

“An act to amend Chapter 460, Volume 15 Laws of Delaware, entitled ‘An act to reincorporate the Town of St. Georges, and for other purposes,’”

Reported the same back to the House with the recommendation that they pass.

Mr. Barlow, on behalf of the Committee on Private Corporations, to whom was referred House bill No. 328, entitled,

“An act in relation to foreign investments,”

Reported the same back to the House with an amendment, and recommended its passage as amended.

He also reported favorably, with an amendment, House bill No. 268, entitled,

“An act to amend an act entitled ‘An act to incorporate the Electrical Construction and Maintenance Company,’ passed at Dover, April 13, 1883.”

Also, a substitute for the same, entitled,

“An act supplemental to an act entitled ‘A supplement to an act to incorporate the purchasers of the Wilmington and Western Railroad,’ passed at Dover, March 1, 1881, Laws of Delaware, Volume 16, Chapter 454.”

Mr. Schabinger, on behalf of the Committee on Enrolled Bills, reported as being duly and correctly enrolled the following House bill, viz :

“An act to incorporate the Town of Magnolia,”

And presented the same for the signature of the Speaker of the House.

He also reported as duly and correctly enrolled the following Senate bills and joint resolutions, the same having been signed by the Speaker of the Senate, to wit :

“An act to divorce Charles L. Squires and Susie E., his wife, *a vinculo matrimonii* ;”

“An act to divorce Robert C. Morris and Ann Elizabeth, his wife, *a vinculo matrimonii* ;”

“An act to amend an act entitled ‘An act to incorporate the River Front Land Improvement Company,’ passed at Dover, February 6th, 1883;”

“An act to repeal an act supplementary to Section 4 of Chapter 90 of the Revised Statutes of this State, relating to sales of real estate by executors and administrators, passed at Dover, March 26th, 1869;”

“An act to incorporate the Frederica and Felton Telephone and Telegraph Company;”

“An act to amend Chapter 47, Volume 17 of the Laws of Delaware;”

“An act to amend Chapter 381, Volume 16, Laws of Delaware, entitled ‘An act to provide for the registration of Births, Marriages and Deaths in the State of Delaware;’”

“Joint resolution authorizing the State Treasurer to pay to the Insurance Commissioner of the State of Delaware a certain sum of money;”

“Joint resolution providing for contingent expenses of the Secretary of State;”

“Joint resolution in relation to Report of Insurance Commissioner;”

And presented the same for the signature of the Speaker of the House.

Mr. Barlow, in pursuance of previous notice, asked, and, on motion of Mr. Palmer, obtained leave to introduce a bill entitled,

“An act in relation to Telegraph and Telephone Companies,”

Which, on motion of Mr. Barlow, was read,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Private Corporations.

On motion of Mr. Saulsbury, House bill entitled,

“An act in relation to deeds by Sheriffs of lands sold under execution process,”

Was read a second time by its title, and, on his further motion, was referred to the Committee on Revised Statutes.

Mr. McFee, Clerk of the Senate, being admitted, informed the House that the Senate had passed and asked the concurrence of the House in the Senate bills entitled,

“An act authorizing the Trustees of New Castle Commons to dispose in fee simple of the real estate belonging to the trust;”

“An act to further amend the act entitled ‘An act to provide for the idiotic children of the State of Delaware;”

“An act to amend Chapter 80, Volume 14 Laws of Delaware;”

“An act authorizing the School Commissioners of District No. 84 in New Castle County to expend certain money for the use of said school;”

“An act in relation to the County Treasurer of New Castle County.”

He also informed the House that the Senate had concurred in the following House bills, viz :

“An act for the benefit of United School Districts Nos. 22 and 99 in Kent County;”

“An act authorizing Morris Moseley to straighten a public road in Milford Hundred, Kent County;”

“An act to provide against accidents at highway crossings of railroads;”

“An act to divorce Leonard W. Elliott and Riley E. Elliott, his wife, from the bonds of matrimony;”

“An act granting consent of the State of Delaware to the purchase by the United States of certain lands for the purpose of the erection of Government Buildings at Wilmington, and ceding jurisdiction over the same;”

“An act to lay out a new public road in Kent County;”

“An act to lay out a new public road in Little Creek Hundred, Sussex County;”

“An act to repeal, &c., Chapter 74, Volume 16 of the Laws of Delaware;”

“An act in reference to the adoption of children;”

“An act to amend Chapter 42, Section 11, Revised Code;”

“An act to divide East Dover Hundred into two Election Districts;”

“An act to incorporate the Wilmington Conference Domestic Missionary Society;”

“An act to further amend the charter of the City of Wilmington;”

“An act to amend an act entitled ‘An act to reincorporate the members of the Fame Hose Company, of the City of Wilmington;’”

“An act supplementary to an act incorporating the Wilmington Navigation Company of Wilmington;”

“An act to amend an act entitled ‘An act to incorporate the Enoch Moore, Jr., Ship and Car Building Company;’”

And returned the same to the House.

Also, that the Senate had concurred in the following House bills, with amendments, viz :

“An act to vacate a portion of Reed street in the City of Wilmington;”

“An act to change the boundaries of School District No. 71 in Kent County and authorize the erection of a new school house thereon,”

And asked the concurrence of the House in the amendments.

The Senate bill entitled,

“An act to authorize the laying out of a new public road in Dagsboro’ and Gumboro’ Hundreds in Sussex County,”

Was taken up for consideration,

And, on motion of Mr. Saulsbury, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

The Senate bill entitled,

“An act restraining frequent changes in the text books to be used in the free schools of this State,”

Was taken up for consideration.

On motion of Mr. Barlow, the amendment to the bill was read,

And, on his further motion, the bill was read for the information of the House.

On motion of Mr. Saulsbury, the bill was recommitted to the Committee on Education.

The House bill entitled,

“An act authorizing the Road Commissioners of St. Georges Hundred, New Castle County, to borrow money,”

Was taken up for consideration.

On motion of Mr. Barlow,

The bill was

Indefinitely postponed.

The House bill entitled,

“An act to amend Chapter 46, Volume 16 Laws of Delaware, entitled ‘An act in relation to Free Schools in this State,’ ”

Was taken up for consideration.

Mr. Saulsbury offered an amendment to the bill,

Which, on his motion, was read,

And further, on his motion, was

Adopted,

And, on the further motion of Mr. Saulsbury, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

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

Yeas—Messrs. Armstrong, Cannon, How, Johnson, Moore, Palmer, Saulsbury, Schabinger, Wilson and Mr. Speaker—10.

Nays—Messrs. Barlow, McCabe, Truitt and Virden—4.

So the question was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

Ordered to the Senate for concurrence.

House bill No. 220, entitled,

“An act for the protection of the traveling public in the Town of Newark, New Castle County and State of Delaware,”

Was taken up for consideration.

On motion of Mr. Armstrong, the bill was laid on the table.

House bill No. 228, entitled,

“A supplement to Chapter 42 of the Revised Statutes, entitled ‘Of Free Schools,’”

Was taken up for consideration.

On motion of Mr. Saulsbury,

The bill was *Indefinitely postponed.*

House bill No. 272, entitled,

“An act to transfer the farm of the William Lea & Sons Company, now in the tenure of John R. Lewis, and the farm of Silas Thompson, from School District No. 71½ to School District No. 80 in New Castle County,”

Was taken up for consideration.

On motion of Mr. Barlow,

The bill was *Indefinitely postponed.*

House bill No. 303, entitled,

“An act in relation to Fish and Game,”

Was taken up for consideration.

On motion of Mr. Moore, the bill was recommitted to the Committee on Fish, Game and Oysters.

House bill No. 304, entitled,

“An act to repeal Section 2 of Chapter 537, Volume 16 Laws of Delaware, entitled ‘An act in reference to the competency of witnesses,’”

Was taken up for consideration.

On motion of Mr. Moore, the bill was recommitted to the Committee on Revised Statutes.

The House bill entitled,

“An act concerning the jurisdiction of the Justices of the Peace in the City of Wilmington,”

Was taken up for consideration,

And, on motion of Mr. Moore, the bill was read a third time, by paragraphs, in order to pass the House.

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

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

Yeas—Messrs. Armstrong, Bennett, How, Moore, Schabinger and Virden—6.

Nays—Messrs. Atkins, Barlow, Brown, Cannon, McCabe, Palmer, Truitt, Wilson and Mr. Speaker—9.

So the question was decided in the negative,

And the bill having failed to receive the required majority,

Was *Lost.*

The House bill entitled,

"An act to incorporate the Peninsula Land Exchange,"

Was taken up for consideration.

On motion of Mr. Saulsbury,

The bill was *Indefinitely postponed.*

The House bill entitled,

"An act to establish a Board of Education for School Districts Nos. 35 and 100 in Kent County and to incorporate the same, and for other purposes,"

Was taken up for consideration.

Mr. Johnson moved that the bill be laid on the table,

Which motion *Prevailed.*

The House bill entitled,

"An act to punish for escape of prisoners,"

Was taken up for consideration.

On motion of Mr. Armstrong,

The bill was *Indefinitely postponed.*

The House bill entitled,

"An act to amend Chapter 15 of the Revised Code,"

Was taken up for consideration.

On motion of Mr. Brown, the bill was laid on the table.

The Senate bill entitled,

“An act to repeal Chapter 139, Volume 17, Delaware Laws, passed at Dover, April 11, 1883,”

Was taken up for consideration.

On motion of Mr. Virden, the bill was laid on the table.

On motion, the House adjourned.

TUESDAY, April 14, 1885.—10 o'clock A. M.

House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—Members present—Messrs. Armstrong, Atkins, Barlow, Bennett, Brown, Cannon, How, Johnson, McCabe, Moore, Palmer, Saulsbury, Schabinger, Tatman, Truitt, Virden and Mr. Speaker.

Journal read and approved.

Mr. McCabe, on behalf of the Committee on Revised Statutes, to whom was referred House bills Nos. 298 and 304 and Senate bill No. 38, entitled,

“An act in relation to Sheriffs making deeds for lands and tenements sold by them under execution process;”

“An act to repeal Section 2 of Chapter 537, Volume 16 Laws of Delaware, entitled ‘An act in reference to the competency of witnesses;’”

“An act to amend Chapter 62, Volume 15 Delaware Laws,”

Reported the same back to the House with the recommendation that they pass.

Mr. Moore, on behalf of the Committee on Municipal Corporations, to whom was referred House bill No. 327, entitled,

"An act to further amend the charter of the City of Wilmington,"

Reported the same back to the House with an amendment, and recommended the passage of the same as amended.

Mr. Schabinger, on behalf of the Committee on Enrolled Bills, reported as being duly and correctly enrolled the following House bills, viz :

"An act to transfer the farm of E. B. Edwards, now in the tenure of H. C. Walker, from School District No. 80 to School District No. 69, New Castle County;"

"An act to incorporate the Milford Classical Academy;"

"An act authorizing and empowering the School Committee of School District No. 69, New Castle County, to sell the lot of land and the house thereon belonging to said school district, and for other purposes;"

"An act to incorporate the Bay View Canning Company;"

"An act to incorporate the Christiana Railroad Company;"

"An act to revive and reincorporate the Delaware Fruit Packing Company;"

"An act to repeal, &c., Chapter 74 of Volume 16 of the Laws of Delaware;"

"An act to provide for the payment of a part of the funded debt of this State;"

"An act to enable Joseph H. McChesney to convey his real estate and make a good title thereto;"

"An act for the relief of the Road Commissioners of Christiana Hundred, New Castle County;"

"An act to amend Chapter 12, Volume 17, Laws of Delaware, passed at Dover, March 30, 1883;"

"An act to amend Sections one and six, Chapter 92, Current Laws of Delaware;"

"An act to amend Chapter 42, Section 11, Revised Code;"

"An act providing for the commutation by the Delaware, Mary-

land and Virginia Railroad Company of taxes provided for by the act entitled 'An act to raise revenue for this State,' passed at Dover, August 11, 1864, and also by the act entitled 'An act taxing Railroad and Canal Companies in this State,' passed at Dover, April 8, 1869;''

"An act to authorize the laying out of a public road in White Clay Creek Hundred, New Castle County and State of Delaware;''

"An act to lay out a new public road in Broadkiln Hundred, Sussex County;''

"An act providing for the commutation, by the Wilmington and Northern Railroad Company, of taxes provided for by the act entitled 'An act taxing Railroad and Canal Companies in this State,' passed at Dover, April 8, 1869;''

"An act to divorce Leonard W. Elliott and Riley E. Elliott, his wife, from the bonds of matrimony;''

"An act to provide against accidents at highway crossings of railroads;''

"An act for the benefit of United School Districts Nos. 22 and 99 in Kent County;''

"An act to amend an act entitled 'An act to revise and consolidate the statutes relating to the City of Wilmington,'"

And presented the same for the signature of the Speaker of the House.

Mr. Armstrong, on behalf of the Committee on Education, to whom was referred House bill No. 318 and Senate bills Nos. 129, 140 and 144, entitled,

"An act to allow the School Commissioners to furnish School Books;''

"An act regulating the boundaries of School District No. 51 in New Castle County;''

"An act for the relief of School District No. 1 in Kent County;''

"An act to extend the limits of School District No. 53, New Castle County;''

Reported the same back to the House with the recommendation that they pass.

Mr. McFee, Clerk of the Senate, being admitted, presented for the signature of the Speaker of the House the following duly and correctly enrolled Senate bills, signed by the Speaker of the Senate, viz :

"A supplement to Chapter 29 of Volume 13 Laws of Delaware, as published in Revised Statutes of this State at page 505;"

"An act to divorce John Charles Jacob Spoerl and Christina Mather Spoerl, his wife, *a vinculo matrimonii*;"

"An act to revive the act entitled 'An act to incorporate the Clayton Fruit and Basket Company,' passed at Dover, March 23, 1883, and for other purposes;"

"An act to divorce William Morgan and Elizabeth, his wife, from the bonds of matrimony;"

"An act to amend an act entitled 'An act in relation to Insurance Companies,' being Chapter 347 of Volume 16 of the Laws of Delaware;"

"An act to amend an act entitled 'An act to raise revenue and provide for the current expenses of the State Government,' being Chapter 117 of Volume 13 of the Laws of Delaware;"

"An act to divorce Lizzie Patterson and David Patterson, her husband, from the bonds of matrimony;"

"An act to prevent Commissioners and Clerks of School Districts from misappropriating funds belonging to School Districts;"

"An act to amend an act entitled 'An act to provide for the regulation of weights and measures in New Castle County;"

"An act to further amend an act entitled 'An act to revise and consolidate the statutes relating to the City of Wilmington,' passed at Dover, April 13, 1883;"

"A supplement to the act entitled 'An act to consolidate School Districts Nos. 23 and 161 in Sussex County under the title of The Millsboro' Public School;"

"An act to incorporate the Popular Savings and Loan Association;"

"An act to divide School District No. 77, New Castle County."

He also returned the following duly and correctly enrolled House bills and House joint resolution, signed by the Speakers of the two Houses, viz :

“An act to incorporate the Riverside Lumber Company;”

“An act to incorporate the African Grand Commandery of the Order of Knights Templar in the State of Delaware;”

“An act to reincorporate the Town of Frederica;”

“An act to transfer the land of William J. Daniels from School District No. 81 to School District No. 72, New Castle County;”

“An act authorizing and empowering the Road Commissioners of Blackbird Hundred to purchase a lot of land in the village of Blackbird, &c.;”

“An act to amend Chapter 13, Volume 14 Laws of Delaware;”

“An act to divorce Mary E. Walson from her husband, David E. Walson, and to give to Mary E. Walson the custody of her two children;”

“Joint resolution appointing a joint committee of two on the part of the Senate and three on the part of the House to settle with the State Treasurer, Auditor of Accounts, Secretary of State, and Clerks of the Senate and House of Representatives.”

On motion of Mr. Palmer, the Senate bill entitled,

“An act authorizing the School Commissioners of District No. 84 in New Castle County to expend certain money for the use of said school,”

Was read first time,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Education.

On motion of Mr. Barlow, the Senate bill entitled,

“An act in relation to the County Treasurer of New Castle County,”

Was read first time,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Revised Statutes.

On motion of Mr. Johnson, the Senate bill entitled,
 "An act to divorce Peter C. Loose and Fannie Loose, his wife,
 from the bonds of matrimony,"

Was read first time,

And further, on his motion, the bill was read a second time by
 its title.

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

"An act concerning the assessment of Personal Property;"

"An act to amend an act entitled 'An act to amend the act
 entitled 'An act providing for the appointment of a State Chem-
 ist,' passed at Dover, April 8, 1881.'"

Also, that the Senate had concurred in the following House
 bills, viz :

"An act to amend an act entitled 'An act to revise and consoli-
 date the statutes relating to the City of Wilmington;'"

"An act divorcing Beulah N. Watson from her husband, David
 H. Watson, and to change the name of Beulah N. Watson to
 that of Beulah N. Jackson;"

"An act to straighten a public road in Nanticoke Hundred,
 Sussex County,"

And returned the same to the House.

On motion of Mr. Johnson, the Senate bill entitled,

"An act authorizing the laying out of a public road in Kenton
 Hundred, Kent County,"

Was read first time,

And further, on his motion, the bill was read a second time by
 its title;

And, on his further motion, was referred to the Committee on
 Roads and Vacant Lands.

On motion of Mr. Brown, the Senate bill entitled,

"A supplement to the act entitled 'An act to establish the
 Kenton Public School,' passed at Dover, March 10, 1885,"

Was read first time,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Education.

On motion of Mr. Johnson, the Senate bill entitled,

“An act to enable and authorize Elisha J. Coffin and John C. Thompson to straighten the public road through their lands in Indian River Hundred in Sussex County;”

Was read first time,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Roads and Vacant Lands.

On motion of Mr. Truitt, the Senate bill, entitled,

“An act to amend Chapter 128 of the Revised Code, as amended by Chapter 190, Volume 15 Delaware Laws, and for other purposes;”

Was read first time,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Revised Statutes.

On motion of Mr. Palmer, the Senate bill entitled,

“An act in relation to the election of the Trustees of New Castle Commons;”

Was read first time,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Revised Statutes.

On motion of Mr. Truitt, the Senate bill entitled,

“An act concerning Levy Court Commissioners and their duties;”

Was read first time,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion was referred to the Committee on Revised Statutes.

On motion of Mr. Moore, the Senate bill entitled,

“An act to amend Chapter 80, Volume 14 Laws of Delaware,”

Was read first time,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Revised Statutes.

On motion of Mr. Schabinger, the Senate bill entitled,

“An act to further amend the act entitled ‘An act to provide for the idiotic children of the State of Delaware,’ ”

Was read first time,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Revised Statutes.

On motion of Mr. Palmer, the Senate bill entitled,

“An act authorizing the Trustees of New Castle Commons to dispose in fee simple of the real estate belonging to the trust,”

Was read first time,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Revised Statutes.

Mr. McFee, Clerk of the Senate, being admitted, informed the House that the Senate had adopted and asked the concurrence of the House in a joint resolution entitled,

“Joint resolution for the State Treasurer to rent and insure the Jump property.”

Also, that the Senate had concurred in the House joint resolution entitled,

“Joint resolution to increase Librarian’s salary,”

With an amendment, and asked the concurrence of the House therein.

On motion of Mr. Moore, the Senate bill entitled,

“An act relating to foreign attachments and attaching real estate,”

Was read first time,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Revised Statutes.

The Senate bill entitled,

“An act to authorize the Mayor and Council of New Castle to purchase the works of the New Castle Water Works Company,”

Was taken up for consideration;

And, on motion of Mr. Moore, the bill was read a third time; by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

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

Yeas—Messrs. Atkins, Barlow, Bennett, Brown, Cannon, Ferguson, How, Johnson, McCabe, Moore, Palmer, Schabinger, Tatman, Truitt, Virden and Mr. Speaker—16.

Nays—None.

So the bill having received the required constitutional majority,

Passed the House.

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

On motion of Mr. Moore, House bill No. 254, entitled,

“An act to vacate a portion of Reed street in the City of Wilmington,”

Was taken up for consideration,

And further, on his motion, the Senate amendment to the bill was read, as follows :

Amend by striking out all after the words "Madison street," in the first section, and inserting in lieu thereof the following: "and extending in width from the northerly building line of said Reed street to within four feet from the northerly curb line of said street, be and the same is hereby vacated."

Extract from Journal.

IN SENATE, April 10, 1885.

C. W. MCFEE,
Clerk of the Senate.

And, on the further motion of Mr. Moore, the amendment was

Concurred in.

Ordered that the Senate be informed thereof.

The Senate bill entitled,

"An act to authorize the Mayor and Council of New Castle to purchase the works of the New Castle Gas Company,"

Was taken up for consideration,

And, on motion of Mr. Moore, the bill was read a third time, by paragraphs, in order to pass the House.

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

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

Yeas — Messrs. Atkins, Barlow, Brown, Cannon, Ferguson, How, Johnson, McCabe, Moore, Palmer, Saulsbury, Schabinger, Virden, Wilson and Mr. Speaker—15.

Nays—None.

So the bill having received the required constitutional majority,

Passed the House.

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

House bill No. 242, entitled,

"An act to amend an act entitled 'An act in relation to Mechanics' Liens,' Volume 16, Delaware Laws, Chapter 145, page 206,"

Was taken up for consideration,

On motion of Mr. Moore, the bill was read for the information of the House,

And, on his further motion, the bill was laid on the table.

