. Oskins .....	3	4	4	4	4	19
Private L. Harter .....	3	4	2	4	5	18
Private E. Robinson .....	3	4	4	4	3	18
Private J. B. Straughan .....	4	5	4	5	3	21
Private D. Salter .....	4	4	4	4	3	19
Private Frank Irwin .....	4	4	4	4	5	21
Private Thomas Appleby .....	3	3	4	4	4	18
Private E. E. Krause .....	4	4	4	3	4	19
Private S. J. Pemar .....	4	4	3	4	5	20
Private J. McKelvey .....	4	4	4	3	5	20
Private Morris .....	5	4	4	2	3	18
Private J. A. Hanna .....	4	4	3	4	4	19
Corporal H. R. Morris .....	4	4	4	4	5	21
Sergeant M. C. Godfrey .....	4	3	4	4	3	18
Private E. H. Stewart .....	3	4	4	3	4	18
Private C. W. Campbell .....	3	4	3	5	3	18
Private W. H. Dixon .....	4	3	4	4	4	19
Sergeant F. C. Maxwell .....	4	4	3	4	3	18
Corporal W. R. Ranck .....	4	4	4	4	3	19
Private W. S. Bennett .....	3	4	4	5	3	19
Private S. Porter .....	4	3	3	4	4	18
Private H. W. Farrier .....	4	3	3	5	4	19
Private J. H. Metcalf .....	4	3	5	4	3	19

Private W. E. Grass .....	4	4	4	3	4	19
Private J. Haggerty .....	3	4	3	5	5	20
Private J. W. Lloyd .....	3	4	3	4	4	18
Private W. C. Atwell .....	4	4	4	5	4	21
Lieut. T. C. Hogue .....	4	4	4	4	4	20
Private C. Downes .....	5	4	4	4	3	20
Private H. M. Freese .....	4	3	3	5	4	19
Private C. Appleby .....	4	3	3	5	2	18
Capt. A. F. Matlack .....	4	4	4	3	4	19
Private J. B. Ross .....	4	4	3	4	3	18
Private H. E. Phillips .....	3	4	3	4	4	18
Private M. Irwin .....	3	3	4	5	4	19

## Second Class, 200 Yards.

Capt. A. F. Matlack .....	4	2	3	4	4	17
Corporal W. E. Ranck .....	4	3	2	3	4	16
Private R. L. Hoskins .....	4	2	3	4	4	17
Private J. M. McKelvey .....	3	3	3	4	3	16
Private S. Porter .....	4	3	3	3	2	15
Private W. Barnett .....	2	5	0	4	4	15
Private J. H. Metcalf .....	4	3	2	3	3	15
Private H. E. Phillips .....	3	4	3	3	5	18
Private J. Haggerty .....	4	3	3	2	3	15
Private J. W. Lloyd .....	3	4	3	3	4	17
Lieut. T. C. Hogue .....	3	4	3	4	4	18
Private W. C. Atwell .....	4	2	4	3	4	17
Sergeant F. R. Maxwell .....	4	3	2	3	3	15
Private C. W. Campbell .....	3	3	3	4	4	17
Private E. H. Stewart .....	4	3	2	2	4	15
Private W. H. Dixon .....	4	4	3	5	3	18
Corporal M. Leonard .....	4	4	3	5	3	19
Sergeant Wm. Kerlin .....	3	3	4	3	5	18
Private W. Brenner .....	4	3	4	4	3	18
Private W. Salter .....	3	4	4	4	4	19
Private James O'Neil .....	4	3	4	3	4	18
Private Geo. Mashman .....	3	3	4	3	5	18

## Second Class, 200 Yards.

Private W. Brenner .....	4	3	3	5	3	18
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Corporal M. Leonard .....	2	4	3	3	3	15
Private W. Salter .....	3	3	4	4	4	18
Private Geo. Mashman .....	4	3	4	4	4	18

## First Class, 500 Yards.

Private W. Salter .....	3	3	0	4	5	15
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## COMPANY H.

## Third Class, 100 Yards.

Private C. M. Burnham .....	3	4	3	4	4	18
Private S. V. Gear .....	3	3	3	4	5	18
Lieut. J. H. Hammers .....	4	3	4	4	4	19
Private A. B. Crane .....	4	5	5	2	5	21
Private O. J. Sheridan .....	3	4	4	5	2	18
Capt. E. E. Rogers .....	3	3	4	4	4	18
Corporal W. W. Wise .....	3	5	4	4	3	19
Corporal W. Probasco .....	3	4	4	5	5	21
Sergeant A. B. Lancaster .....	4	5	4	3	2	18
Corporal B. P. Holcomb .....	2	2	4	5	5	18
Private J. E. Travers .....	4	3	4	4	4	19
Private Chas. Schoolmaster .....	3	4	3	4	4	18
Private W. S. Clark .....	4	4	4	4	4	20

## Second Class, 200 Yards.

Captain E. E. Rogers .....	3	4	3	4	4	18
Sergeant A. B. Lancaster .....	4	2	2	2	5	15
Corporal B. T. Holcomb .....	4	3	4	4	0	15
Private W. W. Wise .....	3	5	0	4	3	15
Private W. Probasco .....	3	3	2	5	3	16
Private C. M. Burnham .....	2	4	3	4	4	17
Private T. V. Gear .....	2	4	3	4	3	16
Sergeant M. C. Godfrey .....	2	3	4	3	3	15
Corporal W. H. Morris .....	2	3	3	4	4	16
Private W. H. Freese .....	4	2	4	4	3	17
Private W. E. Grass .....	2	3	4	3	4	16
Private J. A. Hanna .....	3	3	3	4	4	17
Private E. Krause .....	0	2	4	4	5	15

## First Class, 500 Yards.

Captain A. F. Matlack .....	4	5	3	2	5	19
Lieut. T. C. Hogue .....	5	2	0	5	4	16
Sergeant M. C. Godfrey .....	5	4	2	3	4	18
Corporal W. E. Ranck .....	0	4	3	5	5	17
Private W. Grass .....	4	2	3	2	5	16
Private J. Haggerty .....	0	5	5	4	4	18
Private W. H. Dixon .....	4	3	3	4	2	16
Private C. W. Campbell .....	2	3	3	4	4	16
Private W. C. Atwell .....	2	3	4	4	5	18
Private E. H. Stewart .....	3	0	4	3	5	15
Private J. W. Lloyd .....	2	5	4	2	2	15

## COMPANY E.

## Third Class, 100 Yards.

Private R. B. Viagofsky .....	4	3	4	4	5	18
Private C. H. Perry .....	3	5	2	3	5	18
Private F. Smith .....	4	3	3	4	4	18
Private H. Jester .....	4	4	5	3	3	19
Private F. Murphy .....	3	3	4	4	4	18
Corporal F. Pearson .....	2	4	5	4	5	20

## Second Class, 200 Yards.

Corporal F. Pearson .....	4	4	2	4	3	17
Private R. B. Viagofsky .....	4	3	3	2	3	15
Private F. Smith .....	3	3	2	3	4	15

## First Class, 500 Yards.

Corporal E. Pearson .....	4	3	3	2	3	15
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## COMPANY F.

## Third Class, 100 Yards.

Lieut. S. P. Doherty .....	4	4	5	3	3	19
Private J. E. Travers .....	2	3	3	4	3	15
Lieut. J. H. Hammers .....	4	4	3	0	4	15
Private W. T. Clark .....	4	4	3	3	2	16
Private A. B. Crane .....	3	4	3	3	2	15

## COMPANY I.

## Third Class, 100 Yards.

Sergeant Geo. N. Davis .....	5	3	4	4	2	18
Private W. C. Dexter .....	4	4	3	4	4	19
Private D. Records .....	2	4	4	4	4	18
Private J. A. Lewis .....	3	5	3	4	4	19
Private P. P. Meets .....	4	3	5	3	4	19

## Second Class, 200 Yards.

Private D. Records .....	4	2	2	4	4	16
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## COMPANY K.

## Third Class, 100 Yards.

Private W. E. Ruth .....	2	4	4	4	4	18
Sergeant W. F. Hall .....	2	4	4	3	5	18
Private J. Anderson .....	3	4	4	4	4	19
Private C. Preston .....	4	4	4	4	4	20
Private A. T. Weller .....	4	5	5	2	5	21
Private R. L. Chambers .....	3	4	3	4	4	18
Private A. J. Buckley .....	4	3	4	4	3	18
Private J. McAteer .....	5	4	5	4	4	22
Private W. Miller .....	4	4	3	4	3	18
Private J. R. Bratton .....	3	4	4	4	5	20
Private W. H. Millman .....	4	4	3	3	4	18
Private C. Conlèy .....	3	4	4	4	3	18
Private S. Saunders .....	4	4	4	4	3	19
Private W. H. Farnwalt .....	3	4	3	5	4	19
Private C. F. Brinkerhoff .....	4	4	3	4	5	20
Private B. F. Wilkins .....	4	4	4	4	4	20
Private E. J. Stokes .....	4	4	4	5	4	21
Private J. Taylor .....	3	3	4	3	5	18
Private W. K. McCrady .....	4	5	4	5	5	23
Private C. S. Venables .....	3	4	4	3	4	18
Private G. H. Lynch .....	3	4	4	5	4	19
Sergeant N. F. Gray .....	4	4	4	3	3	19
Corporal C. Dickerson .....	4	4	5	5	3	21
Private F. R. Meecham .....	3	4	4	4	5	20

Lieut. C. M. Dillon	4	4	4	3	4	19
Lieut. L. Ellison	3	5	4	4	5	21
Sergeant J. A. Ellison	3	5	4	4	3	19
Private H. Chalfant	5	2	5	3	3	18
Private G. E. Everett	4	4	4	4	5	21
Captain E. E. Rutan	5	3	4	4	3	19
Private B. F. Lyth	3	3	4	5	3	18
Corporal W. J. Hall	4	4	4	4	5	21
Private E. J. Barnes	3	4	3	4	5	19
Private W. S. Jordan	5	3	3	4	3	17
Private W. M. Watson	2	4	4	4	5	19

## Second Class, 200 Yards.

Private W. M. Millman	4	3	3	3	3	16
Private W. E. Ruth	4	3	4	4	3	18
Private E. J. Stokes	3	3	3	3	3	15
Private C. Preston	4	0	4	4	4	16
Private C. S. Venables	3	4	2	3	4	16
Private E. J. Barnes	5	5	3	2	3	18
Lieut. L. Ellison	2	3	4	5	3	17
Lieut. C. M. Dillon	2	3	4	4	4	17
Sergeant J. A. Ellison	3	5	4	3	2	17
Private A. J. Buckley	5	4	4	3	4	20
Sergeant N. L. Gray	3	4	3	3	4	17
Private B. F. Lyth	0	3	4	5	4	16
Private W. S. Jordan	4	3	4	3	4	18
Corporal C. Dickerson	4	4	4	0	3	15
Private G. H. Lynch	4	4	2	3	3	16
Private F. R. Meecham	3	3	4	5	0	15
Private W. M. Watson	4	3	3	2	3	15
Private R. L. Chambers	4	2	3	5	4	18
Private A. E. Anderson	2	4	2	4	4	16
Private W. K. McCready	2	4	4	2	4	16

## First Class, 500 Yards.

Lieut. C. M. Dillon	2	2	4	3	4	15
Sergeant J. A. Ellison	4	3	2	3	5	17
Private W. E. Ruth	4	5	4	0	3	16
Private W. J. Hall	3	3	5	5	3	19
Private B. E. Lyth	4	4	0	5	4	17
Private A. E. Anderson	3	2	5	4	2	16



## APPENDIX E.

## QUARTERMASTER'S DEPARTMENT.

Wilmington, Del., Dec. 31st, 1898.

Brigadier General Garrett J. Hart, Adjutant Gen. of Delaware.

General: I have the honor to submit the following as my report of all United States and State property in charge of this department at this date:

I also report the finding of the Board of Survey convened by General Orders No. 43 and No. 44, A. G. O., dated August the 2d and 5th, 1898, and how the condemned property was disposed of, and the amount received.

Also, the Quartermaster's and ordnance stores turned over to the United States Government at "Camp Ebe W. Tunnell," at Middletown, Delaware, when the National Guard entered the United States Volunteer service.

And the amount of funds received and expended by this department. You will also find Captain W. H. Franklin's and Captain C. A. Garton's settlements of their accounts, and their balances paid over to me, which I have deposited in the National Bank of Delaware. The proceeds of the sale of condemned property (State) is deposited in the Equitable Guarantee and Trust Company.

BILLS PAID BY THE QUARTERMASTER'S DEPARTMENT FOR THE MONTH OF APRIL, 1898.

April 22.	Surgeon James L. France .....	\$ 80
" 23.	Capelle Hardware Co. (2 bills) .....	27.90
" 23.	Dr. H. C. Moore .....	5.00
" 25.	H. Vaughan .....	.65
" 25.	Adams Express Co. ....	9.95
" 25.	Capelle Hardware Co. (2 bills) .....	44.29
" 26.	P., W. & B. R. R. Co. (2 bills) .....	58.66
" 26.	Capelle Hardware Co .....	4.80

April	26.	J. B. Messick .....	9.95
"	26.	J. B. Stidham's Express Co. ....	43.00
"	26.	Adams Express Co. (2 bills) .....	8.15
"	27.	Capelle Hardware Co. ....	3.35
"	27.	Adams Express Co. (4 bills) .....	5.20
"	27.	J. B. Messick .....	.75
"	27.	Wm. Brockson .....	10.10
"	27.	P., W. & B. R. R. Co. ....	.25
"	28.	F. L. Cates .....	1.30
"	28.	A. D. Chaytor .....	6.57
"	28.	DeVallinger & Bro. (2 bills) .....	16.20
"	28.	John P. McIntyre .....	18.00
"	28.	J. B. Messick .....	.10
"	28.	P., W. & B. R. R. Co. ....	4.30
"	28.	Adams Express Co. (3 bills) .....	9.50
"	28.	John W. Solloway .....	47.50
"	29.	P., W. & B. R. R. Co. ....	1.43
"	29.	J. S. Thompson .....	157.22
"	29.	M. Keegan .....	9.45
"	29.	W. S. Leatherbury .....	10.50
"	29.	A. J. Hart .....	32.95
"	29.	Adams Express Co. ....	13.95
"	30.	P., W. & B. R. R. Co. (2 bills) .....	.89
"	30.	J. S. Thompson .....	89.34
"	30.	Adams Express Co. (6 bills) .....	4.60
"	30.	J. M. Foster .....	31.50
"	30.	Lieut. Col. A. D. Chaytor .....	11.12
			<hr/>
			\$699.22

BILLS PAID BY THE QUARTERMASTER'S DEPARTMENT  
FOR THE MONTH OF MAY, 1898.

May	1.	W. D. Venn .....	\$ 87.50
"	2.	W. S. Leatherbury (2 bills) .....	7.57
"	2.	P., W. & B. R. R. Co. ....	2.75
"	2.	Surgeon J. L. France .....	1.00
"	3.	Adams Express Co. (6 bills) .....	8.80
"	3.	A. D. Chaytor, Asst. Q. M. General .....	5.68
"	3.	P., W. & B. R. R. Co. (2 bills) .....	3.76

May	4. P., W. & B. R. R. Co. (3 bills) .....	3.43
"	4. Adams Express Co. ....	1.40
"	5. P., W. & B. R. R. Co. (2 bills) .....	1.47
"	5. Adams Express Co. ....	8.10
"	6. P., W. & B. R. R. Co. (2 bills) .....	3.42
"	6. Adams Express Co. (2 bills) .....	2.55
"	7. P., W. & B. R. R. Co. ....	1.03
"	7. Adams Express Co. ....	3.40
"	7. Freeman & Weber .....	15.00
"	7. Wood & Co. ....	.20
"	8. John Williams .....	15.45
"	9. J. R. Dawson .....	1.75
"	9. I. P. Wickersham .....	3.45
"	9. A. M. Chamberlain .....	7.75
"	10. Adams Express Co. ....	.40
"	10. H. B. Bootes .....	30.02
"	12. A. M. Chamberlain .....	1.00
"	12. P., W. & B. R. R. Co. ....	.80
"	13. Freeman & Weber .....	1.50
"	14. P., W. & B. R. R. Co. ....	.60
"	16. I. P. Wickersham .....	1.10
"	22. Lieut. Co. A. D. Chaytor .....	6.57
"	23. Delaware Hardware Co. ....	.18
"	23. P., W. & B. R. R. Co. ....	1.13
"	28. P., W. & B. R. R. Co. ....	.25
		<hr/>
		\$229.28

BILLS PAID BY THE QUARTERMASTER'S DEPARTMENT FOR THE MONTH OF JUNE, 1898.