On motion of Mr. Barlow, the substitute for House bill No. 268, entitled,

“An act to amend an act entitled ‘An act to incorporate the Electrical Construction and Maintenance Company,’ passed at Dover, April 13, 1883,”

Was adopted,

And further, on his motion, the substitute was taken up for consideration,

And, on the further motion of Mr. Barlow, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

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

Yeas—Messrs. Atkins, Barlow, Bennett, Brown, Cannon, Ferguson, How, McCabe, Moore, Palmer, Saulsbury, Schabinger, Tatman, Truitt, Virden, Wilson and Mr. Speaker—17.

Nays—None.

So the bill having received the required constitutional majority,

Passed the House.

Ordered to the Senate for concurrence.

The House bill entitled,

“An act to incorporate the Wilmington Railway Supplies Company,”

Was taken up for consideration.

On motion of Mr. Barlow, the amendment to the bill was read,

And further, on his motion, *Adopted,*

And, on the further motion of Mr. Barlow, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

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

Yeas—Messrs. Atkins, Barlow, Bennett, Brown, Cannon, Ferguson, How, Moore, Palmer, Saulsbury, Schabinger, Tatman, Truitt, Virden, Wilson and Mr. Speaker—16.

Nays—None.

So the bill having received the required constitutional majority,

Passed the House.

Ordered to the Senate for concurrence.

The House bill entitled,

“An act in relation to the charter of the City of Wilmington,”

Was taken up for consideration.

On motion of Mr. Moore, the bill was read for the information of the House,

And, on the further motion of Mr. Moore, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

Ordered to the Senate for concurrence.

The Senate bill entitled,

“An act to amend Chapter 460, Volume 15 Laws of Delaware, entitled ‘An act to reincorporate the Town of St. Georges, and for other purposes,’ ”

Was taken up for consideration,

And, on motion of Mr. Moore, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

The House bill entitled,

“An act to authorize a special tax for the purpose of laying additional water mains in the Town of Dover,”

Was taken up for consideration,

And, on motion of Mr. Saulsbury, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

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

Yea—Mr. How—1.

Nays—Messrs. Atkins, Bennett, Brown, Cannon, Ferguson, Saulsbury, Tatman, Virden and Wilson—9.

So the question was decided in the negative,

So the bill having failed to receive the required constitutional majority, was *Lost.*

On motion of Mr. Truitt, the Senate bill entitled,

“An act to lay out a public road in Lewes and Rehoboth and Indian River Hundreds, Sussex County,”

Was read first time,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Roads and Vacant Lands.

On motion of Mr. Johnson, the Senate bill entitled,

“An act for the improvement of a certain public road in Sussex County,”

Was read,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Roads and Vacant Lands.

On motion, the House adjourned.

SAME DAY—3 o'clock P. M.

House met pursuant to adjournment.

Mr. Truitt, in pursuance of previous notice, asked, and, on motion of Mr. Atkins, obtained leave to introduce a bill entitled,

“An act to incorporate the Trustees of the Milford Armory,”

Which, on motion of Mr. Truitt, was read,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Private Corporations.

On motion of Mr. Saulsbury, the Senate bill entitled,

“An act to authorize the laying out of a public road in East Dover Hundred, Kent County and State of Delaware,”

Was read,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Roads and Vacant Lands.

On motion of Mr. Brown, House bill No. 122, entitled,

“An act to change the boundaries of School District No. 71 in Kent County and to authorize the erection of a new school house thereon,”

Was taken up for consideration,

And, on his further motion, the Senate amendment to the bill was read, as follows :

Amend the bill by adding thereto another section, to wit :

“SECTION 8. That nothing contained in this act shall be construed so as to authorize or empower the said commissioners to

exclude from the said school district any farm or lands now in said districts without the consent of the owner thereof."

Extract from Journal.

IN SENATE, April 10, 1885.
C. W. McFEE,
Clerk of the Senate.

And further, on motion of Mr. Brown, the Senate amendment was *Concurred in.*

Ordered that the Senate be informed thereof.

On motion of Mr. How, the House bill entitled,

"An act to allow the School Commissioners to furnish School Books,"

Was taken up for consideration,

And further, on his motion, the amendment to the bill was read,

And, on his further motion, was *Adopted,*

And, on the further motion of Mr. How, the bill was read a third time, by paragraphs, in order to pass the House.

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

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

Ordered to the Senate for concurrence.

Mr. Moore, in pursuance of previous notice, asked, and, on motion of Mr. Wilson, obtained leave to introduce a bill entitled,

"An act to exempt salt marsh land in the State of Delaware from taxation,"

Which, on motion of Mr. Moore, was read,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Revised Statutes.

Mr. McFee, Clerk of the Senate, being admitted, informed the House that the Senate had passed and asked the concurrence of the House in the Senate bill entitled,

“An act to amend Chapter 386, Volume 15 Laws of Delaware.”

The House bill entitled,

“An act to repeal Section 2 of Chapter 537, Volume 16 Laws of Delaware, entitled ‘An act in reference to the competency of witnesses,’ ”

Was taken up for consideration,

And, on motion of Mr. McCabe, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

Ordered to the Senate for concurrence.

Mr. Moore, in pursuance of previous notice, asked, and, on motion of Mr. Wilson, obtained leave to introduce a bill entitled,

“An act to provide for the erection of Fountains on Dover Green,”

Which, on motion of Mr. Moore, was read,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Municipal Corporations.

On motion of Mr. Brown, the Senate bill entitled,

“An act in relation to School Districts in Sussex County,”

Was read,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Education.

On motion of Mr. Saulsbury, the Senate bill entitled,

“An act to amend an act entitled ‘An act to amend the act entitled ‘An act providing for the appointment of a State Chemist,’ passed at Dover; April 8, 1881,’ ”

Was read,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Revised Statutes.

On motion of Mr. Truitt, the Senate bill entitled,
 "An act to amend Chapter 386, Volume 15 Laws of Delaware,"
 Was read,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Revised Statutes.

On motion of Mr. Brown, the Senate joint resolution entitled,
 "Joint resolution for the State Treasurer to rent and insure the
 Jump property,"

Was read, and further, on his motion, was *Concurred in.*

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

On motion of Mr. Brown, the House joint resolution entitled,
 "Joint resolution to increase Librarian's salary,"

Was taken up for consideration,

And, on his further motion, the Senate amendment to the resolution was read, as follows :

Amend by striking out the words "five hundred and fifty" and inserting in lieu thereof the words "five hundred".

Extract from Journal. IN SENATE, April 10, 1885.
 C. W. McFEE,
Clerk of the Senate.

Mr. Moore moved that the joint resolution under consideration be laid on the table:

Upon which motion the yeas and nays were ordered, which, being taken, were as follows:

• *Yeas*—Messrs. Armstrong, Barlow, Bennett, Ferguson, Moore, Palmer, Saulsbury, Virden and Wilson—9.

Nays—Messrs. Adams, Brown, How, Johnson, Schabinger, Truitt and Mr Speaker—7.

So the question was decided in the affirmative,
And the motion *Prevailed.*

On motion of Mr. Bennett, the House bill entitled,

“An act for the benefit of Free Schools in Kent County, and for other purposes,”

Was taken up for consideration,

And further, on his motion, the bill was read for the information of the House,

And, on the further motion of Mr. Bennett, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

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

Yeas—Messrs. Bennett and Truitt—2.

Nays—Messrs. Armstrong, Atkins, Brown, Ferguson, How, Johnson, McCabe, Saulsbury, Virden and Wilson—10.

So the question was decided in the negative,

And the bill having failed to receive the required majority,

Was *Lost.*

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

“A supplement to an act to revise and consolidate the statutes relating to the City of Wilmington, passed at Dover, April 13, 1883,”

With an amendment, and asked the concurrence of the House therein.

The House bill entitled,

“An act to transfer the farm and mansion of William S. Caulk from School District No. 25 to School District No. 71, Kent County,”

Was taken up for consideration,

And, on motion of Mr. Brown, the bill was read a third time, by paragraphs, in order to pass the House.

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

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Saulsbury, the Senate bill entitled,

"An act concerning the assessment of Personal Property,"

Was read,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Revised Statutes.

Mr. Saulsbury moved that the House do now adjourn.

Upon which motion the yeas and nays were ordered, which, being taken, were as follows:

Yeas—Messrs. Adams, Brown, Cannon, How, Johnson, Saulsbury, Tatman and Virden—8.

Nays—Messrs. Barlow, Bennett, Palmer, Truitt and Wilson—5.

So the question was decided in the affirmative,

And the motion

Prevailed.

The Speaker declared the House adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, April 15, 1885—10 A. M.

House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—Members present—Messrs. Adams, Armstrong, Atkins, Barlow, Bennett, Brown, Cannon, Ferguson, How, Johnson, McCabe, Moore, Palmer, Saulsbury, Schabinger, Tatman, Truitt, Virden, Wilson and Mr. Speaker.

Journal read and approved.

Mr. Schabinger, on behalf of the Committee on Enrolled Bills, reported as being duly and correctly enrolled the following House bills and joint resolution, viz :

“An act to further amend the charter of the City of Wilmington;”

“A supplement to the act entitled ‘An act to incorporate the Dover Glass Works Company,’ passed at Dover, April 9, 1883;”

“An act to amend an act entitled ‘An act to revise and consolidate the statutes relating to the City of Wilmington;’ ”

“An act for the laying out of a new road in Mispillion Hundred, Kent County and State of Delaware;”

“An act to lay out a public road in Kent County;”

“An act to authorize the laying out of a public road in East Dover Hundred, Kent County and State of Delaware;”

“An act appointing commissioners to lay out a public road in Broadkilm Hundred, Sussex County;”

“An act authorizing the Levy Court Commissioners of New Castle County to make an appropriation for the purpose of repairing a break in the bank along the Delaware Bay, and other purposes, in Blackbird Hundred;”

“An act for the relief of the Building Committee of the Trustees of the Poor of New Castle County;”

“An act for the relief of Fanny W. Anderson, and for other purposes;”

"An act to transfer the farm and dwelling of James R. Needles from School Districts Nos. 102 and 103 to School District No. 104 in Kent County;"

"An act to incorporate the Wilmington Conference Domestic Missionary Society;"

"An act to divorce Henry Paisley and his wife, Caroline H. Paisley, from the bonds of matrimony;"

"An act supplementary to an act incorporating the Wilmington Navigation Company of Wilmington;"

"An act relating to the Practice of Dentistry in the State of Delaware;"

"An act to lay out a new public road in Little Creek Hundred, Sussex County;"

"An act granting consent of the State of Delaware to the purchase by the United States of certain lands for the purpose of the erection of Government Buildings at Wilmington, and ceding jurisdiction over the same;"

"An act to amend an act entitled 'An act to reincorporate the members of the Fame Hose Company, of the City of Wilmington;"

"An act for the protection of keepers of livery and boarding stables;"

"An act authorizing the School Committee of School District No. 47, Sussex County, to levy an additional tax of fifty dollars for the purpose of completing the school house in said district;"

"An act to amend Chapter 407, Volume 15 Delaware Laws;"

"An act to divide East Dover Hundred into two Election Districts;"

"An act for the relief of certain School Districts in Sussex County;"

"An act authorizing the construction of a drawbridge over Broad Creek, at or near the town of Bethel, in Broad Creek Hundred, Sussex County, and for opening a public road to and from said bridge on both sides of said creek;"

"An act divorcing Beulah N. Watson from her husband, David H. Watson, and to change the name of Beulah N. Watson to that of Beulah N. Jackson;"

“An act to straighten a public road in Nanticoke Hundred, Sussex County;”

“An act authorizing Morris Moseley to straighten a public road in Milford Hundred, Kent County;”

“An act to divorce T. Leslie Carpenter from his wife, Alice W. Carpenter;”

“An act to reenact and amend an act entitled ‘An act to incorporate the Wilmington and Brandywine Passenger Railway Company;’”

“An act authorizing the appointment of an additional Justice of the Peace and a Notary Public in Sussex County, to reside within one mile of Concord;”

“An act for the enlargement and repair of Delaware College;”

“An act to incorporate the Trustees of the Wilmington Armory;”

“An act in reference to the adoption of children;”

“Joint resolution in relation to adjournment.”

And presented the same for the signature of the Speaker of the House.

He also presented for the signature of the Speaker of the House the following duly and correctly enrolled Senate bills, the same having been signed by the Speaker of the Senate, viz :

“An act to divorce William Morgan and Elizabeth, his wife, from the bonds of matrimony;”

“An act to amend an act entitled ‘An act to raise revenue and provide for the current expenses of the State Government,’ being Chapter 117 of Volume 13 of the Laws of Delaware;”

“An act to amend an act entitled ‘An act in relation to Insurance Companies,’ being Chapter 347 of Volume 16 of the Laws of Delaware;”

“A supplement to Chapter 29 of Volume 13 Laws of Delaware, as published in Revised Statutes of this State at page 505;”

“An act to revive the act entitled ‘An act to incorporate the Clayton Fruit and Basket Company,’ passed at Dover, March 23, 1883, and for other purposes;”

“An act to divorce John Charles Jacob Spoerl and Christina Mather Spoerl, his wife, *a vinculo matrimonii* ;”

“An act to divide School District No. 77, New Castle County;”

“A supplement to the act entitled ‘An act to consolidate School Districts Nos. 23 and 161 in Sussex County under the title of The Millsboro’ Public School;’”

“An act to incorporate the Popular Savings and Loan Association;”

“An act to amend an act entitled ‘An act to provide for the regulation of Weights and Measures in New Castle County;’”

“An act to prevent Commissioners and Clerks of School Districts from misappropriating funds belonging to School Districts;”

“An act to divorce Lizzie Patterson and David Patterson, her husband, from the bonds of matrimony;”

“An act to further amend an act entitled ‘An act to revise and consolidate the statutes relating to the City of Wilmington,’ passed at Dover, April 13, 1883.”

Mr. Barlow, on behalf of the Committee on Private Corporations, to whom was referred House bill No. 331, entitled,

“An act to incorporate the Trustees of the Milford Armory;”

Reported the same back to the House with the recommendation that it pass.

Mr. Palmer, on behalf of the Committee on Roads and Vacant Lands, to whom was referred House bill No. 237 and Senate bills Nos. 102, 119, 120, 130 and 141, entitled,

“An act to straighten or lay out a public road in Baltimore Hundred, Sussex County;”

“An act for the improvement of a certain public road in Sussex County;”

“An act to lay out a public road in Lewes and Rehoboth and Indian River Hundreds, Sussex County;”

“An act to authorize the laying out of a public road in East Dover Hundred, Kent County and State of Delaware;”

“An act authorizing the laying out of a public road in Kenton Hundred, Kent County;”

"An act to enable and authorize Elisha J. Coffin and John C. Thompson to straighten the public road through their lands in Indian River Hundred in Sussex County,"

Reported the same back to the House with the recommendation that they pass.

Mr. Armstrong, on behalf of the Committee on Education, to whom was referred Senate bills Nos. 95, 132 and 146, entitled,

"An act restraining frequent changes in the text books to be used in the Free Schools of this State;"

"A supplement to the act entitled 'An act to establish the Kenton Public School,' passed at Dover, March 10, 1885;"

"An act authorizing the School Commissioners of District No. 84 in New Castle County to expend certain money for the use of said school,"

Reported the same back to the House with the recommendation that they pass.

Mr. McCabe, on behalf of the Committee on Revised Statutes, to whom was referred Senate bills Nos. 54, 80, 103, 109, 133, 134, 150 and 151, entitled,

"An act relating to foreign attachments and attaching real estate;"

"An act concerning the assessment of Personal Property;"

"An act to further amend the act entitled 'An act to provide for the idiotic children of the State of Delaware;' "

"An act to amend Chapter 80, Volume 14 Laws of Delaware;"

"An act in relation to the election of the Trustees of New Castle Commons;"

"An act authorizing the Trustees of New Castle Commons to dispose in fee simple of the real estate belonging to the trust;"

"An act to amend an act entitled 'An act to amend the act entitled 'An act providing for the appointment of a State Chemist,' passed at Dover, April 8, 1881;'"

"An act to amend Chapter 386, Volume 15 Laws of Delaware,"

Reported the same back to the House with the recommendation that they pass.

Mr. McFee, Clerk of the Senate, being admitted, presented for the signature of the Speaker of the House the following duly and correctly enrolled Senate bills, signed by the Speaker of the Senate, viz :

“An act to authorize the Mayor and Council of New Castle to purchase the works of the New Castle Water Works Company;”

“An act to authorize the laying out of a new public road in Dagsboro' and Gumboro' Hundreds in Sussex County;”

“An act to incorporate the Sussex Glass and Manufacturing Company;”

“An act to authorize the Mayor and Council of New Castle to purchase the works of the New Castle Gas Company;”

“An act to amend Chapter 460, Volume 15 Laws of Delaware, entitled ‘An act to reincorporate the Town of St. Georges, and other purposes.’”

Mr. Saulsbury, on behalf of the Committee on Fish, Oysters and Game, to whom was referred House bill No. 303, entitled,

“An act in relation to Fish and Game,”

Reported the same back to the House with an amendment, and recommended its passage as amended.

Mr. Moore, on behalf of the Committee on Municipal Corporations, to whom was referred House bill No. 333, entitled,

“An act to provide for the erection of Fountains on Dover Green,”

Reported the same back to the House with the recommendation that it pass.

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

“An act for the relief of School District No. 84 in Sussex County;”

“An act to authorize the School Commissioners of United School Districts Nos. 39 and 41, in New Castle County, to straighten the lines and sell or exchange a portion of land belonging to said united districts;”

“An act authorizing and empowering the School Commissioners of School District No. 81, in New Castle County, to borrow a certain sum of money and provide for the payment of the same;”

“An act authorizing School District No. 179 in Sussex County to raise additional money;”

“An act to authorize the changing of a public road in White Clay Creek Hundred, New Castle County and State of Delaware;”

“An act to incorporate the Sussex Manufacturing Company;”

“An act to authorize and empower the Road Commissioners of Pencader Hundred to reöpen and reöccupy a certain road in said hundred now vacated;”

“An act divorcing Sarah T. Crowding from her husband, Jacob V. Crowding, and to give her sole control of her three children;”

“An act to further amend the act entitled ‘An act to incorporate the Town of Odessa,’ passed at Dover, April 2, 1873;”

“An act to exempt certain lands in the City of Wilmington from taxation;”

“An act to divorce Ellen Duncan from her husband, Joshua J. Duncan;”

“An act in relation to the duties of the State Treasurer;”

“An act to amend Chapter 418, Volume 14 Laws of Delaware;”

“A supplement to the act entitled ‘An act regulating Pilots and Pilotage of and in the Bay and River Delaware;”

“An act to amend an act entitled ‘An act to revise and consolidate the statutes relating to the City of Wilmington,’ passed at Dover, April 13th, 1883;”

“An act to amend Chapter 540, Volume 16 Laws of Delaware;”

“An act to provide a mode for passing titles of insane persons;”

“An act to revive and continue in force for one year Chapter 683, Volume 16 of the Laws of Delaware;”

“An act to change the name of Mary Morrison to the name of Mabel Hudson, and to make her by adoption a daughter and heir-at-law of John P. Hudson.”

The Senate bill entitled,

“An act to amend Chapter 62, Volume 15 Delaware Laws,”

Was taken up for consideration,

And, on motion of Mr. Moore, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

The Senate bill entitled,

“An act to divorce Peter C. Loose and Fannie Loose, his wife, from the bonds of matrimony,”

Was taken up for consideration,

And, on motion of Mr. Johnson, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

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

Yeas—Messrs. Ferguson, Johnson, Moore, Palmer, Saulsbury, Truitt and Mr. Speaker—7.

Nays—Messrs. Barlow, Bennett, Brown, McCabe and Schabinger—6.

So the question was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

The Senate bill entitled,

“An act regulating the boundaries of School District No. 51 in New Castle County,”

Was taken up for consideration,

And, on motion of Mr. Barlow, the bill was read a third time, by paragraphs, in order to pass the House.

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

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

The Senate bill entitled,

"An act for the relief of School District No. 1 in Kent County,"

Was taken up for consideration,

And, on motion of Mr. Armstrong, the bill was read a third time, by paragraphs, in order to pass the House.

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

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

The Senate bill entitled,

"An act to extend the limits of School District No. 53, New Castle County,"

Was taken up for consideration,

And, on motion of Mr. Barlow, the bill was read a third time, by paragraphs, in order to pass the House.

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

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

The House bill entitled,

“An act in relation to Sheriffs making deeds for lands and tenements sold by them under execution process,”

Was taken up for consideration,

And, on motion of Mr. Saulsbury, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

Ordered to the Senate for concurrence.

The House bill entitled,

“An act to further amend the charter of the City of Wilmington,”

Was taken up for consideration.

On motion of Mr. Moore, the amendment to the bill was read,

And further, on his motion, was *Adopted,*

And, on the further motion of Mr. Moore, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

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

Yeas—Messrs. Armstrong, Atkins, Barlow, Bennett, Cannon, How, McCabe, Moore, Palmer, Saulsbury, Schabinger, Tatman, Virden and Mr. Speaker—14.

Nays—None.

So the bill having received the required constitutional majority,

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Saulsbury, Senate bill No. 150, entitled,

“An act to amend the act entitled ‘An act to amend the act entitled ‘An act providing for the appointment of a State Chemist,’ passed at Dover, April 8, 1881,”

Was taken up for consideration.