June	2. Adams Express Co. ....	\$ 30
"	2. P., W. & B. R. R. Co. ....	12.66
"	10. Stidham's Express Co. ....	13.66
"	17. A. D. Chaytor, Asst. Q. M. Gen. ....	23.75
"	20. P., W. & B. R. R. Co. ....	1.12
"	25. P., W. & B. R. R. Co. ....	.25
		<hr/>

\$51.74

# BILLS PAID BY THE QUARTERMASTER'S DEPARTMENT FOR THE MONTH OF JULY, 1898.

July	6.	Jno. W. Solway .....	\$40.00
"	6.	P., W. & B. R. R. Co. ....	.25
"	7.	P., W. & B. R. R. Co. ....	20.00
"	11.	Stidham's Express Co. ....	17.00
"	12.	P., W. & B. R. R. Co. ....	.25
"	14.	C. Aldred .....	5.00
			<hr/>
			\$82.50

# BILLS PAID BY THE QUARTERMASTER'S DEPARTMENT FOR THE MONTH OF AUGUST, 1898.

Aug.	20.	P., W. & B. R. R. Co. ....	\$ .25
"	24.	P., W. & B. R. R. Co. ....	.91
			<hr/>
			\$ 1.16

# BILLS PAID BY THE QUARTERMASTER'S DEPARTMENT FOR THE MONTH OF SEPTEMBER, 1898.

Sept.	2.	Jno. W. Solway .....	\$13.50
"	10.	P., W. & B. R. R. Co. (2 bills) .....	1.42
"	10.	P., W. & B. R. R. Co. ....	.34
"	30.	P., W. & B. R. R. Co. ....	.44
			<hr/>
			\$15.70

# BILLS PAID BY THE QUARTERMASTER'S DEPARTMENT FOR THE MONTH OF OCTOBER, 1898.

Oct.	12.	Draper & Co. ....	\$ 6.60
"	22.	C. Aldred .....	2.00
"	22.	Stidham's Express Co. ....	17.00
			<hr/>
			\$25.60

BILLS PAID BY THE QUARTERMASTER'S DEPARTMENT FOR THE MONTH OF NOVEMBER, 1898.

Nov. 7. Lieut. Co. A. D. Chaytor .....	\$16.50
	<u>          </u>
	\$16.50

STATEMENT OF EXPENDITURES.

AT "CAMP EBE W. TUNNELL," MIDDLETOWN, DEL.

To cash .....	\$1,150.00
By April bills .....	\$699.22
By May bills .....	229.28
By June bills .....	51.74
By July bills .....	82.50
By August bills .....	1.16
By September bills .....	15.70
By October bills .....	25.60
By bills paid in November .....	16.50
By cash on hand .....	.58
By cash in bank .....	27.72
	<u>          </u>
	\$1,150.00

Captain C. A. Garton's expenses for the first eight months of 1898 were as follows:

To check .....	\$300.00
By expenses .....	\$269.74
By check to Lieut. Col. A. D. Chaytor .....	30.26
	<u>          </u>
	\$300.00

Captain W. H. Franklin's expenses from January 14th to March 4th, 1898, were:

To check .....	\$300.00
By expenses .....	\$166.68
By check to Lieut. Col. A. D. Chaytor .....	133.32
	<u>          </u>
	\$300.00

# QUARTERMASTER'S STORES TURNED OVER TO THE UNITED STATES.

Wool blankets .....	664
Rubber blankets .....	379
Blouses .....	231
Trousers .....	251
Campaign hats .....	679
Leggins, pairs .....	500
Hospital tents, complete .....	9
Wall tents, complete .....	40
Common tents, complete .....	149
Sibly tents, complete .....	I
Army medical chest, complete .....	I
Storm flag .....	I
Post flag .....	I
Regimental colors, silk .....	I
Regimental flag, silk .....	I
Regimental flag staffs .....	2
Regimental flag cords and tassels .....	2
Regimental flag covers .....	2
Regimental flag belts and slings .....	2
Case of surgical instruments .....	I
Letters received, regimental .....	I
Letters received, index regimental .....	I
Letters sent, regimental .....	I
Letters sent, index regimental .....	I

## ORDNANCE STORES TURNED OVER TO THE UNITED STATES.

Springfield rifles, cal. 45 .....	221
Bayonet scabbards .....	394
Gun slings .....	278
Cartridge boxes .....	340
Waist belts .....	366
Waist belt plates .....	427
Canteens .....	295
Canteen straps .....	324
Tin cups, quarts .....	207

Meat cans .....	175
Non-commissioned officers' swords .....	8
Sword frogs .....	8
Ankle irons, prs .....	2
Wrist irons, prs .....	2

## ORDNANCE PROPERTY OF UNITED STATES ON HAND.

Non-commissioned officers' and musicians' swords .....	54
Non-com. officers' and musicians' belts and plates .....	46
Non-commissioned officers' and musicians' frogs .....	46
Colt's revolvers, cal. 38 .....	95
Colt's revolver holsters .....	95
Colt's revolver arms chests .....	2
Colt's revolvers, cal. 45 .....	3
Set artillery harness for two horses .....	1
Carbines, cal. 45 .....	45
Instruction books .....	5
Cavalry sabres .....	51
Officers' sabres .....	14
Officers' swords .....	29
Saddles .....	51
Curb bridles .....	50
Saddle cloths .....	12
Crupper .....	1
Housings for Brigadier General .....	3
Carbine slings .....	50
Carbine swing swivels .....	50
Cartridge belts .....	48
Sabre belts .....	52
Sabre belt plates .....	51
Sabre attachments .....	2
U. S. Magazine rifles, model '92, cal. 30 .....	4
Bayonets for magazine rifles .....	4
Cartridge belts, magazine rifles .....	4
Boxes of cleaning material .....	15
Boxes of cleaning material, empty .....	30
Arms chests .....	8
Carbine rifle cartridges (ball) .....	9000

Rifle and carbine cartridges (blank) .....	4000
Rifle cartridges, cal. 30 .....	1500
Revolver cartridges, cal. 38 .....	2000

### QUARTERMASTER'S PROPERTY, UNITED STATES, ON HAND.

Snare drums .....	20
Base drum sticks .....	1
Base drum slings .....	1
Base drum heads .....	4
Drum heads, batter .....	20
Drum heads, snare .....	20
Drum slings .....	20
Drum sticks, pairs .....	33
Dress coats .....	150
Helmets, complete .....	150
Fatigue caps .....	99
Dress coats, musicians .....	36
Post flag .....	1
Garrison flag .....	1
Overcoats .....	302
G. L. chevrons, 1st Sergt. prs .....	45
G. L. chevrons, duty Sergt. ....	99
G. L. chevrons, Corporals .....	197
G. L. chevrons, non-com. staff .....	25
Cloth chevrons, N. C. S., color and 1st Sergt .....	87
Cloth chevrons, duty Sergt. ....	165
Cloth chevrons, Corporals .....	206
Trouser stripes, prs., non-com. staff .....	4
Trouser stripes, prs., Sergt .....	120
Trouser stripes, prs., Corporals .....	252
Trouser stripes, prs., musicians .....	105
Hospital flag, general .....	1