Mr. Moore offered an amendment to the bill, which, on his motion, was read, as follows :

Strike out all after the enacting clause and insert the following :

"SECTION 1. That the person occupying the chair of Professor of Chemistry in Delaware College, at Newark, Delaware, be and he is hereby declared *ex officio* State Chemist.

"SECTION 2. That it shall be the duty of the State Chemist annually to analyze samples of all fertilizers which may be offered for sale within this state; and for this purpose he is authorized and directed to take from not less than five original packages of said fertilizers, which may be in the possession of any manufacturer, dealer, or person using the same, two samples not exceeding one pound in weight, one sample to be retained by the State Chemist, and the other sample to be sent by the State Chemist, in a sealed bottle or can, to the Secretary of State, who shall keep the same; and in case any manufacturer should request another analysis, then the sample retained by the Secretary of State, at the request of any manufacturer, shall be sent to any chemist which the Secretary of State, State Chemist and manufacturer shall agree upon.

"SECTION 3. That every bag, barrel or other package of commercial fertilizer manufactured or sold in this state shall have plainly stamped thereon the number of net pounds of fertilizer in the package, the name, brand or trade mark under which the fertilizer is sold, the name and address of the manufacturer, the place of manufacture, and chemical analysis, stating the percentage of ammonia, of potash soluble in water, of available phosphoric acid, and of insoluble phosphoric acid; and any manufacturer or dealer who shall misrepresent the proportions of ammonia, phosphoric acid and potash, or either of them, contained in such fertilizer, shall be guilty of a misdemeanor, and upon conviction thereof on indictment shall be fined two hundred dollars for the first offense and three hundred dollars for each subsequent offense.

"SECTION 4. That every manufacturer or importer of commercial fertilizers, before offering the same for sale in this state, shall file with the State Chemist a paper giving the names of his principal agents and also the name and guaranteed analysis of the

fertilizer or fertilizers offered for sale by him, and any manufacturer or importer who shall refuse to give the information herein required shall forfeit one hundred dollars for the first offense and one hundred and fifty dollars for each subsequent offense.

“SECTION 5. That every manufacturer, importer, agent or seller of any commercial fertilizer shall pay annually to the State Chemist an analysis fee of thirty dollars for each and every brand offered for sale within this state, the said fee to be payable upon receipt of the certificate or certificates of analysis required by this act. *Provided*, that whenever the manufacturer or importer shall have paid the fee herein required for any persons acting as agents or sellers for such manufacturer or importer such agents or sellers shall not be required to pay the fee named in this section.

“SECTION 6. *Be it further enacted*, That any person or persons purchasing any fertilizers from any manufacturer or vendors in this state for their own use, and who, themselves, the purchasers, are citizens of the state, may, if they desire, submit fair samples of fertilizers to the State Chemist, but in order to protect the manufacturers or vendors from the submission of analysis of spurious samples, the person or persons selecting the same shall do so in the presence of one or more disinterested persons, which samples shall be taken from one or more packages, and bottled, corked and sealed in presence of said witnesses, and this sample package or bottle placed in the hands of a disinterested person, who is to forward the same at the expense of the purchaser to the State Chemist when the purchaser so desires, and upon the receipt by him of any such sample package the State Chemist is hereby authorized to demand and receive for such analysis five dollars and return to such purchaser or purchasers a certificate or certificates of analysis; the certificate shall in all cases set forth the components of said fertilizers with their respective quantities, date of analysis and the name or names of persons submitting the samples, and be signed by the State Chemist, who is hereby required to keep an accurate account of the same, and the said certificates, or record, when verified by the affidavit of the State Chemist, shall be competent evidence in any court of law or equity in this state.

“SECTION 7. Justices of the Peace shall have authority to bind persons offending against this act in sufficient surety for appearance at court in accordance with the provisions of Chapter 97 of the Revised Statutes of this State.

"SECTION 8. Any person or persons purchasing any fertilizer or fertilizing materials from any manufacturer or vender who shall, upon analysis by the State Chemist, discover that he has been defrauded by reason of adulterations or deficiencies of constituent elements either of quality or quantity in the fertilizer or fertilizing materials so purchased, shall recover in any action he may institute, upon proof of the fact, twice the amount paid to or demanded by the manufacturer or vender of the same ; but in all cases where the vender is an agent of a manufacturer, or sub-agent of such agent, the judgment of the court shall be rendered against the manufacturer, unless upon trial the said agents are found to be guilty of the frauds perpetrated. And in case the purchase is made of a manufacturer or of an agent of any person or persons residing out of the limits of the State of Delaware, manufacturing, compounding, preparing and furnishing for sale any such commercial manures or artificially manufactured fertilizers, the purchaser thereof may at his option proceed by attachment, as is now provided by law in cases of non-resident and absconding debtors, against any property, rights or credits of any person or persons selling, manufacturing, compounding, or furnishing said manures or fertilizers when such property, rights and credits can be found within the limits of this state.

"SECTION 9. The term 'commercial fertilizer,' as used in this act, shall be taken to mean any and every substance imported, manufactured, prepared or sold for fertilizing or manurial purposes, except barn-yard manure, marl, lime, ashes, and plaster, and chemicals used in compounding artificial fertilizers.

"SECTION 10. The State Chemist shall, during the months of April and August, publish, in two newspapers in each county of this state, the results of all analyses made by him other than those made under the provisions of Section 6 of this act. Said published analyses shall set forth the percentage of ammonia, potash soluble in water, of available and insoluble phosphoric acid, with a statement of the commercial value of each ingredient, which valuation shall be uniform and not above the real commercial value of such ingredients. He shall also make a report of the operations of his office to the Governor of the state annually, giving the number of analyses made and the amount of proceeds of office ; said report to be presented to the General Assembly at each session thereof, the same as the Auditor's and State Treasurer's are made.

"SECTION 11. All acts and parts of acts inconsistent herewith are hereby repealed.

"SECTION 12. This act shall take effect immediately."

Mr. Saulsbury offered an amendment to the amendment, which, on his motion, was read, as follows:

Amend the bill by adding another section, being Section 13, as follows:

"SECTION 13. That in case the State Chemist willfully makes any false or untrue analysis he shall be deemed guilty of a common nuisance, and upon conviction thereof shall be fined a sum not exceeding \$100, and shall stand committed to the custody of the Sheriff until said fine is paid."

On motion of Mr. Saulsbury, the amendment to the amendment was *Adopted.*

On motion of Mr. Moore, the amendment, as amended,

Was *Adopted,*

And further, on his motion, the bill under consideration was laid on the table.

On motion of Mr. Armstrong, Senate bill No. 80, entitled,

"An act concerning the assessment of Personal Property,"

Was taken up for consideration,

And, on his further motion, the bill was read for the information of the House.

On motion of Mr. Palmer, the bill was laid on the table.

On motion of Mr. Saulsbury, Senate bill No. 120, entitled,

"An act to authorize the laying out of a public road in East Dover Hundred, Kent County and State of Delaware,"

Was taken up for consideration.

Mr. Saulsbury offered an amendment to the bill,

Which, on his motion, was read, as follows:

Amend Section 1 by adding thereto the following:

"*Provided, however,* that before the commissioners provided for in this act shall condemn any land belonging to the Polycarp

or Catholic Cemetery, which has been incorporated under the laws of this State, they shall be satisfied that as much ground as it is necessary to condemn for the purposes of this road has been secured to the said cemetery without cost to the Cemetery Company on the east side of said cemetery."

And further, on motion of Mr. Saulsbury, the amendment

Was

Adopted,

And, on his further motion, the bill was laid on the table.

Mr. McFee, Clerk of the Senate, being admitted, returned to the House the following duly and correctly enrolled House bills, signed by the Speakers of the two houses, viz :

"An act to provide against accidents at highway crossings of railroads;"

"An act for the benefit of United School Districts Nos. 22 and 99 in Kent County;"

"An act to amend an act entitled 'An act to revise and consolidate the statutes relating to the City of Wilmington,'"

"An act to transfer the farm of E. B. Edwards, now in the tenure of H. C. Walker, from School District No. 80 to School District No. 69, New Castle County;"

"An act to divorce Leonard W. Elliott and Riley E. Elliott, his wife, from the bonds of matrimony;"

"An act providing for the commutation, by the Wilmington and Northern Railroad Company, of taxes provided for by the act entitled 'An act taxing Railroad and Canal Companies in this State,' passed at Dover, April 8, 1869;"

"An act to lay out a new public road in Broadkilm Hundred, Sussex County;"

"An act to authorize the laying out of a public road in White Clay Creek Hundred, New Castle County and State of Delaware;"

"An act providing for the commutation by the Delaware, Maryland and Virginia Railroad Company of taxes provided for by the act entitled 'An act to raise revenue for this State,' passed at Dover, August 11, 1864, and also by the act entitled 'An act taxing Railroad and Canal Companies in this State,' passed at Dover, April 8, 1869;"

“An act to amend Chapter 42, Section 11, Revised Code;”

“An act to incorporate the Town of Magnolia;”

“An act to amend Sections one and six, Chapter 92, Current Laws of Delaware;”

“An act to amend Chapter 12, Volume 17, Laws of Delaware, passed at Dover, March 30, 1883;”

“An act for the relief of the Road Commissioners of Christiana Hundred, New Castle County;”

“An act to enable Joseph H. McChesney to convey his real estate and make a good title thereto;”

“An act to provide for the payment of a part of the funded debt of this State;”

“An act to repeal, &c., Chapter 74 of Volume 16 of the Laws of Delaware;”

“An act to revive and reëncorporate the Delaware Fruit Packing Company;”

“An act to incorporate the Christiana Railroad Company;”

“An act to incorporate the Bay View Canning Company;”

“An act authorizing and empowering the School Committee of School District No. 69, New Castle County, to sell the lot of land and the house thereon belonging to said school district, and for other purposes;”

“An act to incorporate the Milford Classical Academy.”

Mr. Moore presented a petition of Drs. Brown, Tomlinson and others, asking relief from the exorbitant tolls now exacted by the Telephone Exchange, &c.,

Which, on his motion, was read.

On motion of Mr. Moore, House bill No. 171, entitled,

“A supplement to ‘An act to revise and consolidate the statutes relating to the City of Wilmington,’ passed at Dover, April 13th, 1883,”

Was taken up for consideration,

And, on his further motion, the Senate amendment to the bill was read, as follows :

Amend by striking out Section 9 and inserting in lieu thereof as follows:

“SECTION 9. Upon complaint made under oath to any Justice of the Peace or to the City Judge of the City of Wilmington, that an offense has been committed against any of the provisions of this act, a warrant shall issue for the arrest of the person or persons charged with committing the same. Upon the arrest of any person or persons so charged, the Justice or the City Judge before whom he or they are brought shall try the case so far as to determine whether such person or persons ought to be discharged or bound for his or their appearance at Court, and if such Justice or City Judge shall consider there is probable ground for the accusation, he shall bind such person or persons with sufficient surety for his or their appearance at the next Court of General Sessions of the Peace and Jail Delivery for the County of New Castle, and if such person or persons do not give such surety he shall commit him or them for trial.”

Extract from Journal.

IN SENATE, April 14, 1885.

C. W. MCFEE,

Clerk of the Senate.

And, on the further motion of Mr. Moore, the amendment was
Concurred in.

Ordered that the Senate be informed thereof.

The House bill entitled,

“An act in relation to Fish and Game,”

Was taken up for consideration.

On motion of Mr. Moore, the amendment to the bill was read,

And further, on his motion, was *Adopted,*

And, on the further motion of Mr. Moore, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Brown, Senate bill No. 83, entitled,
 "An act to repeal Chapter 139, Volume 17, Delaware Laws,
 passed at Dover, April 11, 1883,"

Was taken up for consideration.

On motion of Mr. Virden,

The bill was *Indefinitely postponed.*

On motion of Mr. Truitt, the House bill entitled,

"An act to incorporate the Trustees of the Milford Armory,"

Was taken up for consideration,

And, on motion of Mr. Truitt, the bill was read a third time,
 by paragraphs, in order to pass the House.

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

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

Yeas—Messrs. Armstrong, Atkins, Barlow, Bennett, Brown,
 Cannon, Ferguson, Johnson, Moore, Palmer, Saulsbury, Schab-
 inger, Tatman, Truitt, Virden and Mr. Speaker—16.

Nays—None.

So the bill having received the required constitutional majority,

Passed the House.

Ordered to the Senate for concurrence.

Mr. Virden, in pursuance of previous notice, asked, and, on
 motion of Mr. Saulsbury, obtained leave to introduce a bill enti-
 tled,

"An act to revive and reënact the act of incorporation of the
 Tappahannah Marsh Company,"

Which, on motion of Mr. Virden, was read,

And further, on his motion, the bill was read a second time by
 its title,

And, on his further motion, was referred to the Committee on
 Private Corporations.

On motion, the House adjourned.

SAME DAY—3 o'clock, P. M.

House met pursuant to adjournment.

On motion of Mr. Saulsbury, the Senate bill entitled,

“An act to amend the act entitled ‘An act to amend the act entitled ‘An act providing for the appointment of a State Chemist,’ passed at Dover, April 8, 1881,’”

Was taken up for consideration,

And, on motion of Mr. Saulsbury, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

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

Yeas—Messrs. Adams, Armstrong, Atkins, Bennett, Cannon, Ferguson, How, McCabe, Moore, Palmer, Saulsbury, Schabinger, Tatman, Wilson and Mr. Speaker—15.

Nays—Messrs. Barlow, Truitt and Virden—3.

So the bill having received the required majority,

Passed the House.

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

Mr. McFee, Clerk of the Senate, being admitted, informed the House that the Senate respectfully requested the House to return to the Senate the House joint resolution entitled,

“Joint resolution in relation to the State Librarian.”

The Speaker directed that the joint resolution be returned to the Senate in compliance with the request of that body.

Mr. Moore, on behalf of the Committee on Municipal Corporations, to whom was referred Senate bill No. 116, entitled,

“An act to amend an act entitled ‘An act to revise and consolidate the statutes relating to the City of Wilmington,’ passed at Dover, April 13, 1883, relating to the Board of Education,”

Reported the same back to the House with an amendment, and recommended the passage of the same as amended.

On motion of Mr. Moore, the bill just reported by the Committee on Municipal Corporations was taken up for consideration,

And further, on his motion, the amendment was read, as follows:

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

SECTION 1. That Section 144, Chapter 207, Volume 17, Laws of Delaware, be and the same is hereby amended by striking out the words and figures "eighty thousand dollars (\$80,000)" in line 23 of said section, and inserting in lieu thereof the words and figures "ninety-thousand dollars, (\$90,000)." Also, by striking out the figures "1883-4" in lines 24 and 32 of said section, and inserting in lieu thereof the figures "1885-6."

And, on the further motion of Mr. Moore, the amendment

Was

Adopted,

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

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

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

Yeas—Messrs. Adams, Armstrong, Atkins, Bennett, Brown, Cannon, How, Johnson, McCabe, Moore, Palmer, Saulsbury, Tatman, Virden and Mr. Speaker—15.

Nays—None.

So the bill having received the required constitutional majority,

Passed the House.

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

Mr. McFee, Clerk of the Senate, being admitted, informed the House that the Senate insisted upon its amendment to the House bill entitled,

"An act to amend Chapter 18, Section 24, of the General Election Laws, to change time of meeting of Inspectors,"

And asked for a committee of conference, and had appointed as such committee, on the part of the Senate, Messrs. Cavender, Mustard and McWhorter.

Mr. Saulsbury moved that a committee of conference be appointed on the disagreement of the two houses on the Senate amendment to House bill No. 61, entitled,

“An act to amend Chapter 18, Section 24, of the General Election Laws, to change the time of meeting of Inspectors,”

Which motion *Prevailed.*

The Speaker named as such committee, Messrs. Saulsbury, Palmer and McCabe.

Mr. Armstrong, on behalf of the Committee on Education, to whom was referred Senate bill No. 125, entitled,

“An act in relation to School Districts in Sussex County,”

Reported the same back to the House with the recommendation that it pass.

The Senate bill entitled,

“An act authorizing the School Commissioners of District No. 84 in New Castle County to expend certain money for the use of said school,”

Was taken up for consideration,

And, on motion of Mr. Palmer, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

On motion of Mr. McCabe, the Senate bill entitled,

“An act in relation to School Districts in Sussex County,”

Was taken up for consideration,

And, on motion of Mr. McCabe, the bill was read a third time, by paragraphs, in order to pass the House.

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

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

Yeas—Messrs. Atkins, Brown, McCabe and Virden—4.

Nays—Messrs. Adams, Cannon, How, Moore, Saulsbury, Schabinger, Tatman and Truitt—8.

So the question was decided in the negative,

And the bill having failed to receive the required majority,

Was *Lost.*

Mr. McWhorter, a member of the Senate, being admitted, informed the House that the Senate had adopted and asked the concurrence of the House in a joint resolution entitled,

"Joint resolution in relation to the State Militia."

On motion of Mr. Moore, the Senate joint resolution entitled, "Joint resolution in relation to the State Militia,"

Was taken up for consideration,

And further, on his motion, the joint resolution was read.

Mr. Moore moved that the joint resolution be concurred in.

Upon which motion, the yeas and nays were ordered, which, being taken, were as follows :

Yeas—Messrs. Barlow, Cannon, Moore, Palmer, Saulsbury, Virden and Mr. Speaker—7.

Nays—Messrs. Bennett, Brown, Johnson, Schabinger, Tatman and Truitt—6.

So the question was decided in the affirmative,

And the joint resolution was *Concurred in.*

Mr. Schabinger, on behalf of the Committee on Enrolled Bills, reported as being duly and correctly enrolled the following House bills and joint resolution, viz :

"An act to change the boundaries of School District No. 71 in

Kent County and authorize the erection of a new school house thereon;”

“A supplement to an act to revise and consolidate the statutes relating to the City of Wilmington, passed at Dover, April 13, 1883;”

“An act to vacate a portion of Reed street in the City of Wilmington;”

“An act to establish a Board of Education for South Milford, and to incorporate the same, and for other purposes;”

“An act to authorize the Mayor and Council of Wilmington to borrow certain sums of money and to provide for the repayment thereof;”

“An act to amend Chapter 418, Volume 14 Laws of Delaware;”

“An act to amend an act entitled ‘An act to establish a Board of Water Commissioners for the City of Wilmington, and for other purposes,’ passed at Dover, April 18, A. D. 1883;”

“Joint resolution in relation to marking the positions of Delaware troops at the battle of Gettysburg;”

And presented the same for the signature of the Speaker of the House.

He also reported as duly and correctly enrolled the following Senate bills, the same having been signed by the Speaker of the Senate, to wit :

“An act to amend Chapter 460, Volume 15 Laws of Delaware, entitled ‘An act to reincorporate the Town of St. Georges, and other purposes;’ ”

“An act to authorize the laying out of a new public road in Dagsboro’ and Gumboro’ Hundreds in Sussex County;”

“An act to incorporate the Sussex Glass and Manufacturing Company;”

“An act to authorize the Mayor and Council of New Castle to purchase the works of the New Castle Gas Company;”

“An act to authorize the Mayor and Council of New Castle to purchase the works of the New Castle Water Works Company.”

On motion of Mr. McCabe, the House bill entitled,

“An act to further amend Chapter 15 of the Revised Code,”

Was taken up for consideration.

Mr. McCabe offered an amendment, which was read,

And, on his further motion, was *Adopted,*

And, on the further motion of Mr. McCabe, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

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

Yeas—Messrs. Barlow, How, McCabe, Moore, Palmer, Truitt, Virden and Mr. Speaker—8.

Nays—Messrs. Atkins, Bennett, Brown and Schabinger—4.

So the bill having received the required majority,

Passed the House.

Ordered to the Senate for concurrence.

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

“An act to incorporate the Midland Grange Company, No. 27;”

“An act supplemental to an act entitled ‘A supplement to an act to incorporate the purchasers of the Wilmington and Western Railroad,’ passed at Dover, March 1, 1881, Laws of Delaware, Volume 16, Chapter 454;”

“An act concerning Costs in Civil Actions;”

“An act to incorporate the Brandywine Granite Company;”

“An act to incorporate the Wilmington Steam Heating Company;”

“An act to incorporate the Mutual Loan and Investment Company;”

“An act to amend Section 8, Chapter 48 Revised Code;”

“An act to incorporate the Milford Illuminating and Water Supply Company;”

“An act to amend Chapter 181, current volume Laws of Delaware;”

“An act to amend an act entitled ‘An act to incorporate the Brooks Underground Conduit Company,’ passed at Dover, April 13, 1883.”

On motion of Mr. Saulsbury, Senate bill No. 120, entitled,

“An act to authorize the laying out of a public road in East Dover Hundred, Kent County and State of Delaware;”

Was taken up for consideration:

Mr. Saulsbury offered an amendment to the amendment,

Which, on his motion, was read, as follows :

Amend the amendment by adding thereto the following :

“*Provided further*, that before the commissioners named in this act shall enter upon or condemn any land belonging to the Agricultural Association of the State of Delaware, there shall be secured to them, free of cost, a strip of land running the whole length of the fair ground on the north side equal in area to the amount to be taken from the said Agricultural Association on the east end or side for said public road.”

On motion of Mr. Saulsbury, the amendment to the amendment was

Adopted;

And, on the further motion of Mr. Saulsbury, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

It was decided in the affirmative,

And the bill having received the required majority;

Passed the House.