### QUARTERMASTER'S STORES, STATE OF DELA- WARE, ON HAND.

Windsor chairs .....	175
Stretchers .....	2



Pairs platform scales .....	2
Knapsacks, boxed .....	362
Knapsacks, not boxed .....	56
White helmets .....	25
Old bugles .....	12
New metal fifes .....	19
Letter presses .....	2
Typewriters .....	2
Base drums .....	1
Roll top desks .....	6
Flat top desks .....	5
Desk chairs .....	9
Office chairs .....	53
Safe .....	1
Poplar tables .....	4
Governor's flags .....	2
Pole for Governor's flag .....	1
Sling for Governor's flag .....	1
Clothes trees .....	3
Small tables .....	2
Large rugs .....	2
Small rugs .....	5
Closets .....	4
Cuspidores .....	14
Oak tables .....	1
Old drum snares .....	3
Old drum snare shells .....	8
Brick Armory, cor. 12th and Orange sts. ....	1

### ORDNANCE STORES, STATE OF DELAWARE, ON HAND.

Non-com. officers' and musicians' swords .....	22
Non-com. officers' and musicians' sword frogs .....	22
Rifles, old and worthless .....	360
Bayonets, old and worthless .....	363
Bayonet scabbards, worthless .....	171
Cartridge boxes .....	353
Waist belts .....	166
Waist belt plates .....	30
Gatling gun, complete .....	1

The following Quartermaster's property was condemned and sold, as per recommendation, and the amount received:

Overcoats, 264; Blankets, 53; Stoves, 16 .....\$90.72

The following Quartermaster's property was destroyed as being of no use:

Cots .....	40
Camp chairs .....	64
Hospital table .....	1
Brooms .....	53
Buckets .....	65
Tubs .....	18
Tin basins .....	52
Hospital flag .....	1
Dishes .....	2265
Knives, forks and spoons .....	2048
Malls .....	2
Lanterns .....	60
Street lamps .....	10
Buck saw .....	1
Pitch fork .....	1
Curry comb and brush .....	1
Bed ticks .....	499
Tin cups .....	406
Tin dippers .....	24
Coffee pots .....	18
Bread toasters .....	5
Dish pans .....	10
Water coolers .....	2
Post flag .....	1
Garrison flag .....	1
Halyards .....	1
Set Quartermaster's books .....	1

#### PROPERTY LOANED BY THE STATE AS FOLLOWS:

Lodge of American Mechanics, at Dover, Delaware.

Rifles, Springfield, cal. 45 .....	7
Bayonets .....	7

Bayonet scabbards .....	7
Waist belts .....	7
Waist belt plates .....	7
Cartridge boxes .....	7
Dress coats, old .....	3
Helmets, old .....	3
Blouses, old .....	7
Trousers, old, prs. ....	7
Fatigue caps, old .....	7

#### Encampment No. 34, U. V. L.

Rifles, Springfield, cal. 45 .....	13
Waist belts .....	13
Waist belt plates .....	13
Bayonets .....	13
Bayonet scabbards .....	13
Cartridge boxes .....	13

#### J. W. Andrews.

Rifles, Springfield, cal. 45 .....	16
Bayonets .....	16
Bayonet scabbards .....	16
Waist belts .....	16
Waist belt plates .....	16
Cartridge boxes .....	16

#### Phil. Sheridan G. A. R. Post.

Cartridge boxes .....	7
Rifles, Springfield, cal. 45 .....	2
Bayonets .....	5
Bayonet scabbards .....	10
Waist belts .....	5
Waist belt plates .....	5
Waist belt plates .....	5

Your obedient servant,

A. D. CHAYTOR,  
Lieutenant Col. and Asst. Q. M. General.

Mr. Knox offered a Senate joint resolution entitled

"That the Secretary of the Senate be authorized to have printed 500 copies of the Adjutant General's Report,"

Which, on his motion,

Was read,

And further on his motion,

Was

Adopted.

Mr. Lewis moved that the Senate go into executive session on Tuesday, January 10, 1899, at 4 o'clock, P. M., for the consideration of the appointment submitted by his Excellency, the Governor,

Which motion

Prevailed.

On motion of Senator Moore the Senate adjourned until Monday, January 9, at 11 o'clock, A. M.

Monday, January 9, 1899—11 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Abbott, Allee, Blakely, Brasure, Farlow, Hart, Knox, Lewis, Maull, McFarlin, Meredith, Moore, Pennewill, Pyle, Shakespeare, Slaughter, and Mr. President pro tem.

Journal read and approved.

Mr. Blakely offered a Senate joint resolution entitled

Senate Joint Resolution No. 3, entitled.

“Joint resolution authorizing the President pro tem of the Senate to appoint a committee of two on part of the Senate to confer with a committee of three on part of the House to settle with the State Treasurer and the State Auditor,”

Which, on his motion,

Was read,

And, on motion of Mr. Abbott

Was

Adopted.

Thereupon the President pro tem appointed Messrs. Blakely and Moore as such committee on part of the Senate.

Ordered to the House for concurrence.

Mr. Meredith offered Senate joint resolution entitled

Senate Joint Resolution No. 4, entitled

"Senate joint resolution authorizing the President pro tem of the Senate to appoint a committee of two on part of the Senate to act with a like committee on the part of the House in securing an Enrolling Clerk,"

Which, on his motion,

Was read,

And, on his further motion,

Was

Adopted.

Thereupon the President pro tem appointed Messrs. Meredith and Farlow as such committee on part of the Senate.

Ordered to the House for concurrence.

Mr. Pyle, of the joint committee appointed to adopt rules of intercourse between the two Houses, reported as follows:

We, the joint committee to draft rules for the government of intercourse between the two Houses, report as follows:

## JOINT RULES GOVERNING INTERCOURSE BETWEEN THE TWO HOUSES.

Rule 1. In every case of amendment to a bill, or any other matter agreed to in one House and dissented to in the other, if either House shall request a conference, and appoint a committee for that purpose, the other House shall also appoint a committee to confer. Such committees shall, at a convenient hour agreed on by their chairmen, meet in the conference chamber, and state to each other, verbally, or in writing as either shall choose, the reasons of their respective Houses for and against

the amendment or other matter of disagreement, and confer freely thereon.

Rule 2. When a message shall be sent from either House to the other, it shall be announced at the door of the House to which it is sent, by the Sergeant-at-Arms, and shall be respectfully communicated to the Chair by the person by whom it may be sent.

Rule 3. Messages shall be sent by such persons as a sense of propriety in each House may determine.

Rule 4. While bills or joint resolutions are on their passage between the two Houses, they shall be on paper, and under the signature of the Clerk of each House respectively.

Rule 5. After a bill or joint resolution shall have passed both Houses, it shall be duly enrolled by the Clerk of the House in which it originated, and shall be examined by a committee of each House respectively, who shall carefully compare the enrollment with the original, as passed by both Houses; and after correcting any errors that may be discovered in the enrolled copy, shall make a report in their respective Houses.

Rule 6. After examination and report, each bill or joint resolution shall be signed in the respective houses, first by the presiding officer of the house in which it originated.

Rule 7. When a bill or resolution which shall have passed in one house is rejected by the other, notice thereof shall be given to the house in which the same shall have passed.

Rule 8. Each house shall transmit to the other all papers on which any bill or joint resolution may be founded.

Rule 9. After each house shall have adhered to their disagreement, a bill or joint resolution shall be lost.

Rule 10. In all cases where a conference takes place, the committee shall be composed of members who voted in the majority on the point or points of difference, but the committee

shall not have power or control over any part of the bill, resolution, or order, except such parts on which difference exists between the two houses.

Respectfully submitted,

JOHN PYLE,  
S. J. ABBOTT,

Committee on the part of the Senate.

ROBERT M. BURNS,  
WM. THARP,  
FRANCIS J. McNULTY,

Committee on the part of the House.

Which, on motion of Mr. Meredith,

Was read,

And, on his further motion,

Was

Adopted.

Mr. Meredith offered the following resolution:

“Resolved, That the Clerk of the Senate be and he is hereby authorized to have printed for the use of the members 300 copies of the Senate Manual, containing the names, residences and postoffice addresses of the officers and members of both Houses, the standing committees of both Houses, the rules of the Senate and the joint rules governing intercourse between the two Houses.”

Which, on his motion,

Was read,

And, on his further motion,

Was

Adopted.



On motion of Senator Allee Senate took a recess until 3 o'clock, P. M.

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Same Day—3 o'clock, P. M.

Senate reassembled at the expiration of recess.