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

Mr. Barlow, on behalf of the Committee on Private Corporations, to whom was referred House bill No. 334, entitled,

“An act to renew and reenact the act of incorporation of the Tappahannah Marsh Company,”

Reported the same back to the House with the recommendation that it pass.

On motion of Mr. Barlow, the bill just reported was taken up for consideration,

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

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

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

Yeas—Messrs. Adams, Barlow, How, McCabe, Moore, Palmer, Truitt, Virden and Mr. Speaker—8.

Nays—Messrs. Atkins, Bennett, Brown and Schabinger—4.

So the bill having received the required majority,

Passed the House.

Ordered to the Senate for concurrence.

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

"An act to divide School District No. 90 in Sussex County into two districts, and for other purposes;"

"An act to divorce Mary Gilch from her husband, John George Gilch;"

"An act to divorce William P. Taylor from his wife, Margaret L. Taylor."

On motion of Mr. Palmer, the House bill entitled,

"An act to straighten or lay out a public road in Baltimore Hundred, Sussex County,"

Was taken up for consideration.

On motion of Mr. McCabe, the amendment to the bill was read,

And further, on his motion, was *Adopted,*

And, on motion of Mr. Palmer, the bill was read a third time, by paragraphs, in order to pass the House.

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

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Johnson, the Senate bill entitled,

“An act to divorce William P. Taylor from his wife, Margaret L. Taylor,”

Was read,

And further, on his motion, the bill was read a second time by its title.

On motion of Mr. Johnson, Senate bill No. 153, entitled,

“An act to divorce William P. Taylor from his wife, Margaret L. Taylor,”

Was taken up for consideration,

And, on motion of Mr. Saulsbury, the bill was laid on the table.

On motion of Mr. Barlow, Senate bill No. 103, entitled,

“An act to further amend the act entitled ‘An act to provide for the idiotic children of the State of Delaware,’ ”

Was taken up for consideration,

And, on his further motion, the bill was read for the information of the House.

On motion of Mr. Saulsbury, the bill was recommitted to the Committee on Revised Statutes.

On motion of Mr. Johnson, the Senate bill entitled,

“An act to divorce Mary Gilch from her husband, John George Gilch,”

Was read first time,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, the bill was taken up for consideration,

And, on the further motion of Mr. Johnson, the bill was read a third time, by paragraphs, in order to pass the House.

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

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

The Senate bill entitled,

"An act in relation to the election of the Trustees of New Castle Commons,"

Was taken up for consideration,

And, on motion of Mr. Barlow, the bill was read a third time, by paragraphs, in order to pass the House.

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

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

Yeas—Messrs. Adams, Atkins, Barlow, Bennett, Brown, Cannon, How, McCabe, Palmer, Saulsbury, Schabinger, Tatman, Truitt, Virden and Mr. Speaker—15.

Nays—None.

So the bill having received the required constitutional majority,

Passed the House.

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

The Senate bill entitled,

"An act authorizing the Trustees of New Castle Commons to dispose in fee simple of the real estate belonging to the trust,"

Was taken up for consideration,

And, on motion of Mr. Barlow, the bill was read a third time, by paragraphs, in order to pass the House.

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

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

Yeas—Messrs. Adams, Barlow, Bennett, Brown, Cannon, How, Johnson, McCabe, Moore, Palmer, Schabinger, Tatman, Truitt and Mr. Speaker—14.

Nays—None.

So the bill having received the required constitutional majority,
Passed the House.

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

On motion of Mr. Barlow, the Senate bill entitled,

“A supplement to the act entitled ‘An act to establish the Kenton Public School,’ passed at Dover, March 10, 1885,”

Was taken up for consideration,

And, on motion of Mr. Barlow, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

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

Yeas — Messrs. Barlow, Bennett, How, Johnson, Palmer, Schabinger, Tatman, Truitt, Virden and Mr. Speaker—10.

Nays—Messrs. Brown and Cannon—2.

Previous to the announcement of the vote, Messrs. Barlow and Truitt asked leave to change their votes from the affirmative to the negative, which was granted,

The vote then standing : Yeas, 8 ; Nays, 4.

So the bill having failed to receive the required constitutional majority, was
Lost.

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

Mr. McFee, Clerk of the Senate, being admitted, returned to the House the following duly and correctly enrolled House bills and House joint resolutions, signed by the Speakers of the two Houses, viz:

“An act to further amend an act entitled ‘An act to revise and consolidate the statutes relating to the City of Wilmington,’ passed at Dover, April 13, 1883;”

"An act to incorporate the Ocean View Beach House Company, of Ocean View, Sussex County, Delaware;"

"An act authorizing the laying out of a new public road in Milford Hundred, Kent County and State of Delaware;"

"An act to divorce Annie W. Smith from her husband, Job Smith, and for other purposes;"

"An act to divorce Ida C. Buckson from her husband, Edwin E. Buckson, and to change her name;"

"An act to authorize United School Districts Nos. 113 and 113½ in Kent County, to sell its school property, purchase other property, and to borrow money;"

"An act to incorporate Admiral S. F. DuPont Post, No. 2, Grand Army of the Republic, Department of Delaware;"

"An act to increase the salaries of the Chancellor, Chief Justice and Associate Judges of the Superior Court;"

"An act to incorporate Tuscarora Tribe, No. 22, Improved Order of Red Men;"

"An act to authorize the laying out of a new public road in Mispillion Hundred, Kent County and State of Delaware;"

"An act to authorize United School Districts Nos. 85 and 128, in Kent County, to borrow money and secure the payment of the same;"

"An act to amend Chapter 72, Volume 14 of the Laws of Delaware, entitled 'An act for the Protection of Fishermen;'"

"An act to lay out a public road in Broad Creek Hundred, Sussex County;"

"An act incorporating the Kirkman Coach and Livery Company;"

"An act to incorporate the Delaware State Dental Society;"

"An act to incorporate the Pint Branch Ditch Company;"

"An act to revive an act entitled 'An act to incorporate Wicomico Tribe, No. 13, Improved Order of Red Men, of Delmar, Sussex County,' passed at Dover, 1879;"

"An act to revive and reenact an act to incorporate the J. A. Cranston Company;"

“An act to change the name of Andrew Jackson Henry Nones to that of Henry Beauchamp Nones;”

“An act in relation to Twelfth street in the City of Wilmington;”

“An act to incorporate Sussex Encampment, No. 4, I. O. O. F. at Laurel, Delaware;”

“An act authorizing Jacob W. Cannon to straighten a public road on his own land and the land of Stansbury C. Matthews;”

“An act to incorporate the Town of Townsend;”

“An act to incorporate the Dover Brick Manufacturing Company;”

“An act for the Protection of the Harbor of Wilmington and the improvement of the navigation of the waters thereof;”

“A supplement to an act entitled ‘An act to amend Chapter 357, Volume 15 Delaware Laws;’”

“An act to change the name of Clara Whitford Snelling to the name of Clara Snelling James, and to make her by adoption a daughter and heir-at-law of Edward F. James and Louisa S. James, his wife;”

“An act authorizing Joseph W. Phillips to change the course and direction of two roads in Little Creek Hundred, Sussex County;”

“An act to repeal Chapter 86, Volume 16 Laws of Delaware;”

“An act to divorce Laura E. Quintero from her husband, Rafael R. Quintero, and to change her name;”

“Joint resolution to receive no new business after Wednesday, April 8th, 1885;”

“Joint resolution authorizing the Collector of Oyster Revenue to have the Guard Boat repaired.”

On motion of Mr. Barlow, the Senate bill entitled,

“An act restraining frequent changes in the text books to be used in the Free Schools of this State;”

Was taken up for consideration.

On motion of Mr. Barlow, the amendment to the bill was read, as follows :

Amend the bill by adding at the end of Section 1 the following:

“*Provided* that nothing herein contained shall require a change in the text books now used in the country districts within the limits of this State before the year 1890.”

And, on the further motion of Mr. Barlow, the amendment

Was *Adopted,*

And, on the further motion of Mr. Barlow, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

On motion, the House adjourned.

THURSDAY, April 16, 1885—10 A. M.

House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—Members present—Messrs. Adams, Armstrong, Atkins, Barlow, Bennett, Brown, Cannon, Ferguson, Hearn, How, Johnson, McCabe, Moore, Palmer, Saulsbury, Schabinger, Tatman, Truitt, Virden, Wilson and Mr. Speaker.

On motion of Mr. Truitt, the reading of the journal was dispensed with:

Mr. Schabinger, on behalf of the Committee on Enrolled Bills, reported as being duly and correctly enrolled the following House bills, viz :

“An act concerning Costs in Civil Actions;”

"An act to provide a mode for passing titles of insane persons;"

"An act for the relief of School District No. 84 in Sussex County;"

"An act to amend an act entitled 'An act to incorporate the Enoch Moore, Jr., Ship and Car Building Company;'"

"An act divorcing Sarah T. Crowding and Jacob V. Crowding, her husband, from the bonds of matrimony;"

"An act to amend Chapter 540, Volume 16 Laws of Delaware;"

"An act to incorporate the Sussex Manufacturing Company;"

"An act in relation to the duties of the State Treasurer;"

"An act to incorporate the Milford Illuminating and Water Supply Company;"

"An act to incorporate the Mutual Loan and Investment Company;"

"An act to incorporate the Midland Grange Company, No. 27;"

"An act to exempt certain lands from taxation in the City of Wilmington;"

"An act to amend an act entitled 'An act to revise and consolidate the statutes relating to the City of Wilmington,' passed at Dover, April 13th, 1883;"

"A supplement to the act entitled 'An act regulating Pilots and Pilotage of and in the Bay and River Delaware;'"

"An act to revive and continue in force for one year Chapter 683, Volume 16 of the Laws of Delaware;"

"An act to further amend the act entitled 'An act to incorporate the Town of Odessa,' passed at Dover, April 2, 1873;"

"An act to authorize the School Commissioners of United School Districts Nos. 39 and 41, in New Castle County, to straighten the lines and sell or exchange a portion of land belonging to said united districts;"

"An act to authorize and empower the Road Commissioners of Pencader Hundred to reopen and reoccupy a certain road in said hundred now vacated;"

“An act authorizing School District No. 179 in Sussex County to raise additional money;”

“An act to authorize the changing of a public road in White Clay Creek Hundred, New Castle County and State of Delaware;”

“An act authorizing the Commissioners of School District No. 81, New Castle County, to borrow money;”

“An act to divorce Ellen Duncan from her husband, Joshua J. Duncan;”

“An act to change the name of Mary Morrison to the name of Mabel Hudson, and to make her by adoption a daughter and heir-at-law of John P. Hudson;”

“An act supplemental to an act entitled ‘A supplement to an act to incorporate the purchasers of the Wilmington and Western Railroad,’ passed at Dover, March 1, 1881, Laws of Delaware, Volume 16, Chapter 454,”

And presented the same for the signature of the Speaker of the House.

On motion of Mr. Saulsbury, the Senate bill entitled,

“An act to divide School District No. 90, in Sussex County, into two districts, and for other purposes,”

Was read first time,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Education.

House bill No. 143, entitled,

“An act to repeal an act entitled ‘An act to amend Section one, Chapter one hundred and seven, Volume sixteen of the Laws of Delaware,’ ”

Was taken up for consideration.

On motion of Mr. Moore, the bill was *Indefinitely postponed*.

Senate bill No. 54, entitled,

“An act relating to foreign attachments and attaching real estate,”

Was taken up for consideration.

On motion of Mr. Saulsbury, the bill was recommitted to the Committee on Revised Statutes.

The Senate bill entitled,

“An act for the improvement of a certain public road in Sussex County,”

Was taken up for consideration,

And, on motion of Mr. Adams, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

The Senate bill entitled,

“An act to amend Chapter 80, Volume 14 Laws of Delaware,”

Was taken up for consideration,

And, on motion of Mr. McCabe, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

The Senate bill entitled,

“An act to lay out a public road in Lewes and Rehoboth and Indian River Hundreds, Sussex County,”

Was taken up for consideration,

And, on motion of Mr. McCabe, the bill was read a third time, by paragraphs, in order to pass the House.

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

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

The Senate bill entitled,

"An act authorizing the laying out of a public road in Kenton Hundred, Kent County,"

Was taken up for consideration,

And, on motion of Mr. Palmer, the bill was read a third time, by paragraphs, in order to pass the House.

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

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

Mr. McFee, Clerk of the Senate, being admitted, informed the House that the Senate had passed and asked the concurrence of the House in the Senate bill entitled,

"An act to divorce John H. Walls and Sallie J. Walls."

Also, that the Senate had concurred in the following House bills, viz :

"An act relating to the publication of official or public notices;"

"An act to repeal Section 2 of Chapter 537, Volume 16 Laws of Delaware, entitled 'An act in reference to the competency of witnesses,'"

And returned the same to the House.

He also informed the House that the Senate had non-concurred in the House bill entitled,

"An act to amend Chapter 25 of the Revised Code of the State of Delaware,"

And returned the same to the House.

The Senate bill entitled,

“An act to enable and authorize Elisha J. Coffin and John C. Thompson to straighten the public road through their lands in Indian River Hundred in Sussex County,”

Was taken up for consideration,

And, on motion of Mr. Palmer, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

The Senate bill entitled,

“An act to amend Chapter 386, Volume 15 Laws of Delaware,”

Was taken up for consideration.

On motion of Mr. Saulsbury,

The bill was

Indefinitely postponed.

On motion of Mr. Truitt, the House bill entitled,

“An act to establish a State Insane Asylum,”

Was taken up for consideration,

And, on motion of Mr. Ferguson, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

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

Yeas—Messrs. Armstrong, Barlow, Brown, Ferguson, Moore, Palmer, Schabinger, Truitt, Virden, Wilson and Mr. Speaker—11.

Nays—Messrs. Adams, Atkins, Bennett, Cannon, Johnson, Saulsbury and Tatman—7.

So the bill having received the required majority,

Passed the House.

Ordered to the Senate for concurrence.

Mr. McFee, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House amendment to the Senate bill entitled,

“An act to authorize the laying out of a public road in East Dover Hundred, Kent County and State of Delaware.”

The Senate bill entitled,

“An act for the relief of United School Districts Nos. 3, 175 and 175½ in Sussex County,”

Was taken up for consideration,

And, on motion of Mr. Truitt, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

Mr. Moore, in pursuance of previous notice, asked, and, on motion of Mr. Wilson, obtained leave to introduce a bill entitled,

“An act to amend the charter of the City of Wilmington,”

Which, on motion of Mr. Moore, was read,

And further, on his motion, the bill was read a second time by its title.

On motion of Mr. Moore, the House bill entitled,

“An act to amend the charter of the City of Wilmington,”

Was taken up for consideration,

And, on motion of Mr. Moore, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

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

Yeas—Messrs. Adams, Atkins, Bennett, Brown, Cannon, Ferguson, Johnson, Moore, Palmer, Schabinger, Tatman, Truitt, Virden and Wilson—14.

Nays—None.

So the bill having received the required constitutional majority,

Passed the House.

Ordered to the Senate for concurrence.

Mr. McFee, Clerk of the Senate, being admitted, presented for the signature of the Speaker of the House the following duly and correctly enrolled Senate bills and joint resolution, signed by the Speaker of the Senate, viz :

“An act to authorize the laying out of a public road in East Dover Hundred, Kent County and State of Delaware;”

“An act authorizing the School Commissioners of District No. 84 in New Castle County to expend certain money for the use of said school;”

“An act to amend Chapter 62, Volume 15 Laws of Delaware;”

“An act to divorce Peter C. Loose and Fannie Loose, his wife, from the bonds of matrimony;”

“An act regulating the boundaries of School District No. 51 in New Castle County;”

“An act for the relief of School District No. 1 in Kent County;”

“An act to extend the limits of School District No. 53, New Castle County;”

“Joint resolution in relation to the State Militia.”

On motion of Mr. Johnson, the Senate bill, entitled,

“An act to divorce John M. Walls and Sallie J. Walls,”

Was read first time,

And further, on his motion, the bill was read a second time by its title.

On motion of Mr. Johnson, the Senate bill entitled,

“An act to divorce John M. Walls and Sallie J. Walls,”

Was taken up for consideration,

And, on motion of Mr. Johnson, the bill was read a third time, by paragraphs, in order to pass the House.

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

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

Mr. McCabe, on behalf of the Committee on Revised Statutes, to whom was referred Senate bill No. 103, entitled,

"An act to further amend the act entitled 'An act to provide for the idiotic children of the State of Delaware,'"

Reported the same back to the House without recommendation.

On motion of Mr. Barlow, the Senate bill entitled,

"An act to further amend the act entitled 'An act to provide for the idiotic children of the State of Delaware,'"

Was taken up for consideration,

And, on the further motion of Mr. Barlow, the bill was read a third time, by paragraphs, in order to pass the House.

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

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

Yeas—Messrs. Armstrong, Barlow, Ferguson, Moore, Palmer, Wilson and Mr. Speaker—7.

Nays—Messrs. Adams, Atkins, Bennett, Brown, Cannon, Hearn, How, Johnson, McCabe, Saulsbury, Schabinger, Tatman, Truitt and Virden—14.

So the question was decided in the negative,

And the bill having failed to receive the required constitutional majority, was

Lost.

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

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

“An act to authorize the Trustees under the will of David C. Wilson, deceased, to sell and convey certain real estate in New Castle County,”

With amendments, and asked the concurrence of the House therein.

On motion of Mr. Barlow, House bill No. 258, entitled,

“An act to authorize the Trustees under the will of David C. Wilson, deceased, to sell and convey certain real estate in New Castle County,”

Was taken up for consideration,

And further, on his motion, the Senate amendments to the bill were read, as follows :

Amend the bill as follows :

In Section 2, seventh line, strike out the word “or” and substitute the word “and.”

And between Sections 4 and 5, as therein numbered, insert the following, viz :

“SECTION 5. *And be it further enacted*, That Barent W. Van Kleeck, who is the only child of Anna M. Van Kleeck (the afore-said cestui qui trust for life, and is now of the age of seventeen years), shall be and he is hereby qualified, authorized and empowered to join in any conveyance authorized by Section 2 of this act, and to execute and acknowledge the same during his minority with the like effect to all intents and purposes as if he had attained full age prior to the execution thereof.”

Amend further by making Section 5 to be Section 6.

IN SENATE, April 16, 1885.

Extract from Journal.

C. W. McFEE,
Clerk of the Senate.

On motion of Mr. Moore, the Senate amendments

Were

Concurred in.

Ordered that the Senate be informed thereof.

On motion of Mr. Moore, the House bill entitled,

“An act to amend Chapter 99, Revised Code,”

Was taken up for consideration,

And, on his further motion, the bill was read for the information of the House,

And, on the further motion of Mr. Moore, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

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

Yeas—Messrs. Adams, Armstrong, Cannon, Ferguson, Hearn, How, McCabe, Moore, Palmer, Wilson and Mr. Speaker—11.

Nays—Messrs. Barlow, Bennett, Brown, Johnson, Saulsbury, Schabinger, Tatman, Truitt and Virden—9.

So the bill having received the required majority,

Passed the House.

Ordered to the Senate for concurrence.

The Senate bill entitled,

“An act to divorce William P. Taylor from his wife, Margaret L. Taylor,”

Was taken up for consideration,

And, on motion of Mr. Johnson, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

On motion, the House adjourned.

SAME DAY—3 o'clock P. M.

House met pursuant to adjournment.

Mr. Schabinger, on behalf of the Committee on Enrolled Bills, reported as being duly and correctly enrolled the following Senate bills and joint resolution, viz :

“An act to authorize the laying out of a public road in East Dover Hundred, Kent County and State of Delaware;”

“An act regulating the boundaries of School District No. 51 in New Castle County;”

“An act authorizing the School Commissioners of District No. 84 in New Castle County to expend certain money for the use of said school;”

“An act to amend Chapter 62, Volume 15 Laws of Delaware;”

“An act to divorce Peter C. Loose and Fannie Loose, his wife, from the bonds of matrimony;”

“An act for the relief of School District No. 1 in Kent County;”

“An act to extend the limits of School District No. 53, New Castle County;”

“Joint resolution in relation to the State Militia.”

Also, the following House bills, viz:

“An act to repeal Section 2 of Chapter 537, Volume 16 Laws of Delaware, entitled ‘An act in reference to the competency of witnesses;”

“An act relating to the publication of official or public notices;”

“An act to amend an act entitled ‘An act to incorporate the Brooks Underground Conduit Company,’ passed at Dover, April 13, 1883;”

“An act to amend Chapter 181, current volume Laws of Delaware;”

“An act to amend Section 8, Chapter 48 Revised Code;”

“An act for the protection and preservation of Game and Game Fish;”

“An act to incorporate the Brandywine Granite Company,”

And presented the same for the signature of the Speaker of the House.

Mr. Saulsbury, in pursuance of previous notice, asked, and, on motion of Mr. Bennett, obtained leave to introduce a bill entitled,

“An act to repeal Chapter 212 current volume Delaware Laws,”

Which, on motion of Mr. Saulsbury, was read.

Mr. How offered a joint resolution entitled,

“Joint resolution on State House Repairs,”

Which, on his motion, was read.

On motion of Mr. Saulsbury, the joint resolution was laid on the table.

Mr. McCabe asked unanimous consent to introduce a bill.

There being no objection, Mr. McCabe introduced a bill entitled,

“An act to amend an act entitled ‘A supplement to the act entitled ‘An act uniting the School Districts of Georgetown, passed at Dover March 29, 1881,’ passed at Dover, March 11, 1885,’”

Which, on his motion, was read,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, the bill was taken up for consideration,

And, on the further motion of Mr. McCabe, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. How, the House joint resolution entitled,
 "Joint resolution on State House Repairs,"

Was taken up for consideration.

Mr. How offered an amendment to the resolution,

Which, on his motion, was read,

And, on his further motion, was *Adopted*,

And further, on his motion, the joint resolution, as amended,

Was *Adopted*.

Ordered to the Senate for concurrence.

On motion of Mr. Barlow, Senate bill No. 66, entitled,

"An act concerning Levy Court Commissioners and their duties,"

Was taken up for consideration,

And further, on his motion, the bill was read for the information of the House.

Mr. Saulsbury offered an amendment to the bill,

Which, on his motion, was read, as follows :

"SECTION 2. The provisions of this act shall not apply to Kent and Sussex Counties."

And further, on motion of Mr. Saulsbury, the amendment

Was *Adopted*.

On motion of Mr. Barlow, the bill was laid on the table.

Mr. Armstrong, on behalf of the Committee on Education, to whom was referred Senate bill No. 145, entitled,

"An act to divide School District No. 90, in Sussex County, into two districts, and for other purposes,"

Reported the same back to the House with the recommendation that it pass.

On motion of Mr. Saulsbury, the Senate bill entitled,

"An act to divide School District No. 90 in Sussex County into two districts, and for other purposes,"

Was taken up for consideration,

And, on motion of Mr. Saulsbury, the bill was read a third time, by paragraphs, in order to pass the House.

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

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

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

"An act appropriating money toward defraying the expenses of holding Teachers' Institutes;"

"An act to further amend 'An act to provide for a Sinking Fund for the payment of the city debt of Wilmington,' passed at Dover, February 9, 1855;"

"An act to authorize the Trustee under the will of Robert Hodgson, deceased, to sell and convey certain real estate;"

"An act in relation to taxation of the Wilmington Institute;"

"An act to renew and reenact the act of incorporation of the Tappahannah Marsh Company;"

"An act to revoke the charter of the Wesleyan Female College;"

"An act to incorporate the Trustees of the Milford Armory;"

"An act to incorporate St. Patrick's Beneficial Society, of Wilmington, Delaware;"

"An act to incorporate the Wilmington Railway Supplies Company,"

And returned the same to the House.

Mr. Armstrong offered a joint resolution entitled,

"Joint resolution in relation to tax on Bank Shares,"

Which, on his motion, was read,

And, on his further motion, was

Adopted.

Ordered to the Senate for concurrence.

Mr. Barlow presented a substitute for Senate Bill No. 139, entitled,

“An act relating to the salary of the County Treasurer of New Castle County.”

On motion of Mr. Barlow, the substitute was *Adopted.*

On the further motion of Mr. Barlow, the bill was read first time,

And further, on his motion, was read a second time by its title,

And, on his further motion, the bill was taken up for consideration,

And, on motion of Mr. Moore, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

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

Yeas—Messrs. Armstrong, Brown and Moore—3.

Nays—Messrs. Barlow, Bennett, Ferguson, Johnson, McCabe, Palmer, Saulsbury, Schabinger, Tatman, Truitt, Virden, Wilson and Mr. Speaker—13.

And the bill having failed to receive the required majority,

Was *Lost.*

Mr. McFee, Clerk of the Senate, being admitted, informed the House that the Senate had adopted and asked the concurrence of the House in a joint resolution entitled,

“Joint resolution appropriating three hundred dollars to the Delaware Society for the Prevention of Cruelty to Children.”

On motion of Mr. Brown, the Senate joint resolution entitled,

“Joint resolution appropriating three hundred dollars to the Delaware Society for the Prevention of Cruelty to Children,”

Was read, and further, on his motion, was *Concurred in.*

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

On motion of Mr. Moore, House bill No. 242, entitled,

“An act to amend an act entitled ‘An act in relation to Mechanics’ Liens,’ Volume 16 Delaware Laws, Chapter 145, page 206,”

Was taken up for consideration,

And further, on his motion, the amendment to the bill was read,

And, on his further motion, was *Adopted,*

And, on motion of Mr. Saulsbury, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

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

Yeas—Messrs. Adams, Armstrong, Bennett, Cannon, Ferguson, How, Johnson, Moore, Saulsbury, Schabinger, Tatman, Viriden and Wilson—13.

Nays—Messrs. Barlow, Brown and Truitt—3.

So the bill having received the required majority,

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Armstrong, House bill No. 46, entitled,

“An act to amend an act entitled ‘An act to amend Chapter 379 of Volume 16 of the Laws of Delaware,’ passed at Dover, January 22d, 1885,”

Was taken up for consideration.

Mr. Saulsbury offered an amendment to the bill,

Which, on his motion, was read.

Mr. Brown moved that the amendment be indefinitely postponed.

Upon which motion, the yeas and nays were ordered, which, being taken, were as follows :

Yeas—Messrs. Armstrong, Bennett, Brown, Ferguson, How, McCabe, Moore, Palmer, Wilson and Mr. Speaker—10.

Nays—Messrs. Adams, Atkins, Cannon, Saulsbury and Viriden—5.

So the question was decided in the affirmative,

And the amendment was *Indefinitely postponed.*

Mr. Truitt moved that bill under consideration be indefinitely postponed.

Upon which motion the yeas and nays were ordered, which, being taken, were as follows:

Yeas—Messrs. Adams, Atkins, Barlow, Bennett, Cannon, Ferguson, How, Johnson, McCabe, Saulsbury, Schabinger, Tatman, Truitt and Virden—14.

Nays—Messrs. Armstrong, Brown, Moore, Palmer, Wilson and Mr. Speaker—6.

So the question was decided in the affirmative,

The bill was *Indefinitely postponed.*

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

“An act to create a new School District in New Castle County.”

He also informed the House that the Senate had non-concurred in the House bill entitled,

“An act to amend Section 80 of an act entitled ‘An act to revise and consolidate the statutes relating to the City of Wilmington,’ passed at Dover, April 13, 1883,”

And returned the same to the House.

Mr. Barlow moved that when the House adjourns it adjourn to meet to-morrow morning at 9 o’clock,

Which motion *Prevailed.*

Mr. McFee, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House amendments to the following Senate bills, viz :

“An act to amend an act entitled ‘An act to revise and consolidate the statutes relating to the City of Wilmington,’ passed at Dover, April 13, 1883, relating to the Board of Education;”

“An act to amend the act entitled ‘An act to amend the act entitled ‘An act providing for the appointment of a State Chemist,’ passed at Dover, April 8, 1881.”

Mr. McFee, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the following House bills and joint resolution, viz :

“An act to divorce Georgeanna Stevenson from her husband, William C. Stevenson;”

“An act to divorce Mary C. Stuart and her husband, Nathaniel P. Stuart, from the bonds of matrimony;”

“An act to divorce Willard S. Hudson from his wife Charlotte A. Hudson;”

“An act to divorce Isaac Turner from his wife, Priscilla Turner;”

“An act to divorce Annie E. Mumford from her husband, Peter Mumford;”

“An act to divorce Anna Carson from her husband, Benjamin F. Carson;”

“An act to divorce Isaiah Stradley from his wife, Sarah E. Stradley;”

Also, that the Senate had concurred in the House bill entitled,

“An act to divorce Emma H. Gilbert from her husband, George Gilbert;”

With an amendment, and asked the concurrence of the House therein.

He also returned to the House the following duly and correctly enrolled House bills and joint resolution, signed by the Speakers of the two houses, viz :

“An act to authorize the laying out of a public road in East Dover Hundred, Kent County and State of Delaware;”

“An act for the protection of keepers of livery and boarding stables;”

“An act to amend an act entitled ‘An act to reincorporate the members of the Fame Hose Company, of the City of Wilmington;’”

“An act to amend Chapter 407, Volume 15 Delaware Laws;”

“An act authorizing the School Committee of School District No. 47, Sussex County, to levy an additional tax of fifty dollars for the purpose of completing the school house in said district;”

“An act to divide East Dover Hundred into two Election Districts;”

“An act for the relief of certain School Districts in Sussex County;”

“An act divorcing Beulah N. Watson from her husband, David H. Watson, and to change the name of Beulah N. Watson to that of Beulah N. Jackson;”

“An act to divorce T. Leslie Carpenter from his wife, Alice W. Carpenter;”

“An act to straighten a public road in Nanticoke Hundred, Sussex County;”

“An act to lay out a public road in Kent County;”

“An act appointing commissioners to lay out a public road in Broadkilm Hundred, Sussex County;”

“An act authorizing the Levy Court Commissioners of New Castle County to make an appropriation for the purpose of repairing a break in the bank along the Delaware Bay, and other purposes, in Blackbird Hundred;”

“An act for the relief of the Building Committee of the Trustees of the Poor of New Castle County;”

“An act authorizing the construction of a drawbridge over Broad Creek, at or near the town of Bethel, in Broad Creek Hundred, Sussex County, and for opening a public road to and from said bridge on both sides of said creek;”

“An act authorizing Morris Moseley to straighten a public road in Milford Hundred, Kent County;”

“An act to incorporate the Trustees of the Wilmington Armory;”

“An act in reference to the adoption of children;”

“An act authorizing the appointment of an additional Justice of the Peace and a Notary Public in Sussex County, to reside within one mile of Concord;”

“An act to reenact and amend an act entitled ‘An act to incorporate the Wilmington and Brandywine Passenger Railway Company;’”

“An act for the enlargement and repair of Delaware College;”

“An act for the relief of Fanny W. Anderson, and for other purposes;”

“An act to transfer the farm and dwelling of James R. Needles from School Districts Nos. 102 and 103 to School District No. 104 in Kent County;”

“An act to incorporate the Wilmington Conference Domestic Missionary Society;”

“An act to divorce Henry Paisley and his wife, Caroline H. Paisley, from the bonds of matrimony;”

“An act supplementary to an act incorporating the Wilmington Navigation Company of Wilmington;”

“An act relating to the Practice of Dentistry in the State of Delaware;”

“An act to lay out a new public road in Little Creek Hundred, Sussex County;”

“A supplement to the act entitled ‘An act to incorporate the Dover Glass Works Company,’ passed at Dover, April 9, 1883;”

“An act to amend an act entitled ‘An act to revise and consolidate the statutes relating to the City of Wilmington;’”

“An act granting consent of the State of Delaware to the purchase by the United States of certain lands for the purpose of the erection of Government Buildings at Wilmington, and ceding jurisdiction over the same;”

“An act to further amend the charter of the City of Wilmington;”

“An act for the laying out of a new road in Mispillion Hundred, Kent County and State of Delaware;”

“Joint resolution in relation to adjournment.”

On motion of Mr. Atkins, House bill No. 233, entitled,

“An act to divorce Emma H. Gilbert from her husband, George Gilbert;”

Was taken up for consideration,

And, on his further motion, the Senate amendment to the bill was read, as follows :

Amend Section 2 by adding the following:

“and the name of Emma H. Gilbert is hereby changed to the name of Emma H. Wilson.”

Extract from Journal.

IN SENATE, April 14, 1885.

C. W. MCFEE,
Clerk of the Senate.

And, on the further motion of Mr. Atkins, the amendment was
Concurred in.

Ordered that the Senate be informed thereof.

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

“An act to amend an act entitled ‘A supplement to the act entitled ‘An act uniting the School Districts of Georgetown,’ passed at Dover, March 29th, 1881,’ passed at Dover, March 11, 1885,”

And returned the same to the House.

On motion of Mr. Saulsbury, the House took a recess until 8 o'clock this evening.

SAME DAY—8 o'clock, P. M.

The time of the recess having expired, the House reassembled.

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

“An act to provide a uniform ballot for election purposes,”

With an amendment, and asked the concurrence of the House therein.

Mr. Schabinger, on behalf of the Committee on Enrolled Bills, reported as being duly and correctly enrolled the following House bills, viz :

“An act to incorporate the Wilmington Steam Heating Company;”

“An act appropriating money towards defraying the expenses of holding Teachers’ Institutes;”

“An act to further amend ‘An act to provide for a sinking fund for the payment of the city debt of Wilmington,’ passed at Dover, February 9th, 1855;”

“An act to authorize the Trustees under the will of David C. Wilson, deceased, to sell and convey certain real estate in New Castle County;”

“An act to authorize the Trustee under the will of Robert Hodgson, deceased, to sell and convey certain real estate;”

“An act to amend Section 80 of an act entitled ‘An act to revise and consolidate the statutes relating to the City of Wilmington,’ passed at Dover, April 13, 1883;”

“An act to renew and reenact the act of incorporation of the Tappahannah Marsh Company;”

“An act to amend an act entitled ‘A supplement to the act entitled ‘An act uniting the School Districts of Georgetown,’ passed at Dover, March 29, 1881,’ passed at Dover, March 11, 1885;”

“An act to divorce Isaiah Stradley from his wife, Sarah E. Stradley;”

“An act to divorce Anna Carson from her husband, Benjamin F. Carson;”

“An act to divorce Annie E. Mumford from her husband, Peter Mumford;”

“An act to divorce Willard S. Hudson from his wife, Charlotte A. Hudson;”

“An act to divorce Georgeanna Stevenson from her husband, William C. Stevenson;”

“An act in relation to taxation of the Wilmington Institute;”

“An act to divorce Emma H. Gilbert from her husband, George Gilbert;”

“An act to divorce Mary C. Stuart from her husband, Nathaniel P. Stuart;”

“An act to divorce Isaac Turner from his wife, Priscilla Turner;”

And presented the same for the signature of the Speaker of the House.

Mr. McFee, Clerk of the Senate, being admitted, informed the House that the Senate had receded from its original amendment to the House bill entitled,

“An act to amend Chapter 18, Section 24, of the General Election Laws, to change the time of meeting of Inspectors,”

And had adopted the amendment reported by the Committee of Conference on said bill, and asked the concurrence of the House therein.

On motion of Mr. Palmer, the amendment to House bill No. 61, entitled,

“An act to amend Chapter 18, Section 24, of the General Election Laws, to change time of meeting of Inspectors,”

As reported by the conference committee, was read, as follows:

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

“SECTION 1. That Section 24 of Chapter 18 of the Revised Code be and the same is hereby amended by inserting after the word ‘County,’ in line 4 of said section, the following words: “The Inspectors of New Castle County shall meet on Thursday succeeding the day of the general election, at 10 o’clock A. M., at the court house of the county.”

On his further motion, the amendment was *Concurred in.*

Ordered that the Senate be informed thereof.

On motion of Mr. Saulsbury, House bill No. 336, entitled,

“An act to repeal Chapter 212 current volume Delaware Laws,”

Was read a second time by its title.

On motion of Mr. Johnson, the bill was taken up for consideration.

On motion of Mr. Saulsbury, the bill was read for the information of the House,

And, on motion of Mr. Johnson, the bill was laid on the table.

Mr. McFee, Clerk of the Senate, being admitted, returned to the House the following duly and correctly enrolled House bills and House joint resolution, signed by the Speakers of the two Houses, viz:

“An act to amend an act entitled ‘An act to establish a Board of Water Commissioners for the City of Wilmington, and for other purposes,’ passed at Dover, April 18, A. D. 1883;”

“An act to amend Chapter 418, Volume 14 Laws of Delaware;”

“An act to authorize the Mayor and Council of Wilmington to borrow certain sums of money and to provide for the repayment thereof;”

“An act to establish a Board of Education for South Milford, and to incorporate the same, and for other purposes;”

“An act to vacate a portion of Reed street in the City of Wilmington;”

“A supplement to an act to revise and consolidate the statutes relating to the City of Wilmington, passed at Dover, April 13, 1883;”

“An act to change the boundaries of School District No. 71 in Kent County and authorize the erection of a new school house thereon;”

“Joint resolution in relation to marking the positions of Delaware troops at the battle of Gettysburg.”

He also presented for the signature of the Speaker of the House the following duly and correctly enrolled Senate bill and joint resolution, signed by the Speaker of the Senate, viz :

“An act to amend the act entitled ‘An act to amend the act entitled ‘An act providing for the appointment of a State Chemist,’ passed at Dover, April 8, 1881;”

“Joint resolution appropriating three hundred dollars to the Delaware Society for the Prevention of Cruelty to Children.”

Mr. Saulsbury moved that the House do now adjourn.

Upon which motion the yeas and nays were ordered, which, being taken, were as follows:

Yeas—Messrs. Adams, Armstrong, Atkins, Bennett, Cannon, Ferguson, Johnson and Saulsbury—8.

Nays—Messrs. Barlow, Brown, How, Moore, Palmer, Schabinger, Tatman, Truitt, Wilson and Mr. Speaker—10.

So the question was decided in the negative,

And the motion was

Lost.

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

“An act to suspend the act entitled ‘An act for the protection of Fishermen,’ passed at Dover, March 28, 1871.”

On motion of Mr. Barlow, Senate bill No. 155, entitled,

“An act to suspend the act entitled ‘An act for the protection of Fishermen,’ passed at Dover, March 28, 1871,”

Was read first time,

And further, on his motion, the bill was read a second time by its title.

On motion of Mr. Saulsbury, the bill was laid on the table.

Mr. Schabinger, on behalf of the Committee on Enrolled Bills, reported as being duly and correctly enrolled and signed by the Speaker of the Senate, the following Senate bill and joint resolution, viz :

“An act to amend the act entitled ‘An act to amend the act entitled ‘An act providing for the appointment of a State Chemist,’ passed at Dover, April 8, 1881;’”

“Joint resolution appropriating three hundred dollars to the Delaware Society for the Prevention of Cruelty to Children,”

And presented the same for the signature of the Speaker of the House.

On motion, the House adjourned.

FRIDAY, April 17, 1885—9 A. M.

House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—Members present—Messrs. Adams, Armstrong, Atkins, Barlow, Bennett, Brown, Cannon, Ferguson, How, Johnson, McCabe, Moore, Palmer, Saulsbury, Schabinger, Tatman, Truitt, Virden, Wilson and Mr. Speaker.

Journal read and approved.

Mr. Schabinger, on behalf of the Committee on Enrolled Bills, reported as being duly and correctly enrolled the following House bills, viz :

“An act to incorporate the Trustees of the Milford Armory;”

“An act to incorporate St. Patrick’s Beneficial Society, of Wilmington; Delaware;”

“An act to incorporate the Wilmington Railway Supplies Company;”

“An act to amend Chapter 18, Section 24, of the General Election Laws, to change the time of meeting of Inspectors;”

“An act to revoke the charter of the Wesleyan Female College;”

And presented the same for the signature of the Speaker of the House.

Mr. McFee, Clerk of the Senate, being admitted, informed House that the Senate had passed and asked the concurrence of the House in the Senate bill entitled,

“An act to amend an act entitled ‘An act to direct the Levy Courts of the several counties to publish detailed statements of all expenditures of county funds and circulate the same in pamphlet form,’ passed at Dover, April 12, 1883.”

Also, that the Senate had concurred in the House bill entitled,

“An act to further amend the charter of the City of Wilmington;”

With an amendment, and asked the concurrence of the House therein.

On motion of Mr. Moore, House bill No. 327, entitled,

“An act to further amend the charter of the City of Wilmington,”

Was taken up for consideration,

And, on his further motion, the Senate amendment to the bill was read, as follows :

Amend the bill by striking out the words “and evening” in ninth line of Section 1, and by inserting the words “Sundays and legal holidays excepted,” after the word “morning” in said ninth line of Section 1.

Amend the bill by inserting after the word “regulation” in fourteenth line of Section 1, the words, “In case of the absence of the judge or person acting for him the clerk or his deputy may open and adjourn the court at any daily or other session thereof.”

IN SENATE, April 16, 1885.

Extract from Journal.

C. W. MCFEE,

Clerk of the Senate.

Mr. Moore offered an amendment to the amendment, which, on his motion, was read, as follows :

Amend the first amendment by striking out all after the word “bill,” in line one, and inserting the following: “by striking out the words, ‘and legal holidays’ after the word ‘Sundays’ in Section 1.”

And, on his further motion, the amendment to the amendment

Was

Adopted,

And, on the further motion of Mr. Moore, the Senate amendment, as amended, was

Concurred in.

Ordered that the Senate be informed thereof.

Mr. McFee, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House amendment to the Senate bill entitled,

“An act restraining frequent changes in the text books to be used in the Free Schools of this State.”

On motion of Mr. Armstrong, the Senate bill entitled,
 "An act to create a new School District in New Castle County,"
 Was read,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Education.

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

"An act to amend Section 1, Chapter 405 of Volume 15 of the Laws of Delaware, entitled 'An act in relation to roads and bridges passing over milldams,' passed at Dover, March 7, 1877,"

With an amendment, and asked the concurrence of the House therein.

Also, that the Senate had concurred in the House bill entitled,
 "An act in relation to Sheriffs making deeds for lands and tenements sold by them under execution process."

On motion of Mr. Saulsbury, House bill No. 208, entitled,
 "An act to provide a uniform ballot for election purposes in this State,"

Was taken up for consideration,

And further, on his motion, the Senate amendments to the bill were read, as follows :

Amend the title by inserting between the word "act" and the word "to" the words "to amend the act entitled 'an act.'"