On motion of Senator Abbott Senate adjourned until 11 o'clock, A. M., to-morrow.

Tuesday, January 10, 1899—11 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Abbott, Allee, Blakely, Brasure, Farlow, Hart, Knox, Lewis, Maull, McFarlin, Meredith, Moore, Pennewill, Pyle, Shakespeare, Slaughter, and Mr. President pro tem.

Journal read and approved.

On motion of Mr. Brasure Senate took a recess until 2 o'clock P. M.

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Same Day—2 o'clock, P. M.

Senate reassembled at expiration of recess.

Mr. Pyle, on behalf of committee appointed to draft rules for the government of the Senate,

Submitted the report of the committee,

Which, on his motion,

Was read as follows:

We, your committee appointed to draft rules governing the Senate, submit the following:

### RULES OF THE SENATE.

Rule 1. Every member shall be in his place at the time to which the Senate stands adjourned.

Rule 2. Every day, before the Senate proceeds to other business, the Clerk shall call the names of the members in alphabetical order, and shall read the Journal of the preceding day, which may be corrected by unanimous consent of the Senate.

Rule 3. No member shall be allowed to speak upon any subject more than two times, except in explanation, without leave obtained through the President pro tem.

Rule 4. No member shall be allowed to interrupt another while speaking, unless on points of order, and then only through the President pro tem, and no member shall be referred to by name in debate.

Rule 5. All motions shall be subject to debate, except motions to adjourn, to lay on the table, and for the previous question.

Rule 6. Questions of order shall be determined by the President pro tem without debate, from whose decision an appeal may be had to the Senate at the request of any member.

Rule 7. The President pro tem shall appoint all committees, unless the Senate shall otherwise direct.

Rule 8. Every committee shall report within five days of actual session of the Senate from the time of their appointment, or furnish reasons why a report has not been made.

Rule 9. All motions and resolutions, except for the reading of bills, the daily adjournment of the Senate, or any motion to refer any subject, or postpone, shall, if requested by the President pro tem or any member, be reduced to writing by the mover, and if seconded, shall be repeated by the President pro tem to the Senate before any debate or any decision is had thereon.

Rule 10. Every motion on which a vote is taken shall be entered on the Journal, and (except motions for adjournment) the name of the member moving the same.

Rule 11. Petitions, memorials, and other papers addressed to the Senate, shall be presented by the President pro tem, or a member, who shall briefly state the contents thereof.

Rule 12. When a question has been decided in the affirmative, or negative, any member who voted in the majority, or any member absent at the time of said voting, who, if present, would have voted with the majority, may move for reconsideration thereof, at any time within two days of actual session of the Senate, and the word "majority" shall, in the application of the rule, be construed to mean, not the greater number of votes, but such number as was sufficient to prevail in the decision of the original question.

Rule 13. Every bill shall be introduced by motion for leave, by order of the Senate, or by report of a committee, and one day's notice shall be given of an intended motion for leave to bring in a bill.

Rule 14. Every bill shall receive three readings in the Senate previous to its passage, and no bill shall be read twice on the same day, without special order of the Senate; and every bill, whether reported by a committee or otherwise, shall be taken up for consideration before passing its third reading.

Rule 15. All bills ordered to be engrossed shall be certified by the Clerk, noting the day of passage at the foot thereof.

Rule 16. All messages from the Senate to the House of Rep-

representatives shall be conveyed by the Clerk, or a member, as the President pro tem may direct.

Rule 17. All bills and resolutions which the standing rules of the Senate require to be three several times read may be amended at any time before they are taken up for the third or final reading, and no amendment shall afterwards be made so as to materially change or alter their meaning.

Rule 18. When a message is brought to the Senate by a member of the House, or any officer of the State, the members shall rise upon their feet, if so directed by the President pro tem.

Rule 19. The rules of parliamentary practice, comprised in Cushing's Manual, shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with the standing rules of the Senate.

Rule 20. A vote of the majority shall prevail, except in special cases to the contrary.

Rule 21. A special order, as provided for in Rule 14, shall be granted upon a vote of the majority of all the members.

Rule 22. All joint or other resolutions shall, at the request of any member, be laid over at least one day of actual session.

Rule 23. Unless otherwise ordered by a majority, the Senate shall meet every day (Sundays excepted), at eleven o'clock in the morning.

Rule 24. No rule of the Senate shall be changed or suspended, except by a vote of two-thirds of the members present.

Rule 25. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, for the previous question, to postpone to a certain day, to commit, to amend,

and to postpone indefinitely; which several motions shall have precedence in the order in which they are arranged.

The above Rules are respectfully submitted.

JOHN PYLE,  
E. H. F. FARLOW,  
S. M. KNOX,  
S. S. PENNEWILL,  
GEO. M. D. HART,  
Committee.

On motion the report was received

And the rules adopted as submitted by the committee.

President pro tem Charles H. Salmon, of the State Senate,

Announced the appointment of the following standing committees:

Corporations—Messrs. Meredith, Pyle, Moore, Hart, Knox and Pennewill.

Cities and Towns—Messrs. Pyle, Knox, Farlow, Allee and Maull.

Enrolled Bills—Messrs. Abbott, Moore, Blakely, Farlow and Allee.

Elections—Messrs. Lewis, Knox, Farlow, Pennewill and Slaughter.

Accounts—Messrs. Hart, Blakely, Slaughter, Allee and Lewis.

Claims—Messrs. Slaughter, Shakespeare, Hart, McFarlin and Moore.

Finance—Messrs. Farlow, Brasure, Maull, Abbott and Meredith.

Vacant Lands—Messrs. Pyle, Shakespeare, Maull, McFarlin and Lewis.

Judiciary—Messrs. Knox, Slaughter, Blakely, Pyle and Brasure.

Revised Statutes—Messrs. Maull, Blakely, Slaughter, Abbott and Meredith.

Agriculture—Messrs. Shakespeare, Lewis, McFarlin, Maull and Brasure.

Printing—Messrs. Slaughter, Allee, Moore, Shakespeare and Meredith.

Education—Messrs. Moore, Brasure, Pyle, Pennewill and Lewis.

Fish, Oysters and Game—Messrs. Hart, McFarlin, Meredith, Blakely and Farlow.

Mr. Meredith gave notice that on to-morrow or some future day he would ask leave to introduce a bill,

Senate Bill No. 3, entitled

“An act to divert into the general fund certain moneys which had accumulated in the school fund prior to the passage of the present school law.”

Mr. Meredith, pursuant to previous notice, asked, and

On his motion,

Was granted permission to introduce a bill,

Senate Bill No. 2, entitled

"An act to authorize the school committee of School District No. 52, Kent county, to borrow money to pay for a new school house."

Which, on his motion,

Was read a first time.

And, on his further motion, Rule 14 was suspended as to this bill,

And the bill was read a second time by title and

Referred to the Committee on Education.

#### EXECUTIVE SESSION.

The hour of 4 o'clock, P. M. having arrived,

The Senate proceeded to resolve itself into executive session

For the consideration of appointments submitted by his Excellency, the Governor,

The Senate of Delaware being convened in executive session pursuant to the resolution adopted by the Senate, January 6th, 1899, the communication from the Governor

Was read as follows:

#### THE STATE OF DELAWARE,

Executive Department.

Dover, January 6, 1899.

To the Honorable, the Senate of Delaware:

Gentlemen: In conformity with the Constitution and Laws I have the honor hereby to nominate and appoint for the consent and confirmation of the Senate, John B. Hutton, to be a Justice of the Peace in and for Kent County, resident in East



Dover Hundred, for the term of four years from the sixth day of January, A. D., 1899.

EBE W. TUNNELL,

Governor.

On the question, "Shall the Senate consent to and confirm this nomination?"

Mr. Lewis offered a resolution,

Which, on his motion,

Was read as follows:

"Be it resolved by the Senate of Delaware in executive session convened,

"That the Senate consent to and confirm the appointment of John B. Hutton to be a Justice of the Peace in and for Kent County, resident in East Dover Hundred, for the period of four years from the sixth day of January, A. D., 1899."

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

Yeas—Messrs. Abbott, Blakely, Brasure, Farlow, Hart, Knox, Lewis, Maull, McFarlin, Meredith, Moore, Pennewill, Pyle, Shakespeare, Slaughter and Mr. President pro tem—16.