Further amend by striking out all after the enacting clause and inserting in lieu thereof the following :

"SECTION 1. That Section 1 of the act entitled 'An act to provide a uniform ballot for election purposes,' passed at Dover, April 8, 1881, be and is hereby amended by striking out all of said section between the word "chosen" in line 10 thereof, and the word "no," in the 13th line thereof, and insert in lieu thereof the words, 'and upon the inside and at the head of the ballot

shall be written or printed the name of a *bona fide* party or organization to which the said person voting belongs.'”

Extract from Journal.

IN SENATE, April 16, 1885.

C. W. MCFEE,
Clerk of the Senate.

And, on the further motion of Mr. Saulsbury, the amendments

Were

Non-concurred in.

Ordered that the Senate be informed thereof.

Mr. McFee, Clerk of the Senate, being admitted, returned to the House the following duly and correctly enrolled House bills, signed by the Speakers of the two Houses, viz :

“An act to revive and continue in force for one year Chapter 683, Volume 16 of the Laws of Delaware;”

“An act concerning Costs in Civil Actions;”

“An act for the relief of School District No. 84 in Sussex County;”

“An act to amend an act entitled ‘An act to incorporate the Enoch Moore, Jr., Ship and Car Building Company;’”

“An act divorcing Sarah T. Crowding and Jacob V. Crowding, her husband, from the bonds of matrimony;”

“An act to incorporate the Sussex Manufacturing Company;”

“An act to incorporate the Milford Illuminating and Water Supply Company;”

“An act to incorporate the Midland Grange Company, No. 27;”

“An act to provide a mode for passing titles of insane persons;”

“An act to amend Chapter 540, Volume 16 Laws of Delaware;”

“An act in relation to the duties of the State Treasurer;”

“An act to incorporate the Mutual Loan and Investment Company;”

“An act to amend an act entitled ‘An act to revise and consolidate the statutes relating to the City of Wilmington,’ passed at Dover, April 13th, 1883;”

“An act to exempt certain lands from taxation in the City of Wilmington;”

“A supplement to the act entitled ‘An act regulating Pilots and Pilotage of and in the Bay and River Delaware;’”

“An act to further amend the act entitled ‘An act to incorporate the Town of Odessa,’ passed at Dover, April 2, 1873;”

“An act to authorize the School Commissioners of United School Districts Nos. 39 and 41, in New Castle County, to straighten the lines and sell or exchange a portion of land belonging to said united districts;”

“An act to authorize and empower the Road Commissioners of Pencader Hundred to reöpen and reöccupy a certain road in said hundred now vacated;”

“An act authorizing School District No. 179 in Sussex County to raise additional money;”

“An act to authorize the changing of a public road in White Clay Creek Hundred, New Castle County and State of Delaware;”

“An act authorizing the Commissioners of School District No. 81, New Castle County, to borrow money;”

“An act to divorce Ellen Duncan from her husband, Joshua J. Duncan;”

“An act to change the name of Mary Morrison to the name of Mabel Hudson, and to make her by adoption a daughter and heir-at-law of John P. Hudson;”

“An act supplemental to an act entitled ‘A supplement to an act to incorporate the purchasers of the Wilmington and Western Railroad,’ passed at Dover, March 1, 1881, Laws of Delaware, Volume 16, Chapter 454.”

On motion of Mr. Saulsbury, the Senate bill entitled,

“An act to amend an act entitled ‘An act to direct the Levy Courts of the several counties to publish detailed statements of all expenditures of county funds and circulate the same in pamphlet form,’ passed at Dover, April 12, 1883,”

Was read first time,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, the bill was taken up for consideration,

And, on the further motion of Mr. Saulsbury, the bill was read a third time, by paragraphs, in order to pass the House.

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

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

Mr. Wilson, from the Committee on Claims and Accounts, reported a bill entitled,

"An act for the payment of Claims against the State,"

Which, on his motion, was read,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, the bill was taken up for consideration,

And, on the further motion of Mr. Wilson, the bill was read a third time, by paragraphs, in order to pass the House.

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

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

Ordered to the Senate for concurrence.

Mr. McFee, Clerk of the Senate, being admitted, presented for the signature of the Speaker of the House the following duly and correctly enrolled Senate bills and joint resolution, signed by the Speaker of the Senate, viz :

"An act authorizing the laying out of a public road in Kenton Hundred, Kent County;"

“An act to lay out a public road in Lewes and Rehoboth and Indian River Hundreds, Sussex County;”

“An act authorizing the Trustees of New Castle Commons to dispose in fee simple of the real estate belonging to the trust;”

“An act to divide School District No. 90 in Sussex County into two districts, and for other purposes;”

“An act to enable and authorize Elisha J. Coffin and John C. Thompson to straighten the public road through their lands in Indian River Hundred in Sussex County;”

“An act to amend Chapter 80, Volume 14 Laws of Delaware;”

“An act to divorce Mary Gilch from her husband, John George Gilch;”

“An act to amend an act entitled ‘An act to revise and consolidate the statutes relating to the City of Wilmington,’ passed at Dover, April 13, 1883, relating to the Board of Education;”

“An act for the relief of United School Districts Nos. 3, 175 and 175½ in Sussex County;”

“An act in relation to the election of the Trustees of New Castle Commons;”

“An act for the improvement of a certain public road in Sussex County;”

“An act to divorce John H. Walls and Sallie J. Walls;”

“An act to divorce William P. Taylor from his wife, Margaret L. Taylor;”

“Joint resolution for the State Treasurer to rent and insure the Jump property.”

Mr. Armstrong, on behalf of the special committee of the two houses appointed to draw suitable resolutions in relation to the resignation of Hon. Thomas F. Bayard, reported a joint resolution entitled,

“Joint resolution in relation to Hon. Thomas F. Bayard,”

Which, on his motion, was read,

And, on his further motion, was

Adopted.

Ordered to the Senate for concurrence.

On motion of Mr. McCabe, the joint resolution was ordered to be spread on the journal.

Joint resolution in relation to the Honorable Thomas F. Bayard.

WHEREAS the Hon. Thomas F. Bayard has recently resigned his seat in the Senate of the United States to accept the position of Secretary of State of the United States, and has notified the General Assembly of such resignation as the reason thereof,

Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, That this General Assembly desires to express to our late Senator its sense of his distinguished public services, of his eminent and useful career in the Senate of the United States, alike honorable to himself and the people of this State, and also of its hearty sympathy and confidence in his entry into a new field of responsibility, honor and national usefulness.

THEODORE F. ARMSTRONG,
JAMES VIRDEN,
WILLIAM R. McCABE,
Committee on part of the House.
SWITHIN CHANDLER,
D. L. MUSTARD,
Committee on part of the Senate.

On motion of Mr. Armstrong, Senate bill No. 156, entitled,
"An act to create a new School District in New Castle County,"
Was taken up for consideration.

Mr. Armstrong offered an amendment to the bill, which, on his motion, was read, as follows :

Amend the bill by striking out the word "two" in line five of Section 2, and by inserting in lieu thereof the word "one."

Further amend the bill by adding the following : "Section 4. *Provided* that the amount raised by taxation under this act for purchasing the ground and erecting the school house shall not exceed the sum of five hundred dollars."

And further, on the motion of Mr. Armstrong,

The amendment was

Adopted.

Mr. Armstrong presented a petition for and a remonstrance against the passage of the bill.

On motion of Mr. Armstrong, the bill was taken up for consideration,

And, on the further motion of Mr. Armstrong, the bill was read a third time, by paragraphs, in order to pass the House.

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

It was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

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

"Joint resolution in relation to Hon. Thomas F. Bayard,"

And returned the same to the House.

On motion of Mr. Adams, House bill No. 66, entitled,

"An act to amend Section 1, Chapter 405 of Volume 15 of the Laws of Delaware, entitled 'An act in relation to roads and bridges passing over milldams,' passed at Dover, March 7, 1877,"

Was taken up for consideration,

And, on his further motion, the Senate amendment to the bill was read, as follows :

Amend by adding the following at the end of Section 1, viz :

Provided that the character of the said bridges, the width and opening thereof, and the size and character of the materials used in constructing the same, shall be subject at all times to the supervision and direction of the levy court of the county within the limits whereof the same are located ; *provided further*, that nothing in this act contained shall impair, invalidate, or in anywise interfere with any suit or suits now pending under the act hereby amended, but such suit or suits may be prosecuted to trial and

judgment with the same force and effect as if this act had not been enacted."

Extract from Journal.

IN SENATE, March 31, 1885.

C. W. MCFEE,
Clerk of the Senate.

And, on the further motion of Mr. Adams, the amendment was

Concurred in.

Ordered that the Senate be informed thereof.

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

"An act to further amend the charter of the City of Wilmington,"

Also, that the Senate had concurred in the House bill entitled,

"An act to further amend Chapter 15 of the Revised Code,"

With an amendment, and asked the concurrence of the House therein.

He also returned to the House, in compliance with the request of that body, the Senate bill entitled,

"An act in relation to School Districts in Sussex County."

On motion of Mr. McCabe, Senate bill No. 155, entitled,

"A supplement to the act entitled 'An act for the protection of Fishermen,' passed at Dover, March 28th, 1871,"

Was taken up for consideration,

And further, on his motion, the amendment to the bill was read, as follows:

"SECTION 3. Nothing in this act contained shall be so construed as to authorize non-residents to land their seines or fish on the Delaware shore of the Delaware river and bay without having first obtained the consent of the riparian owner."

Mr. Saulsbury moved that bill under consideration be indefinitely postponed.

Upon which motion the yeas and nays were ordered, which, being taken, were as follows:

Yeas—Messrs. Adams, Atkins, Bennett, Brown, Cannon, How, Johnson, McCabe, Moore, Palmer, Saulsbury and Wilson—12.

Nays—Messrs. Barlow, Schabinger, Tatman, Truitt, Virden and Mr. Speaker—6.

So the question was decided in the affirmative,

The bill was *Indefinitely postponed.*

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

“An act to incorporate the Delaware Avenue Sewer Company,”

And returned the same to the House.

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

“An act to amend Chapter 75 of the Revised Statutes, entitled ‘Of Divorce.’”

On motion of Mr. Moore, the House bill entitled,

“An act to amend Chapter 15 of the Revised Code,”

Was taken up for consideration,

And, on his further motion, the Senate amendment to the bill was read, as follows :

Amend the amendment by striking out the words, “and fifty” in the 11th line thereof, and also by striking out the words “fifteen,” in line 28 of the said amendment and inserting in lieu thereof the word “twelve.”

IN SENATE, April 17, 1885.

Extract from Journal.

C. W. McFEE,
Clerk of the Senate.

On motion of Mr. Moore, the amendment was *Concurred in.*

Ordered that the Senate be informed thereof.

On motion of Mr. Ferguson, the House took a recess for 30 minutes.

The time of the recess having expired, the House reassembled.

Mr. Schabinger, on behalf of the Committee on Enrolled Bills, reported as being duly and correctly enrolled the following House bills, viz :

“An act in relation to Sheriffs making deed for lands and tenements sold by them under execution process;”

“An act to further amend the charter of the City of Wilmington.”

He also reported as duly and correctly enrolled the following Senate bills, the same having been signed by the Speaker of the Senate, to wit :

“An act to lay out a public road in Lewes and Rehoboth and Indian River Hundreds, Sussex County;”

“An act authorizing the Trustees of New Castle Commons to dispose in fee simple of the real estate belonging to the trust;”

“An act to divide School District No. 90, in Sussex County, into two districts, and for other purposes;”

“An act to divorce William P. Taylor from his wife, Margaret L. Taylor;”

“An act for the relief of United School Districts Nos. 3, 175 and 175½ in Sussex County;”

“An act to amend Chapter 80, Volume 14 Laws of Delaware;”

“An act authorizing the laying out of a public road in Kenton Hundred, Kent County;”

“An act to divorce John H. Walls and Sallie J. Walls;”

“An act in relation to the election of Trustees of the New Castle Commons;”

“An act to divorce Mary Gilch from her husband, John George Gilch;”

“An act to enable and authorize Elisha J. Coffin and John C. Thompson to straighten the public road through their lands in Indian River Hundred in Sussex County;”

“An act to amend an act entitled ‘An act to revise and consolidate the statutes relating to the City of Wilmington,’ passed at Dover, April 13, 1883, relating to the Board of Public Education;”

“An act for the improvement of a certain public road in Sussex County;”

“Joint resolution for the State Treasurer to rent and insure the Jump property;”

And presented the same for the signature of the Speaker of the House.

Mr. McFee, Clerk of the Senate, being admitted, informed the House that the Senate had adopted and asked the concurrence of the House in the following joint resolutions, viz :

“Joint resolution in relation to heating the State House with steam;”

“Joint resolution in relation to the tax on Bank Shares;”

“Joint resolution returning thanks to the several railroad and steamship companies.”

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

“Joint resolution on State House Repairs,”

And returned the same to the House.

On motion of Mr. Armstrong, the Senate joint resolution entitled,

“Joint resolution returning thanks to the several railroad and steamship companies,”

Was read,

And, on his further motion, was *Concurred in.*

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

On motion of Mr. Armstrong, the Senate joint resolution entitled,

“Joint resolution in relation to the tax on Bank Shares,”

Was read,

And, on his further motion, was *Concurred in.*

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

On motion of Mr. Armstrong, the Senate joint resolution entitled,

“Joint resolution in relation to heating the State House with steam,”

Was read,

And, on his further motion, was *Concurred in.*

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

On motion of Mr. McCabe, the House bill entitled,
 "An act to divorce Pleasanton Gibson and Emma Gibson,"
 Was read,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, the bill was taken up for consideration,

And, on motion of Mr. Johnson, the bill was read a third time, by paragraphs, in order to pass the House.

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

It was decided in the affirmative,

And the bill having received the required majority,
Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Barlow, the Clerk was directed to request from the Senate the return of the Senate bill entitled,

"An act in relation to Kenton Public Schools."

Mr. Truitt offered a resolution, which, on his motion, was read, as follows:

Resolved, That the Speaker of the House of Representatives be, and he is hereby required to draw orders on the State Treasurer for the pay of each member and employé of the House, and that the drawing of orders by the Speaker for postage stamps and wrappers obtained by the Clerk for the use of the House is hereby authorized and approved.

And, on the further motion of Mr. Truitt, the resolution

Was *Adopted.*

On motion of Mr. Adams, the vote by which Senate bill No. 125, entitled,

"An act in relation to School Districts in Sussex County,"

Was passed, was reconsidered.

On motion of Mr. McCabe, the bill was taken up for consideration.

Mr. McCabe offered an amendment to the bill, which, on his motion, was read, as follows :

Amend the bill by striking out Section 8 thereof.

Mr. McCabe moved that the amendment be adopted,

Which motion was

Lost.

On motion of Mr. Truitt, the bill was laid on the table for the present.

Mr. McFee, Clerk of the Senate, being admitted, returned to the House the following duly and correctly enrolled House bills, signed by the Speakers of the two houses, viz :

“An act to divorce Isaac Turner from his wife, Priscilla Turner,”

“An act to amend an act entitled ‘A supplement to the act entitled ‘An act uniting the School Districts of Georgetown,’ passed at Dover, March 29, 1881,’ passed at Dover, March 11, 1885;”

“An act to renew and reënact the act of incorporation of the Tappahannah Marsh Company;”

“An act to authorize the Trustees under the will of David C. Wilson, deceased, to sell and convey certain real estate in New Castle County;”

“An act to further amend ‘An act to provide for a sinking fund for the payment of the city debt of Wilmington,’ passed at Dover, February 9th, 1855;”

“An act appropriating money towards defraying the expenses of holding Teachers’ Institutes;”

“An act to incorporate the Wilmington Steam Heating Company;”

“An act to divorce Annie E. Mumford from her husband, Peter Mumford;”

“An act to amend Section 80 of an act entitled ‘An act to revise and consolidate the statutes relating to the City of Wilmington,’ passed at Dover, April 13, 1883;”

“An act to authorize the Trustee under the will of Robert Hodgson, deceased, to sell and convey certain real estate;”

“An act to divorce Anna Carson from her husband, Benjamin F. Carson;”

“An act to divorce Isaiah Stradley from his wife, Sarah E. Stradley;”

“An act to divorce Willard S. Hudson from his wife, Charlotte A. Hudson;”

“An act to divorce Georgeanna Stevenson from her husband, William C. Stevenson;”

“An act in relation to taxation of the Wilmington Institute;”

“An act to divorce Emma H. Gilbert from her husband, George Gilbert;”

“An act to divorce Mary C. Stuart from her husband, Nathaniel P. Stuart;”

“An act for the protection and preservation of Game and Game Fish;”

“An act to amend Section 8, Chapter 48 Revised Code;”

“An act to amend Chapter 181, current volume Laws of Delaware;”

“An act to amend an act entitled ‘An act to incorporate the Brooks Underground Conduit Company,’ passed at Dover, April 13, 1883;”

“An act relating to the publication of official or public notices;”

“An act to repeal Section 2 of Chapter 537, Volume 16 Laws of Delaware, entitled ‘An act in reference to the competency of witnesses;’”

“An act to incorporate the Brandywine Granite Company.”

Mr. Saulsbury, on behalf of the Committee on Fish, Oysters and Game, reported a joint resolution entitled,

“Joint resolution appropriating \$250 for the completion of a road belonging to this State,”

Which, on his motion, was read.

Mr. Brown moved that the joint resolution be laid on the table,

Which motion was *Lost.*

On motion of Mr. Saulsbury, the joint resolution
Was *Adopted.*
Ordered to the Senate for concurrence.

Mr. Wilson, on behalf of the Committee on Claims and Accounts, presented a report, which was read, as follows :

The Committee on Claims and Accounts submit the following report :

	DAYS.	MILES.	DOLLS. CTS.
To Wm. A. Comegys, Speaker	104	24	423 20
John Tatman	104	34	322 20
Jacob W. Cannon	104	55	328 50
David H. Atkins	104	43	324 90
Jacob H. Adams	104	55	328 50
Wm. R. McCabe	104	64	331 20
John H. Schabinger	104	20	318 00
Abram Palmer	104	55	328 50
Henry M. Barlow	104	60	330 00
Enoch Moore	104	48	325 60
Richard Ferguson	104	18	316 60
James Virden	102	10	309 00
Nich. R. Johnson	104	25	319 50
Joshua Bennett	74	35	232 50
John O. Truitt	104	27	320 10
John F. Saulsbury	102	—	306 00
Joseph B. Hearn	104	58	326 40
Henry M. How	102	7	308 10
C. Gundy Brown	102	6	307 80
John T. Wilson	104	29	320 70
Theodore F. Armstrong	104	60	330 00
Clinton L. Williamson, for services as clerk			1300 00
Clinton L. Williamson, engrossing and enrolling			500 00
John Stonecipher, chaplain			75 00
Wm. J. Rankin, sergeant-at-arms			350 00
Edward Hartnett, messenger			75 00
Charles Thomas, fireman			275 00
Daniel Hersch, reading clerk			300 00

J. T. WILSON,
C. GUNDY BROWN,
JACOB W. CANNON,

Committee.

On motion of Mr. Schabinger, the report was *Adopted.*

Mr. McFee, Clerk of the Senate, being admitted, informed the House that the Senate had non-concurred in the House amendment to the Senate amendment to the House bill entitled,

“An act to further amend the charter of the City of Wilmington.”

Mr. Moore moved that the House insist on its amendment to House bill No. 327,

Which motion

Prevailed,

And, on the further motion of Mr. Moore, a Committee of Conference was directed to be appointed on the disagreement between the two houses upon the same.

The Speaker named as such committee, Messrs. Moore, Barlow and Wilson.

Mr. Saulsbury moved that when the House adjourns it be to meet at 2 o'clock P. M.,

Which motion

Prevailed.

On motion of Mr. McCabe, the Senate bill entitled,

“An act in relation to School Districts in Sussex County,”

Was taken up for consideration,

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

On the question, “Shall this bill pass the House?”

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

Yeas—Messrs. Adams, Armstrong, Atkins, Barlow, Brown, Ferguson, How, Johnson, McCabe, Moore, Palmer, Saulsbury, Schabinger, Tatman, Virden, Wilson and Mr. Speaker—17.

Nay—Mr. Truitt—1.

So the bill having received the required majority,

Passed the House.

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

Mr. McFee, Clerk of the Senate, being admitted, informed the

House that the Senate had acceded to the request of the House for a Committee of Conference on the House bill entitled,

“An act to further amend the charter of the City of Wilmington,”

And had appointed as such committee on the part of the Senate, Messrs. Mustard and Cavender.

On motion, the House adjourned.

SAME DAY—2 o'clock P. M.

House met pursuant to adjournment.

Mr. Schabinger, on behalf of the Committee on Enrolled Bills, reported as being duly and correctly enrolled the following House bills, viz :

“An act to amend Chapter 15 of the Revised Code;”

“An act to incorporate the Delaware Avenue Sewer Company,”

And presented the same for the signature of the Speaker of the House.

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

“An act to amend Chapter 207, Volume 17 Laws of Delaware, entitled ‘An act to revise and consolidate the statutes relating to the City of Wilmington.’”

With an amendment, and asked the concurrence of the House therein.