Nays—None.

So the question was decided in the affirmative.

And the resolution having received the required constitutional majority,

Was

Adopted.

On motion of Mr. Meredith

The executive session then dissolved.

The Senate being reconvened in regular session,

Hon. James H. Hughes, Secretary of State, being admitted, presented for the confirmation of the Senate the following appointments made by his Excellency, the Governor.

THE STATE OF DELAWARE,

Executive Department.

Dover, January 10, 1899.

To the Honorable, the Senate of Delaware:

Gentlemen: In conformity with the Constitution and Laws I have the honor hereby to nominate and appoint for the consent and confirmation of the Senate, Frank C. Wiltbank, to be Justice of the Peace in Sussex County, resident in Lewes, in Lewes and Rehoboth Hundred for the term of four years from the fifteenth day of June, A. D., 1898.

EBE W. TUNNELL,

Governor.

THE STATE OF DELAWARE,

Executive Department.

Dover, January 10, 1899.

To the Honorable, the Senate of Delaware:

Gentlemen: In conformity with the Constitution and Laws I have the honor hereby to nominate and appoint for the consent and confirmation of the Senate, Peter C. Frasher, to be a Justice of the Peace in and for Kent County, resident at Petersburg, for the term of four years from the tenth day of January, A. D., 1899.

EBE W. TUNNELL,

Governor.

On motion of Senator McFarlin the Senate adjourned until  
11 o'clock to-morrow.

Wednesday, January 11, 1899—11 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Abbott, Allee, Blakely, Brasure, Farlow, Hart, Knox, Lewis, Maull, McFarlin, Meredith, Moore, Pennewill, Pyle, Shakespeare, Slaughter, and Mr. President pro tem.

Journal read and approved.

Mr. Maull moved that 3.30 o'clock this afternoon be fixed as the time for this Senate to go into executive session for the purpose of considering certain nominations made by his Excellency, the Governor.

Mr. Brasure gave notice that on to-morrow or some future day he would introduce a bill entitled

“An act regulating the disposition of the funds and effects of unincorporated associations for benevolent, charitable, or beneficial purposes, organized under the warrant or charter of a parent association, upon the dissolution, surrender or vacation of said warrant or charter.”

Mr. Meredith, pursuant to previous notice, asked, and

On motion of Mr. Maull,

Was granted permission to introduce a bill,

Senate Bill No. 3, entitled

"An act to divert into the general fund certain moneys which had accumulated in the school fund prior to the passage of the present school law,"

Which, on his motion,

Was read a first time.

And, on his further motion, Rule 14 was suspended as to this bill,

And the bill was read a second time by title and

Referred to the Committee on Finance.

On motion of Mr. Blakely the Senate took a recess until 2 o'clock, P. M.

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Same Day—2 o'clock, P. M.

Senate reassembled at expiration of recess.

Mr. Moore, from the Committee on Education, to whom had been referred the bill,

Senate Bill No. 2, entitled

'An act to authorize the school committee of School District

No. 52, in Kent County, to borrow money to pay for a new schoolhouse."

Reported the same with favorable recommendation.

On motion of Mr. Meredith, the bill just reported

Was taken up for consideration,

And, on his further motion, was read a third time by paragraphs in order to pass the Senate.

On the question, "Shall this bill pass the Senate?"

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

Yeas—Messrs. Blakely, Brasure, Farlow, Hart, Maull, McFarlin, Moore, Pennewill, Pyle, Shakespeare, Slaughter and Mr. President pro tem—12.

Nays—None.

Mr. Meredith present and not voting.

Absent—Messrs. Abbott, Allee, Knox and Lewis.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

Ordered to the House for concurrence.

Mr. Lewis offered a resolution,

Which, on his motion,

Was read as follows:

"Resolved by the Senate of the State of Delaware, that the Secretary be and is hereby directed to furnish each member of the Senate with a copy of Volumes 19 and 20, Laws of Delaware."

And further on his motion

The resolution was

Adopted.

The hour of 3.30 o'clock having arrived, the Senate proceeded to resolve itself into Executive Session, for the consideration of appointments submitted by his Excellency, the Governor.

The Senate of Delaware

Being convened in Executive Session, pursuant to the resolution adopted by the Senate, January 11th, 1899,

The communication from the Governor was read.

On the question, "Does the Senate consent to and confirm the appointment of Peter C. Frasher to be a Justice of the Peace, resident in Kent County?"

Mr. Meredith offered the following resolution:

January 11th, 1899.

"In Executive Session, Senate of Delaware,

"Resolved, That the Senate consent to and confirm the appointment of Peter C. Frasher to be a Justice of the Peace in and for Kent County, resident at Petersburg, for the term of four years from the tenth day of January, 1899."

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

Messrs. Blakely, Brasure, Farlow, Hart, Lewis, Maull, Mc-

Farlin, Meredith, Moore, Pennewill, Pyle, Shakespeare, Slaughter and Mr. President pro tem—14.

Absent and not voting, 3.

So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Was

Adopted.

On the question, "Does the Senate consent to and confirm the appointment of Frank C. Wiltbank to be a Justice of the Peace for Sussex County, resident at Lewes?"

Mr. Maull offered the following resolution,

Which, on his motion,

Was read.

January 11th, 1899.

"In Executive Session, Senate of Delaware,

"Resolved, That the Senate consent to and confirm the appointment of Frank C. Wiltbank to be a Justice of the Peace in Sussex County, resident in Lewes and Rehoboth hundred, for the term of four years from the fifteenth day of June, A. D., 1898."

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

Yeas—Messrs. Blakely, Brasure, Farlow, Hart, Lewis, Maull, McFarlin, Meredith, Moore, Pennewill, Pyle, Shakespeare, Slaughter and Mr. President pro tem—14.

Nays—None.



So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Was

Adopted.

On motion of Mr. Slaughter the executive session was dissolved.

On motion of Senator Meredith the Senate adjourned until 11 o'clock to-morrow.

Thursday, January 12, 1899—11 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Abbott, Allee, Blakely, Brasure, Farlow, Hart, Knox, Lewis, Maull, McFarlin, Meredith, Moore, Pennewill, Pyle, Shakespeare, Slaughter, and Mr. President pro tem.

Journal read and approved.

Mr. Knox gave notice that on to-morrow or some future day he would ask leave to introduce a bill,

Senate Bill No. 5, entitled

“An act to renew the charter of the Perpetual Savings and Loan Association, of Wilmington, Del.”

Mr. Pyle offered a Senate joint resolution,

Senate Joint Resolution No. 4, entitled

“Senate joint resolution appointing a joint committee to examine and audit the accounts of the State Librarian and to settle with him.”

Which, on his motion,

Was read,

And, on his further motion,

Was Adopted.

In pursuance to the foregoing resolution the President pro tem appointed as such committee on part of the Senate, Messrs. Pyle and Abbott.

Mr. Sheppard, Clerk of the House, being admitted, informed the Senate that the House had adopted and requested the concurrence of the Senate in the following joint resolution, entitled

“House joint resolution in regard to the appointment of a joint committee to settle with the State Treasurer and State Auditor,”

And presented the same to the Senate.

Also, that the Speaker had appointed as a committee on the part of the House, Messrs. Burns, Davis and McNulty.

Mr. Sheppard, Clerk of the House, being admitted, informed the Senate that the House had concurred in the Senate joint resolution entitled

“Senate joint resolution authorizing the President pro tem of the Senate to appoint the Senate members of a joint committee to employ an Enrolling Clerk,”

And returned the same to the Senate.

And the Speaker had appointed as a committee on part of the House, Messrs. Hitchen, Ewing and Satterfield.

Mr. Farlow, from the Committee on Finance, to whom had been referred the bill,

Senate Bill No. 3, entitled

“An act to divert into the general fund certain moneys which

had accumulated in the school fund prior to the passage of the present school law,"

Reported the same with favorable recommendation.

On motion of Mr. Farlow the bill just reported

Was taken up for consideration;

And, on his further motion was read a third time by paragraphs in order to pass the Senate.

On the question, "Shall this bill pass the Senate?"