On motion of Mr. Moore, House bill No. 209, entitled,

“An act to amend Chapter 207, Volume 17 Laws of Delaware,”

Was taken up for consideration,

And further, on his motion, the Senate amendment to the bill was read, as follows :

Amend the bill by striking out all after the enacting clause and inserting in lieu thereof as follows, to wit :

“SECTION 1. That Sections 73, 74 and 75 of an act entitled, ‘An act to revise and consolidate the statutes relating to the City of Wilmington,’ passed at Dover, April 13, A. D. 1883, be and the same are hereby stricken out and repealed and the following substituted in lieu thereof, to wit: ‘SECTION 73. The President of the Council, the Chairman of the Finance Committee of the said Council, together with the two Assessors and Collectors for the City of Wilmington, shall constitute the Board of Assessment, Revision and Appeals for the City of Wilmington; *provided, however,* that when, as hereinafter provided, it shall be the duty of the said Board to sit for the purpose of hearing appeals from assessments or for the revising of the same, it shall only be competent for the Assessor and Collector for the assessment district wherein such appeals are being made and adjudged or such revision being performed, to sit as a member of the said Board.

“SECTION 2. That Section 82 of the act aforesaid be and the same is hereby amended by striking out of said Section all between the words ‘Section 82’ at the beginning thereof and the word ‘upon’ in the fifth line thereof, as the same appears printed in the Seventeenth Volume of Delaware Laws, and inserting in lieu thereof the following, to wit: ‘The Board of Assessment, Revision and Appeals for the City of Wilmington, as constituted in Section 73 preceding, shall sit at some public and convenient place in the City of Wilmington on each secular day during the month of February in each and every year, from 2 P. M. to 4 P. M., and from 7 P. M. to 9 P. M. The said Board shall sit as provided in Section 73 preceding, to hear appeals from assessments, and shall continue to sit during the above mentioned time or for so long as may be necessary to adjudge appeals.’

“SECTION 3. That Section 95 of the act aforesaid be and the same is hereby stricken out and repealed and the following substituted in lieu thereof: ‘SECTION 95. The salaries and compensation of the said Assessors and Collectors shall be as follows, viz: They shall be paid Five Hundred Dollars (\$500) each for making the assessment and for making collections during the months of July and August in each year; Fifty Dollars (\$50) each for their services as members of the Board of Assessment, Revision and Appeals, and six per centum upon the amounts collected by them on and after the first day of September in each

and every year. The said salaries or compensations shall be paid upon warrants authorized by the said Council to be drawn on the treasury of said city.'

"SECTION 4. That Section 99 of the act aforesaid be and the same is hereby amended by striking out all after the word 'shall' in the fifth line of the said section, as the same appears printed in the Seventeenth Volume of Delaware Laws, and insert in lieu thereof the words 'enjoin upon the assessors and collectors for the City of Wilmington the mode and manner of assessing and collecting the same.'

"SECTION 5. That Section 47 of the act aforesaid be and the same is hereby amended by striking out the words 'member of Board of Assessment, Revision and Appeals—Three Hundred Dollars,' and inserting in lieu thereof the following to wit: 'The President of the Council, and Chairman of the Finance Committee each Fifty Dollars for their services as members of the Board of Assessment, Revision and Appeals.'"

IN SENATE, April 16, 1885.

Extract from Journal.

C. W. MCFEE,

Clerk of the Senate.

And, on the further motion of Mr. Moore, the amendment

Was

Concurred in.

Ordered that the Senate be informed thereof.

Mr. McFee, Clerk of the Senate, being admitted, returned to the House the following duly and correctly enrolled House bills, signed by the Speakers of the two Houses, viz :

"An act to incorporate St. Patrick's Beneficial Society, of Wilmington, Delaware;"

"An act to incorporate the Trustees of the Milford Armory;"

"An act to revoke the charter of the Wesleyan Female College;"

"An act to incorporate the Wilmington Railway Supplies Company;"

"An act to amend Chapter 18, Section 24, of the General Election Laws, to change the time of meeting of Inspectors."

He also informed the House that the Senate would be ready to adjourn *sine die* in thirty minutes.

Mr. Atkins offered a resolution, which, on his motion, was read, as follows :

Resolved, That the thanks of the House are due and are hereby extended to William A. Comegys, Esq., the Speaker, for the dignified, impartial and skillful manner in which he has discharged the duties of his office, and also for the courtesy and kindness which have characterized his relations with the members thereof.

And further, on his motion, the resolution was *Adopted*.

Mr. McFee, Clerk of the Senate, being admitted, presented for the signature of the Speaker of the House the following duly and correctly enrolled Senate bills, signed by the Speaker of the Senate, viz :

"An act to amend an act entitled 'An act to direct the Levy Courts of the several counties to publish detailed statements of all expenditures of county funds, and circulate the same in pamphlet form,' passed at Dover, April 12, 1883;"

"An act restraining frequent changes in the text books to be used in the free schools of this State."

Mr. Moore, on behalf of the Committee of Conference on the disagreement between the two houses on House bill No. 327, entitled,

"An act to further amend the charter of the City of Wilmington,"

Presented the following report :

The undersigned, a committee of conference on the disagreement between the two houses on certain provisions and amendments to the "Act to further amend the charter of the City of Wilmington," submit the following report, viz :

They recommend that each House recede from its amendments to said bill and substitute the following in lieu of all amendments, viz :

Amend Section 1, lines nine and ten, by striking out all after the word "Sundays" in line nine to the word "and" in line ten inclusive, and insert in lieu thereof the following, viz :

"excepted,) and in the evening (Sundays excepted) on notifi-

cation by the Clerk of the Court, or on the information by the High Constable, that there is business for the disposal of the court."

D. L. MUSTARD,
W. T. CAVENDER,
Committee on part of Senate.

ENOCH MOORE,
J. T. WILSON,
H. M. BARLOW,
Committee on part of House.

On motion of Mr. Moore, the report was *Adopted.*
Ordered that the Senate be informed thereof.

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

"An act to incorporate the Tenth Street Sewer Company."

On motion of Mr. Saulsbury, the Senate bill entitled,
"An act to incorporate the Tenth Street Sewer Company,"
Was read,

And further, on his motion, the bill was read a second time by its title,

And, on his further motion, was referred to the Committee on Private Corporations.

Mr. McFee, Clerk of the Senate, being admitted, presented for the signature of the Speaker of the House the following duly and correctly enrolled Senate bill, signed by the Speaker of the Senate, viz :

"An act in relation to School Districts in Sussex County."

Mr. Schabinger, on behalf of the Committee on Enrolled Bills, reported as being duly and correctly enrolled the following House bill and House joint resolutions, viz :

"An act to amend Section 1, Chapter 405 of Volume 15 of the Laws of Delaware, entitled 'An act in relation to roads and bridges passing over milldams,' passed at Dover, March 7, 1877;"

“Joint resolution in relation to Hon. Thomas F. Bayard;”

“Joint resolution on State House Repairs,”

And presented the same for the signature of the Speaker of the House.

He also presented for the signature of the Speaker of the House the following duly and correctly enrolled Senate bills, the same having been signed by the Speaker of the Senate, viz :

“An act to amend an act entitled ‘An act to direct the Levy Courts of the several counties to publish detailed statements of all expenditures of county funds, and circulate the same in pamphlet form,’ passed at Dover, April 12, 1883;”

“An act restraining frequent changes in the text books to be used in the Free Schools of this State;”

“An act in relation to School Districts in Sussex County.”

Mr. Armstrong offered a resolution, which, on his motion, was read, as follows :

Resolved, That the House hereby expresses its grateful appreciation of the services of the Rev. J. F. Stonecipher, the Chaplain of the House, during the present session.

And further, on his motion, the resolution was *Adopted*.

Mr. Barlow, on behalf of the Committee on Private Corporations, to whom was referred Senate bill No. 62, entitled,

“An act to incorporate the Tenth Street Sewer Company,”

Reported the same back to the House with an amendment, and recommended that the bill, as amended, pass the House.

On motion of Mr. Barlow, the Senate bill entitled,

“An act to incorporate the Tenth Street Sewer Company,”

Was taken up for consideration,

And further, on his motion, the amendment was read,

And, on his further motion, was *Adopted*,

And, on the further motion of Mr. Barlow, the bill was read a third time, by paragraphs, in order to pass the House.

On the question, “Shall this bill pass the House?”

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

Yeas—Messrs. Adams, Armstrong Barlow, Bennett, Brown, Cannon, Ferguson, How, Johnson, McCabe, Moore, Palmer, Saulsbury, Schabinger, Tatman, Truitt, Virden, Wilson and Mr. Speaker—19.

Nays—None.

So the bill having received the required constitutional majority,

Passed the House.

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

Mr. McFee, Clerk of the Senate, being admitted, returned to the House the following duly and correctly enrolled House bills, signed by the Speakers of the two houses, viz :

“An act to further amend the charter of the City of Wilmington;”

“An act in relation to Sheriffs making deeds for lands and tenements sold by them under execution process;”

“An act to incorporate the Delaware Avenue Sewer Company;”

“An act to further amend Chapter 15 of the Revised Code.”

He also informed the House that the Senate had concurred in the House bill entitled,

“An act for the payment of Claims against the State,”

With an amendment, and asked the concurrence of the House therein.

Also, that the Senate had concurred in the amendment adopted by the House, as reported by the Committee of Conference, on the House bill entitled,

“An act to further amend the charter of the City of Wilmington.”

He also informed the House that the Senate had receded from its amendment to the House joint resolution entitled,

“Joint resolution to increase Librarian’s salary,”

And returned the same to the House.

On motion of Mr. Saulsbury, House bill No. 339, entitled,
 "An act for the payment of Claims against the State,"

Was taken up for consideration,

And further, on his motion, the Senate amendment to the bill was read, as follows :

Amend Section 1 of the bill by striking out, in line 7 of said section, "Wilmington Freie Presse, for printing, \$19.76;" also in line 10 strike out the figures "\$275.00," and insert in lieu "\$184.00." Also in lines 20-21 strike out "Wilmington Freie Presse bill, for printing, \$72.76;" further amend by striking out the figures "\$300.00" in line 29, and insert in lieu the figures "\$237.00;" and amend by striking out the figures "\$150.00" in line 30, and insert the figures "\$100." Also in line 31 insert the figures "\$62.50" in place of the figures "\$125.00;" and in line 33 in place of figures "\$390.50" insert the figures "\$240.50;" and further amend the section by striking out the words "Municipal Corporations and Claims and Accounts \$75.00," in line 51, and also the words "Purchasing agent, \$100," in lines 51 and 52.

IN SENATE, April 17, 1885.

Extract from Journal.

C. W. MCFEE,
Clerk of the Senate.

On motion of Mr. Saulsbury, the House non-concurred in the Senate amendment.

Ordered that the Senate be informed thereof.

Mr. Armstrong offered a resolution, which, on his motion, was read, as follows :

Resolved, That the thanks of this House be and are hereby tendered to the Clerk, Clinton L. Williamson, for the able, efficient, courteous, dignified, yet modest manner in which he has performed his arduous duties. Also that the thanks of the House are due and are hereby tendered to Daniel Hirsh, the Reading Clerk; to the Sergeant-at-Arms, W. J. Rankin, and the page, Edward Hartnett, for the efficient manner with which they have performed their duties during the session.

And further, on the motion of Mr. Armstrong,

The resolution was

Adopted.

Mr. McFee, Clerk of the Senate, being admitted, informed the House that the Senate insisted upon its amendment to the House bill entitled,

“An act for the payment of Claims against the State,”

And asked for a committee of conference, and had appointed as such committee, on the part of the Senate, Messrs. Mustard and Cooper.

Mr. Schabinger, on behalf of the Committee on Enrolled Bills, reported as being duly and correctly enrolled the following House bills and joint resolution, viz :

“An act to amend Chapter 207, Volume 17 Laws of Delaware, entitled ‘An act to revise and consolidate the statutes relating to the City of Wilmington;’”

“An act to further amend the charter of the City of Wilmington;”

“Joint resolution to increase Librarian’s salary,”

And presented the same for the signature of the Speaker of the House.

On motion of Mr. Saulsbury, the House acceded to the request of the Senate for a Committee of Conference on the disagreement of the two houses on House bill No. 339, entitled,

“An act for the payment of Claims against the State.”

The Speaker announced as such committee, Messrs. Saulsbury, Barlow and Truitt.

Mr. McFee, Clerk of the Senate, being admitted, returned to the House, in compliance with the request of that body, the Senate bill entitled,

“A supplement to the act entitled ‘An act to establish the Kenton Public School,’ passed at Dover, March 10, 1885.”

On motion of Mr. Moore, the House took a recess for ten minutes.

The time of the recess having expired, the Speaker called the House to order.

Mr. McFee, Clerk of the Senate, being admitted, presented for the signature of the Speaker of the House the following duly

and correctly enrolled Senate joint resolutions, signed by the Speaker of the Senate, viz :

“Joint resolution in relation to heating the State House with steam;”

“Joint resolution returning thanks to the several railroad and steamship companies;”

“Joint resolution in relation to the tax on Bank Shares.”

On motion of Mr. Barlow, the vote by which Senate bill No. 132, entitled,

“A supplement to the act entitled ‘An act to establish the Kenton Public School,’ passed at Dover, March 10, 1885,”

Was lost, was reconsidered.

The question then recurring on the passage of the bill,

On the question, “Shall this bill pass the House?”

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

Yeas—Messrs. Armstrong, Atkins, Barlow, Bennett, Ferguson, How, Moore, Palmer, Schabinger, Tatman, Truitt, Virden, Wilson and Mr. Speaker—14.

Nays—Messrs. Brown, Cannon and Johnson—3.

So the bill having received the required constitutional majority,

Passed the House.

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

Mr. Schabinger, on behalf of the Committee on Enrolled Bills, reported as being duly and correctly enrolled and signed by the Speaker of the Senate, the following Senate joint resolutions, viz :

“Joint resolution returning thanks to the several railroad and steamship companies;”

“Joint resolution in relation to heating the State House with steam;”

“Joint resolution in relation to the tax on Bank Shares,”

And presented the same for the signature of the Speaker of the House.

Mr. McFee, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House amendment to the Senate bill entitled;

“An act to incorporate the Tenth Street Sewer Company.”

Also, that the Senate had non-concurred in the House bill entitled,

“An act to vacate a portion of Sixteenth street in the City of Wilmington.”

On motion of Mr. Brown, House bill No. 236, entitled,

“An act in relation to granting licenses to sell intoxicating liquors,”

Was taken up for consideration.

Mr. Saulsbury moved that the bill under consideration be indefinitely postponed.

Upon which motion the yeas and nays were ordered, which, being taken, were as follows:

Yeas—Messrs. Armstrong, Atkins, Barlow, Bennett, Cannon, Johnson, Moore, Saulsbury, Schabinger, Tatman, Truitt, Wilson and Mr. Speaker—13.

Nays—Messrs. Brown, Ferguson, McCabe, Palmer and Virden—5.

So the question was decided in the affirmative,

And the bill was *Indefinitely postponed.*

Mr. McFee, Clerk of the Senate, being admitted, informed the House that the Senate had accepted the report of the Conference Committee on the House bill entitled,

“An act for the payment of Claims against the State,”

And had adopted the amendment reported by said committee, and asked the concurrence of the House therein.

Mr. Barlow, on behalf of the Committee of Conference of the two houses on the disagreement of the same upon House bill No. 339, entitled;

“An act for the payment of Claims against the State,”

Presented a report, which, on his motion, was read, as follows:

The undersigned, a committee of conference to consider the difference between the two houses on the act entitled, "An act for the payment of Claims against the State," submit the following report :

We recommend the following amendment to the Senate amendment :

Amend the Senate amendment in line five by striking out "\$184," and insert in lieu thereof, "\$225.50." Amend the amendment in line fourteen by striking out "\$240.50," and insert in lieu thereof "\$300." Amend further in line sixteen and seventeen the words "Municipal Corporations and Claims and Accounts, \$75.00," and insert in lieu thereof "\$50.00." Amend lines eighteen and nineteen by striking out the words "purchasing agent, \$100, in line fifty-one and two," and insert in lieu thereof "\$50.00."

Amend the original bill in line thirteen by striking out "\$403.18," and inserting in lieu thereof "\$328.18."

D. L. MUSTARD,
WM. W. COOPER,

Committee on part of Senate.

J. F. SAULSBURY,
H. M. BARLOW,
JOHN O. TRUITT,

Committee on part of the House.

On motion of Mr. Barlow, the report was *Adopted.*

Ordered that the Senate be informed thereof.

Mr. McFee, Clerk of the Senate, being admitted, presented for the signature of the Speaker of the House the following duly and correctly enrolled Senate bills, signed by the Speaker of the Senate, viz :

"An act to incorporate the Tenth Street Sewer Company;"

"A supplement to the act entitled 'An act to establish the Kenton Public School,' passed at Dover, March 10, 1885."

He also returned to the House the following duly and correctly enrolled House bills and joint resolutions, signed by the Speakers of the two houses, viz :

"An act to further amend the charter of the City of Wilmington;"

"An act to amend Chapter 207, Volume 17 Laws of Delaware, entitled 'An act to revise and consolidate the statutes relating to the City of Wilmington;'"

"An act to amend Section 1, Chapter 405 of Volume 15 of the Laws of Delaware, entitled 'An act in relation to roads and bridges passing over milldams,' passed at Dover, March 7, 1877;"

"Joint resolution to increase Librarian's salary;"

"Joint resolution in relation to Hon. Thomas F. Bayard;"

"Joint resolution on State House Repairs."

He also presented for the signature of the Speaker of the House the following duly and correctly enrolled Senate bill, signed by the Speaker of the Senate, viz :

"An act to create a new School District in New Castle County."

Mr. Schabinger, on behalf of the Committee on Enrolled Bills, reported as being duly and correctly enrolled the following Senate bill, viz :

"An act to create a new School District in New Castle County,"

And presented the same for the signature of the Speaker of the House.

Mr. Truitt moved that the House take a recess until 8½ o'clock,

Which motion was

Lost.

On motion of Mr. Saulsbury, the House took a recess until 8 o'clock.

The time of the recess having expired, the Speaker called the House to order.

Mr. Schabinger, on behalf of the Committee on Enrolled Bills, reported as duly and correctly enrolled the following Senate bills, the same having been signed by the Speaker of the Senate, viz :

"A supplement to the act entitled 'An act to establish the Kenton Public School,' passed at Dover, March 10, 1885;"

"An act to incorporate the Tenth Street Sewer Company."

He also reported as duly and correctly enrolled the House bill entitled,

“An act for the payment of Claims against the State,”

And presented the same for the signature of the Speaker of the House.

Mr. Wilson offered a joint resolution entitled,

“Joint resolution paying Franklin Temple \$35.00 for services rendered the State,”

Which, on his motion, was read,

And, on his further motion, was

Adopted.

Ordered to the Senate for concurrence.

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

“Joint resolution paying Franklin Temple \$35.00 for services rendered the State,”

And returned the same to the House.

He also returned to the House the following duly and correctly enrolled House bill, signed by the Speakers of the two houses, to wit :

“An act for the payment of Claims against the State.”

On motion of Mr. Moore, the Clerk was directed to inform the Senate that the House would be ready to adjourn in five minutes, *sine die*.

Mr. McFee, Clerk of the Senate, being admitted, informed the House that the Senate was now ready to adjourn *sine die*.

Mr. Moore moved that the House do now adjourn *sine die*,

Which motion

Prevailed.

The Speaker said :

Gentlemen of the House of Representatives :

The hour for adjournment without day having arrived, permit me to express my grateful acknowledgments for the testimony you have shown that I have not altogether failed in my desire to perform faithfully and impartially the duties devolved upon me as your presiding officer. When first I assumed the duties in-

cumbent upon the chair, I feared that my inability and inexperience might prove a detriment to the progress of the business of this body, but am glad to know that with your kind indulgence and aid, our combined efforts have not been a failure. In conclusion let me say to each of you, that however much we may have differed during our deliberations upon matters of legislation, I hope that when we part *sine die* our recollections of this session will be pleasant and friendly towards one another. Wishing you all a long, happy and prosperous future, I declare the House adjourned without day.

ATTEST :

C. L. WILLIAMSON,
Clerk of the House of Representatives.

APPENDIX.

THE END

SECOND BIENNIAL REPORT
OF THE
COMMISSIONER OF FISH AND
FISHERIES
OF THE STATE OF DELAWARE,
FOR 1883 AND 1884.

To His Excellency,

CHARLES C. STOCKLEY,

Governor of Delaware:

SIR: I have the honor to transmit herewith my second biennial report as Commissioner of Fish and Fisheries, for the years 1883 and 1884.

During the past two years the operations of the Commissioner have been confined exclusively to carp, which are the only fish obtainable from the department at Washington. And even the supply of this fish from the government department was suspended for a while, as in May last I received a letter from Prof. Spencer F. Baird, U. S. Fish Commissioner at Washington, stating that the supply of carp was exhausted and that there would be no further distribution until the fall. Later in the year I addressed Prof. Baird in relation to the subject, and received from him the following response:

U. S. COMMISSION OF FISH AND FISHERIES,
WASHINGTON, D. C., Nov. 21, 1883.

ENOCH MOORE, JR., ESQ.,

Commissioner of Fisheries, Wilmington, Del.:

DEAR SIR: I cannot determine what number, if any, of fish we can send to the State Commissioners for distribution, until provision is made for the supply of all applicants on file in our office. The product of the season was materially reduced by

cold weather in May, and I am apprehensive now that we will have hardly enough to meet requests on file.