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

Yeas—Messrs. Abbott, Brasure, Farlow, Hart, Knox, Lewis, Maull, McFarlin, Meredith, Moore, Pennewill, Pyle, Slaughter and Mr. President pro tem—14.

Nays—None.

Absent—Messrs. Allee, Blakely and Shakespeare.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

Ordered to the House for concurrence.

On motion the Senate took a recess until 2 o'clock, P. M.

Same Day—2 o'clock, P. M.

Senate met pursuant to adjournment.

Mr. Pyle offered a Senate joint resolution,

Senate Joint Resolution No. 5, entitled

“Senate joint resolution in relation to the appointment of a joint committee to settle with the Attorney General,”

Which, on his motion,

Was read,

And, on his further motion,

Was

Adopted.

In pursuance to the foregoing resolution the President pro tem appointed as such committee on part of the Senate, Messrs. Pyle and Allee.

Ordered to the House for concurrence.

Mr. Sheppard, Clerk of the House, being admitted, informed the Senate that the House had adopted and requested the concurrence of the Senate in the following House joint resolution, entitled

“House joint resolution providing for a joint committee of the Senate and House of Representatives, on printing,”

And presented the same to the Senate.

Whereby, upon presentation, the joint resolution

Was read,

And referred to the Committee on Printing.

Mr. Sheppard, Clerk of the House, being admitted, informed the Senate that the House had concurred in the following

Senate Joint Resolution No. 5, entitled

"Senate Joint Resolution appointing a joint committee to examine and audit the accounts of the State Librarian, and settle with him."

And returned the same to the Senate.

Mr. Sheppard, Clerk of the House, being admitted, informed the Senate that the House had adopted and requested the concurrence of the Senate in the following House joint resolution, entitled

"House joint resolution authorizing the appointment of a joint committee of two on the part of the Senate and three on the part of the House to settle with the Secretary of State and Clerks of the Senate and House of Representatives."

Mr. Pyle offered the House joint resolution:

"Authorizing the appointment of joint committee of two on part of the Senate and three on the part of the House to settle with the Secretary of State and Clerks of the Senate and House of Representatives,"

Which, on his motion,

Was read,

And, on his further motion,

Was Concurred in.

The President pro tem, in pursuance of the foregoing resolution appointed as such committee on the part of the Senate, Messrs. Farlow and McFarlin.

Ordered back to the House.

Mr. Sheppard, Clerk of the House, being admitted, informed the Senate that the House had concurred in the following

Senate Joint Resolution No. 5, entitled

"Senate joint resolution in relation to settling with the Attorney General."

Hon. J. H. Hughes, Secretary of State, being admitted, presented for the consent and confirmation of the Senate the following appointments by his Excellency, the Governor:

THE STATE OF DELAWARE,

Executive Department.

Dover, January 12, 1899.

To the Honorable, the Senate of Delaware:

Gentlemen: In conformity with the Constitution and Laws I have the honor hereby to nominate and appoint for the consent and confirmation of the Senate, Asahel R. Dodd, to be a Justice of the Peace in Sussex County, resident at Millsboro, in Dagsboro Hundred, for the term of four years from the twelfth day of January, A. D., 1899.

EBE W. TUNNELL,

Governor.

THE STATE OF DELAWARE,

Executive Department.

Dover, January 12, 1899.

To the Honorable, the Senate of Delaware:

Gentlemen: In conformity with the Constitution and Laws I have the honor hereby to nominate and appoint for the consent and confirmation of the Senate, Willard T. Smith, to be Super-

intendent of Free Schools for New Castle County for the term of one year from the twelfth day of July, A. D., 1898.

EBE W. TUNNELL,

Governor.

THE STATE OF DELAWARE,

Executive Department.

Dover, January 12, 1899.

To the Honorable, the Senate of Delaware:

Gentlemen: In conformity with the Constitution and Laws I have the honor hereby to nominate and appoint for the consent and confirmation of the Senate, Caleb C. Tindal, to be Superintendent of Free Schools for Kent County for the term of one year from the twelfth day of July, A. D., 1898.

EBE W. TUNNELL,

Governor.

THE STATE OF DELAWARE,

Executive Department.

Dover, January 12, 1899.

To the Honorable, the Senate of Delaware:

Gentlemen: In conformity with the Constitution and Laws I have the honor hereby to nominate and appoint for the consent and confirmation of the Senate, Roman Tammany, to be Superintendent of Free Schools for Sussex County for the term of one year from the twelfth day of July, A. D., 1898.

EBE W. TUNNELL,

Governor.

Mr. Pyle moved that the Senate resolve itself into executive session to-morrow at 4 o'clock, P. M.,



Which motion

Prevailed.

On motion of Mr. Blakely the Senate adjourned until 11 o'clock, A. M., to-morrow.

Friday, January 13, 1899—11 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Abbott, Allee, Blakely, Brasure, Farlow, Hart, Knox, Lewis, Maull, McFarlin, Meredith, Moore, Pyle, Slaughter and Mr. President pro tem.

Journal read and approved.

Mr. Brasure, pursuant to previous notice, asked, and

On motion

Was granted permission to introduce a bill,

Senate Bill No. 4, entitled

“An act regulating the dispositions of the funds and effects of unincorporated associations for benevolent, charitable, or beneficial purposes, organized under the warrant or charter of a parent association, upon the dissolution, surrender or vacation of such warrant or charter.”

Which, on his motion,

Was read a first time.

And, on his further motion, Rule 14 was suspended as to this bill,

And the bill was read a second time by title and

Referred to the Committee on Incorporations.

Mr. Knox offered a Senate joint resolution.

Senate Joint Resolution No. 7, in reference to the employment of counsel,

Which, on his motion,

Was read.

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

Yeas—Messrs. Abbott, Allee, Brasure, Farlow, Hart, Knox, Maull, McFarlin, Pyle, Slaughter and Mr. President pro tem—  
11.

Nays—Messrs. Lewis and Meredith—2.

Absent and not voting, Messrs Blakely, Pennewill, Moore and Shakespeare.

So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Passed the Senate.

Ordered to the House for concurrence.

On motion of Mr. Farlow Senate took a recess until 3 o'clock P. M.

Same Day—3 o'clock, P. M.

Senate met at the expiration of the recess.

In the absence of the President pro tem, on motion of Mr. Abbott, Senator Pyle acted as presiding officer.

Mr. Abbott, on part of the joint committee to audit the accounts of the State Librarian, submitted the following report:

January 13th, 1899.

Statement of the committee appointed to audit the account of the State Librarian from April 27, 1897 to date:

Whole amount received .....	\$127.55
Whole amount expended .....	\$129.59
	<hr/>
Balance due the Librarian .....	\$ 2.04

JOHN PYLE,

S. J. ABBOTT,

Committee on the part of the Senate:

JAS. W. ROBERTSON,

JOHN W. DENNISON,

FRANK P. EWING,

Committee on the part of the House.

The report of the Librarian was presented

And read as follows:

Office of the State Librarian,

Dover, Delaware.

To the General Assembly:

In pursuance of Section 6, Chapter 6, Volume 17 of the Laws of Delaware, I beg leave to submit the following report:

There has been received from the several states in exchange books and pamphlets 1,019. From the U. S. Department at Washington 917, and purchased by the State 241; total increase to the Library of 2177 volumes, which, added to the number of volumes reported by my predecessor of 38,000 volumes, a total of 40,177 volumes in the Library at the present time.

I have had shelving placed in the basement for the purpose of storing duplicate and unused books which accumulate and fill the room desired for the use of books in general use.

As directed by the last General Assembly, I have procured a case for the old Latin Bible, in which it now rests secure from the hands of the curious.

They also appropriated \$22 to procure brackets to supply broken ones in the Library. Under the increase of my duties caused by the repairs to the State House I have not used the said amount, but will do so in the near future, as the shelf room will soon be needed for immediate use.

From long and rough usage many of the books in the Library are in need of repairs. Would respectfully call your attention to same.

There is another old book to which I wish to call your attention—a dictionary—for its age and rarity would be well to be kept in a case as a curio.

The following is a correct list of all books as received by me.

Very respectfully yours,

THOMAS W. JEFFERSON,

January 10th, 1899.

State Librarian.

January 13, 1899.

Statement of the Librarian's account in regard to the book

fund subject to the direction of the Court of Errors and Appeals:

Balance on hand April 14, 1897 .....	\$309.40
April 28, 1898, from State Treasurer .....	900.00
Total .....	<u>\$1,209.40</u>
Expenditures for same period .....	689.00
Balance to credit of book fund .....	<u>520.40</u>

JOHN PYLE,  
S. J. ABBOTT,

Committee on the part of the Senate.

JAS. W. ROBERTSON,  
JOHN W. DENNISON,  
FRANK P. EWING,

Committee on the part of the House.

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

House Bill No. 8, entitled

"An act prescribing regulations for doing and furnishing all printing to be used by the present session of the General Assembly,"

And presented the same to the Senate.

He also informed the Senate that the House had concurred in the Senate joint resolution entitled

"Senate joint resolution in relation to the employment of counsel,"

And returned the same to the Senate.

The hour of four o'clock having arrived,

The Senate proceeded to resolve itself into executive session, for the consideration of appointments submitted by his Excellency, the Governor.

### Senate of Delaware

Being convened in executive session, pursuant to the resolution adopted by the Senate, January 12, 1899,

The communication from the Governor was read.

On the question, "Does the Senate consent to and confirm the appointment of Asahel R. Dodd to be Justice of Peace in Sussex County?"

Mr. Brasure offered the following resolution:

Dover, Delaware, January 13, 1899.

### In Executive Session, Senate of Delaware,

"Resolved, That the Senate consent to and confirm the appointment of Asahel R. Dodd to be a Justice of the Peace in Sussex County, resident at Millsboro, Dagsboro Hundred, for the term of four years from the 12th day of January, 1899."

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

Yeas—13.

Nays—None.

So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Was

Adopted.

On the question, "Does the Senate consent to and confirm the appointment of Willard F. Smith to be Superintendent of Free Schools for New Castle County?"

Mr. Knox offered the following resolution:

Dover, Delaware, January 13, 1899.

In Executive Session, Senate of Delaware,

"Resolved, That the Senate consent to and confirm the appointment of Willard F. Smith to be Superintendent of Free Schools of New Castle County from the 12th day of July, 1898."

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

Yeas—13.

Nays—None.

So the question was decided in the affirmative.

And the resolution having received the required constitutional majority,

Was

Adopted.

On the question, "Does the Senate consent to and confirm the nomination of Caleb C. Tindal to be Superintendent of Free Schools for Kent County?"

Mr. Lewis offered the following resolution:

Dover, Delaware, January 13, 1899.

In Executive Session, Senate of Delaware,

"Resolved, That the Senate consent to and confirm the ap-



pointment of Caleb C. Tindal to be Superintendent of Free Schools for Kent County for the term of one year beginning July 12th, 1898."

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

Yeas—14.

Nays—None.

So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Was Adopted.

On the question "Does the Senate consent to and confirm the appointment of Roman Tammany to be Superintendent of Free Schools for Sussex County?"

Mr. Abbott offered the following resolution:

"In Executive Session, Senate of Delaware,

"Resolved, That the Senate consent to and confirm the appointment of Roman Tammany to be Superintendent of Free Schools for Sussex County for the term of one year from the 12th day of July, 1898."

Mr. Moore moved that further consideration be deferred until some future day,

Which motion Prevailed.

On motion of Mr. McFarlin the executive session was dissolved.

Senate being reconvened in regular session,

Mr. Lewis, on behalf of the Committee on Elections, to whom had been referred papers in connection with the contest of Hiram R. Burton for the seat of Frank C. Maull,

Submitted the majority report,

Which, on his motion,

Was read as follows:

"A majority of your committee to whom was referred the contested election of Hiram R. Burton against Franklin C. Maull respectfully report:

"That they have examined the facts and papers in said case, and find that the contestant had full opportunity to contest the same under the provisions of the Constitution and laws of the State; that the contestant applied to the Superior Court, sitting at Georgetown for the purpose of ascertaining the state of the election in Sussex county, for a recount and contest, and, after entering into the same, withdrew his said application, and that the said Superior Court, then and there, proceeded and ascertained the state of the election throughout the county, and certified that Franklin C. Maull was duly elected Senator from the Fifth Senatorial district in and for Sussex County,

"And that the said court had jurisdiction of all the grounds alleged in his statement of contest before this body.

"A majority of your committee deem it inadvisable to further consider the said contest, and recommend that the same be dismissed; they finding that the said Franklin C. Maull was duly elected to the office of Senator from the Fifth Senatorial district in Sussex county."

R. W. LEWIS, Chairman.  
E. H. F. FARLOW,  
STEPHEN SLAUGHTER,

Mr. Knox, from the same committee, offered the minority report,

Which, on his motion,

Was read as follows:

"We hereby desire to submit the report of the minority members of your Committee on Elections in the case of the contest for the seat in this body from the Fifth Senatorial district of Sussex County, Hiram R. Burton contestant.

"It is our opinion that the petition and specifications of said contestant show sufficient grounds to justify the opening of the ballot boxes in the Representative districts referred to in said contestant's petition and specifications, and the counting of the ballots in said petition and specifications alleged to have been wrongfully refused to be counted by the election officers of said representative districts; and

"It is our opinion that it is necessary for such opening of the ballot boxes and counting of said votes to ascertain correctly the state of elections in said districts, and to determine who is rightfully entitled to the seat in this body from the said Senatorial district."

Respectfully submitted,

S. M. KNOX.

On the question, "Does the Senate receive and approve the report as submitted by the minority of the committee?"

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

Yeas—Messrs. Abbott, Allee, Blakely, Brasure, Knox—5.

Nays—Messrs. Farlow, Hart, Lewis, Meredith, Moore, Pyle, Slaughter—7.

Not voting—5.

So the question was decided in the negative,

And the report having failed to receive the required constitutional majority,

Was not received and approved.

Mr. Knox moved that the Senate adjourn until 11 o'clock, A. M., Monday, January 16th.

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

Yeas—Messrs. Abbott, Allee, Blakely, Brasure, Knox—5.

Nays—Messrs. Farlow, Hart, Lewis, Meredith, Moore, Pyle, Slaughter—7.

Not voting—5.

So the question was decided in the negative,

And the motion having failed to receive the required constitutional majority,

Was

Lost.

On the question, "Does the Senate receive and approve the report of the majority of the committee?"

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

Yeas—Messrs. Farlow, Hart, Lewis, Meredith, Moore, Pyle, Slaughter—7.

Nays—Messrs. Abbott, Allee, Blakely, Brasure, Knox—5.

Not voting—5.

So the question was decided in the affirmative,

And the report having received the required constitutional majority,

Was received and

Adopted.

Mr. Farlow moved to reconsider the vote by which the report of the Committee on Elections in the matter of the contest of Hiram R. Burton against Frank C. Maull was adopted and to lay that motion on the table.

Mr. Lewis moved to lay the motion to reconsider on the table.

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

Yeas—Messrs. Abbott, Allee, Blakely, Brasure, Farlow, Hart, Knox, Lewis, Meredith, Moore, Pyle, Slaughter—12.

Nays—None.

Not voting—5.

So the question was decided in the affirmative,

And the motion having received the required constitutional majority, Prevailed.

On motion the Senate adjourned until 11 A. M., Monday, January 16th.

Monday, January 16, 1899—11 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Abbott, Allee, Blakely, Brasure, Farlow, Hart, Knox, Lewis, Maull, McFarlin, Meredith, Moore, Pennewill, Pyle, Slaughter, and Mr. President pro tem.

Journal read and approved.

Mr. Knox gave notice that on to-morrow or some future day he would ask leave to introduce a bill,

Senate Bill No. 6, entitled

“An act to renew the charter of the Pusey & Jones Company, of Wilmington, Delaware.”

Mr. Knox gave notice that on to-morrow or some future day he would ask leave to introduce a bill,

Senate Bill No. 7, entitled

“An act to renew the charter of the General Steamship Company.”

Mr. Meredith gave notice that on to-morrow or some future day he would ask leave to introduce a bill,

Senate Bill No. 8, entitled