Very truly, yours,

S. F. BAIRD, *Commissioner.*

As applications from persons throughout the State continued to come in after I received notification that no further shipments would be expected for awhile from Washington, I supplied all such applications promptly from my private pond, at the establishment of the Kennebec Ice and Coal Company, in Wilmington. Each applicant was furnished with from fifteen to twenty small fry carp. A list of the persons so supplied since my last report is herewith annexed:

J. B. Slaymaker & Son	Dover
Hon. J. P. Comegys	Dover
T. C. Murphey	Middletown
B. T. Anderson	Frederica
Barney Reybold	Delaware City
J. J. Rice	Newark
J. K. Chambers	Newark
H. B. Chandler	Wilmington
E. T. Gillis	Seaford
A. Newlin	Stanton
J. Heyd	Felton
J. McCaulley	Wilmington
Hon. John P. Allmond	Wilmington
T. B. Coursey	Frederica
J. Jenkins	Lebanon
J. S. Cowgill	Dover
J. Trucks	Hockessin
G. W. Horsey	Laurel
Hon. A. J. Horsey	Laurel
Hon. John P. Cochran	Middletown
H. C. Corsa	Milford
H. Hickman	Frankford
H. W. Long	Frankford
W. T. Lynam	Stanton
S. H. Wilson	Greenville
J. LeFever	New Castle Hundred
J. Jakes	Wyoming
E. Rogers	New Castle

J. McSorley	Brandywine Hundred
Charles Derrickson	Middletown
D. Hewes	Wilmington
J. Fenimore	Middletown
Geo. Todd	Brandywine Hundred
J. P. Hudson	Clayton
W. R. Cochran	Middletown
W. P. Lodge	Brandywine Hundred
J. Elliott	Brandywine Hundred
A. Sloan	Claymont
F. Pennock	Pleasant Hill
Dr. C. E. Buck	Wilmington
W. Wood	Smyrna
Chas. Rice	Felton
M. Hurston	Pleasant Hill
Hon. Chas. C. Stockley	Georgetown
J. Hyde	Frederica
R. Dale	Harrington
W. Johnson	Harrington
J. E. Wheeler	New Castle
Dr. E. G. Shortledge	Wilmington
Hon. Charles B. Lore	Wilmington

In addition a number of carp were placed in the Brandywine and Shellpot creeks, and in the Cool Spring reservoir, at Wilmington.

Although I have been made aware, by general report, that the carp supplied to the above parties thrived in a satisfactory manner, but few of the recipients took the slight trouble of acquainting me with the actual results. I have, however, heard directly from Mr. Barney Reybold, of Delaware City, who laid off about twenty-five acres of his farm in a series of ponds, systematically arranged for the successful culture of food fish. I supplied him with one hundred and fifty carp from my private pond and two hundred from the department at Washington, which he distributed through his ponds. He separated the small fry and the yearlings, and adopted all other measures necessary for the successful culture of fish, with the most gratifying results. Mr. Reybold is enthusiastic in the work he has started so thoroughly, and deserves great credit for the efforts he is taking to demonstrate that fish culture in Delaware can be made a profitable as well as an interesting occupation.

All reports received were uniform in regard to the rapid growth of the carp distributed, most of which increased from ten to fifteen inches in size during a single year.

THE CARP—HOW IT MAY BE CULTURED.

As the operations of the Fish Commissioner have thus far been confined exclusively to carp, and as this fish is destined to become one of the best and most profitable of American food fishes, I deem it a matter of importance, as well as interest, to extract, and submit herewith, from the report of the Hons. Hubert Brainard and Hiram A. Cutting, Fish Commissioners for the State of Vermont, the following points in relation to carp, and a series of questions and answers pertinent to their cultivation and treatment :

GERMAN CARP.

The carp were originally from Central Asia, from whence they were introduced into Europe a few centuries ago, and from the continent to England in 1504.

It is said that Captain Henry Robinson brought carp from Holland into the United States in 1830, and put them into his ponds at Newburg, N. Y., from whence they escaped into the Hudson. As nothing practical came of this, the real introduction of carp into this country dates May 26th, 1877, when 345 carp of different varieties were delivered to Prof. S. F. Baird, the United States Fish Commissioner. The distribution of their young commenced in the fall of 1879, and has continued to the present time.

The question is often asked of us as to the water best adapted to them. We would say, the carp prefers a pond containing a muddy bottom, with various water plants growing therein, but neither of these is absolutely essential. It feeds upon vegetable food, and such worms and lower forms of animal life as are within its reach ; but rarely, if ever, upon other fishes. It will, however, eat spawn, even its own eggs, if forced by hunger. It is very fond of vegetable food, such as lettuce, cabbage, leaves of various water plants, seeds, grain, meal, bread, crackers, corn bread, etc. Most anything you can feed to chickens can be fed to carp.

If the water is shallow and warm in summer, and there be plenty of food, either natural or fed to them artificially, the

growth of the carp will truly surprise you. There are well authenticated reports of its reaching three pounds or more in one year, and of six pounds in two years. If no artificial food is furnished and natural food scarce, or the water cold and deep, the growth will be much less rapid. When the water becomes quite cold in the fall, they will partly bury themselves in the mud, and lie in a dormant state until the spring fairly sets in and the ice is out of the pond. In the southern part of the United States this hibernation does not take place, and their growth is said to be often as much as four pounds or over each year. In the northern part of Maine it may be expected to hibernate nearly half the year; hence it is easy to see why the growth in Texas exceeds their growth in Vermont. There is little danger, however, of its freezing to death, as it survives even in tubs of water which are frozen over.

Carp usually spawn in cold latitudes the third year, in temperate latitudes the second year, and in warm latitudes the first year; yet in those cases last mentioned, it is only when they are abundantly fed, well cared for, and protected from all enemies.

As is the case with all fishes, their enemies are legion, and as they are not predacious they are often exterminated by them. Of course all other fish will feed upon their young or their eggs, and some devour both; hence their increase, in consequence, is not rapid, unless protected. Frogs, snakes and turtles will eat both young and eggs. Various birds also prey upon them, as kingfishers, bitterns, cranes, herons and fish hawks, all of which understand catching them better than the average fisherman. When carp are left entirely to the mercy of their enemies, they will, like other fish, likely succumb. The only proper method is to furnish protection to the carp until they reach such an age as to be able to take care of themselves and cope with their various enemies.

It is therefore best to separate the spawning carp from all other animals, and carefully protect the eggs, and young fish also, as long a time after hatching as possible. The carp are, however, a pond fish, and while they may be tamed and reared in almost any little pond, or even in tanks, they will do equally well or even better in large ponds, if they have a proper supply of food, and not too many enemies. It is in reality a domestic fish, and will come for its food as regularly as any animal on the farm.

As for its quality as an *eating fish*, it ranks above the ordinary native fish of most ponds, but does not equal the trout or salmon. If grown, as they may be, in muddy or polluted water, they will have a bad taste, unless put in pure water a few days before killing; but in Vermont there is nothing to fear in that direction, as our waters are not often polluted.

Artificial ponds can be easily constructed in which to raise them, and their breeding be a very profitable branch of farming. There are many bogs or muck swamps that an inexpensive dam will flow, and make just the most desirable of carp ponds. Milton P. Pierce, of Philadelphia, has given much time and attention to their culture, and any required information can be obtained of him. But for ordinary purposes a muck swamp, where some muck has been removed, so as to give a depth of water below frost, and the whole swamp flowed for say two feet, exclusive of the ditch for carp to winter in below frost, is as good a carp pond as one could desire. The United States Fish Commission says, as to

ECONOMIC RESULTS:

“The cultivation of fish is destined to become as important among the American farmers as the cultivation of cattle, sheep, swine, poultry, or of grains, fruits and berries. They have long since ceased to leave the latter to shift for themselves and to cope with their enemies, knowing that in such a struggle live stock, grains and fruit come off second best, or succumb. Fish should receive the same care and attention, both as to improving varieties, artificial propagation and growth. The practice which farmers will obtain in carp culture will probably open the way to the successful culture of various other kinds of fish. The hardiness, and the wide range of diet and the rapid growth of carp especially fit it to be the precursor in fish farming. Every rural community is destined to have its fish ponds in the same abundance that it has its pig-pens or its poultry-yards. This will enable every farmer, however remote from market, to introduce fresh fish into his bill of fare at very little cost. The carp may be made a pleasurable pet, learning to come to its food at call, if habitually fed in one place and in shallow water, or upon a plank submerged a few inches. From these places, by reason of its tameness, it can be taken even with the hands. Finally, there is no more tasteful and economic means of decorating a country seat than by a carp pond, neatly prepared and protected. If,

however, any person should imagine that these good results are to be attained merely by filing an application for carp, and, upon the receipt of the fish leaving them to shift for themselves, and unaided to cope with their enemies, it is well that their minds be disabused at the first, for there is no provision of nature anywhere whereby a man shall obtain his daily bread except by the sweat of his brow.

QUESTIONS ABOUT GERMAN CARP ANSWERED.

Q. Are carp a pond fish?

A. Yes; pre-eminently so. They are well adapted, however, to small bodies of still water, and they need not be free of mud or sediment.

Q. Can carp be wintered in the cellar?

A. Yes, if provided with food and occasional change of water.

Q. Do young fry swim on top of water?

A. No, but minnows do.

Q. Do carp live a long time out of water?

A. They are quite hardy; can be kept in damp moss twenty-four hours.

Q. Are carp a scale fish?

A. They are, if scale carp; if leather carp, they are not.

Q. Which is the best breed?

A. Scale carp.

Q. What season of the year are carp fit for the table?

A. From October to May. After spawning their flesh is soft.

Q. Are carp a bony fish?

A. What fish are not? The flesh, however, flakes off very nicely from sizable ones.

Q. How can you prevent carp from escaping from a small pond?

A. Put wire cloth over the outlet.

Q. Will carp do well in ditches in muck swamps?

A. If you take care of turtles, snakes, muskrats, etc., they will.

Q. Will carp live in an ornamental fish-tank?

A. Yes, better than any other fish.

Q. Will carp live in shallow water?

A. Yes, even so shallow that their backs stick out.

Q. Is running water best for carp?

A. They are sluggish, and do not care for it.

Q. Will muddy water hurt carp?

A. It is their delight. They will root the mud over at the bottom for food.

Q. Is cold spring water good for carp?

A. It is not desirable. Warm, shallow water is better.

Q. What plants are best for carp?

A. All kinds good. Water lilies, cowslips, crowfoot, milfoil, bladder wort, etc., may be called the best.

Q. Will carp succeed in large ponds, if left to take care of themselves?

A. About as chickens, pigs or other animals would.

Q. Will harm come to them from ice in water?

A. No; they will be fast asleep in the mud, and don't care.

Q. How often should carp be fed?

A. Morning and night, with just what they will eat up, is best. Less often if you feed more, but food should not accumulate in the water.

Q. Will kitchen refuse hurt carp?

A. Not unless salt or pepper and mineral substances are mixed in.

Q. How large do carp grow?

A. From 30 to 75 pounds.

Q. Do carp resemble tadpoles when young?

A. No.

Q. How are carp best caught?

A. With a dip-net.

Q. What time are carp distributed?

A. In autumn.

Q. How are they obtained?

A. By applying to the Fish Commissioners in season, say before August 20.

Q. How many are needed to stock a pond?

A. Four or five fish to the acre.

Q. Can ponds be overstocked?

A. Yes, as well as you can overstock a pasture. The result is the same; poor carp, that don't grow.

Q. Why will they not do well in deep ponds?

A. Water is too cold, and there is less food.

Q. How many can be raised to the acre of water?

A. In Europe from four to five thousand, but our waters are richer in food than the waters there, so the product may be greater.

Q. Are carp desirable for our mountain streams?

A. They are not; but trout are, and by a little attention can be easily increased.

Q. Can ponds be constructed on dry upland, if a stream of brook water can be brought by pipe to the desired location?

A. They can, and have the advantage of being free from many enemies that abound in low swamp land.

Q. Can carp always be seen the second season, if not destroyed.

A. They cannot. Several have thought them all destroyed, when a year or two later they were found much larger than anticipated; like other fish, if not domesticated, and have food enough, they will keep out of sight.

Q. Will snakes destroy young fish?

A. Yes, and spawn also.

Q. How can snakes and turtles be got rid of?

A. By taking in net, or killed with a gun, and shells that explode when they strike the water.

Q. Will carp culture succeed in Vermont?

A. It is worthy of trial, and has no known barrier to success.

Q. Can carp be purchased, and at what price?

A. Yes; at five dollars a pair or eighty-five dollars per hundred; but not of the Fish Commissioners. What they have are distributed free to applicants.

THE CARP IN DELAWARE.

Comparing the reports of carp culture I have received from this State with those obtained from other States, I am constrained to believe that the streams and mill-ponds of Delaware are unusually well adapted to the cultivation and propagation of the different varieties of this fish. The waters are equable in temperature, and sufficiently sluggish to suit its nature and habits. The best proof of this is to be found in the fact that the reports I have heard are not confined exclusively to the unexampled

growth of the fish distributed, but speak of the rich and delicate flavor when properly prepared for the table.

A STATE HATCHING POND.

With great reluctance I venture to broach a subject which, while having an important bearing upon the subject of fish culture in Delaware, also involves the question of a small annual outlay on the part of the State. Heretofore the Commissioner has been using, through the kindness of a friend prominently connected with the establishment, and who has always displayed a commendable and enthusiastic interest in the subject, the large pond of the Kennebec Ice and Coal Company, in Wilmington, as a private pond for breeding and stocking purposes. Several hundred thousand fish have been raised in this pond and distributed throughout the State, with results that conclusively proved that the breeding of German Carp could be conducted with a sure and reasonable profit. By reason of a change in the proprietorship of the establishment alluded to, I feel a delicacy in longer using this pond for fish breeding purposes without tendering the owners proper consideration, and I know of no other pond suitable for the purpose which could be procured free of cost. I therefore most respectfully recommend that a small appropriation—say \$500—be made for the purpose of renting this or some other suitable pond and erecting small hatching houses on the ground, which would greatly facilitate the work of culture and propagation. The expense would be slight, but the results, I am sure, would more than compensate for the outlay. The subject is one in which many citizens of this State are interested, and, as a proof of the feeling of the people I append the following copy of a petition I recently received with a request that it be laid before the General Assembly at its ensuing session :

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

The petition of the subscribers, citizens of Sussex County, respectfully showeth : That as the culture of fish in the State of Delaware is an infant industry, and therefore ought to be encouraged for the general good of the people of said State, your petitioners earnestly recommend an appropriation for the purpose of building a hatching house and experimental ponds ; and, as the industry is increasing the duties of the Commissioner also increase, your petitioners recommend an increased appropriation,

sufficient to enable the said Commissioner to give more of his time to the extension of fish culture in this State.

To this petition were appended the names of forty-five well-known and substantial citizens of Sussex County.

NEW CARP PONDS.

During the past year twenty-five or thirty new ponds for the cultivation of carp and other fish were constructed in this State. I supplied all of them with fish, some of which were procured from Washington, and the balance taken from my private pond in Wilmington.

BLACK BASS AND BROOK TROUT.

Recently I have received numerous inquiries for black bass and brook trout. I can procure all the eggs of these varieties that might be desired, but as we have no facilities in this State for hatching, it would be useless to accept them. Most of the other States have hatcheries from which their streams are supplied. The milldams and streams of this State are well adapted to these fish, and if they were once stocked would soon become prolific, thus adding materially to our supply of food fish, and furnishing an abundance of sport and excitement for our local anglers. Since my last report I procured samples of both varieties and placed them in the Brandywine, near Wilmington, where they thrived successfully, many attaining a weight of one and one-half and two pounds. I wrote to Prof. Baird, to ascertain if small fry black bass and brook trout are distributed by the department at Washington, and received the following reply :

U. S. COMMISSION OF FISH AND FISHERIES,
WASHINGTON, D. C., Feb. 2d, 1885.

ENOCH MOORE, JR., ESQ., *Wilmington, Delaware* :

DEAR SIR—In reply to yours of January 24th, I beg to say that the U. S. Fish Commission has never undertaken the work of breeding or distributing the black bass. This has been done to a considerable extent by the State Commissioners, and the species has been introduced into nearly all of the Atlantic coast streams—in my opinion to the disadvantage of those streams in which the shad and herring are found, as the young of these species largely furnish the food of the bass.

I have directed that 100 leather carp and 50 gold fish be for-

warded to you, as requested. Due notice of date of shipment will be mailed to you.

Very truly, yours,
 SPENCER F. BAIRD, *Commissioner.*

GOLD FISH.

The United States Fish Commissioner has allotted a few gold fish to each State Commissioner, and parties desiring some for private ponds and aquariums can be accommodated on application to me.

A list of the Fish Commissioners of the various States and Territories and the Dominion of Canada will be found appended to this report.

All of which is most respectfully submitted.

ENOCH MOORE,
Commissioner of Fish and Fisheries for the State of Delaware.

LIST OF FISH COMMISSIONERS—1884.

Dominion of Canada—

A. W. McLellan, Minister of Marine and Fisheries, Ottawa, Ontario.

Province of New Brunswick—

W. H. Venning, Inspector of Fisheries, St. John.

Province of Nova Scotia—

W. H. Rogers, Inspector, Amherst.

Province of Prince Edward Island—

J. H. Duvar, Inspector, Alberton.

Province of British Columbia—

A. C. Anderson, Victoria.

The United States—

Prof. Spencer F. Baird, Washington, D. C.

Alabama—

C. S. G. Doster, Prattville; D. B. Huntley, Courtland.

Arizona—

John J. Gosper, Prescott; Richard Rule, Tombstone; Dr. J. H. Taggart, Business Manager, Yuma.

Arkansas—

John E. Readon, H. H. Rottaken, James H. Hornbrook, Little Rock.

California—

J. D. Redding, San Francisco; A. B. Dibble, Grass Valley, Nevada Co.; B. H. Buckingham, Woodland, Yolo.

Colorado—

Wilson E. Sisty, Idaho Springs.

Connecticut—

Dr. William M. Hudson, Hartford; George N. Woodruff, Sherman; Robert G. Pike, Middletown.

Delaware—

Enoch Moore, Wilmington.

Georgia—

J. T. Henderson, Commissioner of Agriculture and *ex officio* Commissioner of Fish and Fisheries, Atlanta; Dr. H. H. Cary, Superintendent, La Grange.

Illinois—

N. K. Fairbank, President, Chicago; S. P. Bartlett, Quincy; S. P. McDoel, Aurora.

Indiana—

Calvin Fletcher, Spencer, Owen County.

Iowa—

B. F. Shaw, Anamosa; A. A. Mosher, Assistant, Spirit Lake.

Kansas—

W. S. Gile, Venango.

Kentucky—

William Griffith, President, Louisville; Hon. John A. Steele, Versailles; Dr. William Van Antwerp, Mt. Sterling; A. H. Goble, Chatletsburg; Hon. C. J. Walton, Munfordsville; John B. Walker, Madisonville; P. H. Darby, Princeton; Hon. J. M. Chambers, Independence, Kenton Co.; W. C. Price, Danville; J. H. Mallory, Bowling Green.

Maine—

E. M. Stillwell, Bangor; Henry O. Stanley, Dixfield.

Maryland—

Thomas Hughlett, Easton; G. W. Delawder, Oakland.

Massachusetts—

E. A. Bracket, Winchester; Asa French, South Braintree;
F. W. Putnam, Cambridge.

Michigan—

A. J. Kellogg, Detroit; Dr. J. C. Parker, Grand Rapids;
John H. Bissel, Detroit.

Minnesota—

1st Dist.—Daniel Cameron, La Crescent; 2d Dist.—Dr. W.
M. Sweney, Red Wing; 3d Dist.—Dr. R. O. Sweney,
St. Paul; 4th Dist.—No appointment until January; 5th
Dist.—No. appointment until January.

Missouri—

Dr. J. G. W. Stedman, Chairman, 2803 Pine street, Saint
Louis; John Reid, Lexington, Lafayette Co.; Dr. J. S.
Logan, St. Joseph.

Nebraska—

W. L. May, Fremont; R. R. Livingston, Plattsmouth; B.
E. B. Kennedy, Omaha.

Nevada—

Hon. Hubb G. Parker, Carson City.

New Hampshire—

George W. Riddle, Manchester; Luther Hayes, Milton;
Elliott B. Hodge, Plymouth.

New Jersey—

Richard S. Jenkins, Camden; Theo. Mumford, President,
Newton; William Wright, Newark.

New York—

Hon. R. Barnwell Roosevelt, 76 Chambers street, New York;
Richard U. Sherman, New Hartford, Oneida County;
Eugene G. Blackford (Fulton Market, N. Y. City), 809
Bedford Av., Brooklyn; Edward M. Smith, Rochester.

North Carolina—

S. G. Worth, Raleigh.

Ohio—

Col. L. A. Harris, President, Cincinnati; Charles W. Bond,
Treas'r, Toledo; Holsey C. Post, Sec'y, Sandusky.

Pennsylvania—

Hon. H. J. Reeder, Easton ; James Duffy, Marietta ; John Hummel, Selinsgrove ; John Gay, Greensburg ; Arthur Maginnis, Swiftwater.

Rhode Island—

John H. Barden, Rockland ; Henry J. Root, Providence ; Col. Amos Sherman, Woonsocket.

South Carolina—

A. P. Butler, Commissioner of Agriculture and *ex officio* of Fish and Fisheries, Columbia ; C. J. Huske, Superintendent, Columbia.

Tennessee—

W. W. McDowell, Memphis ; H. H. Sneed, Chattanooga ; Edward D. Hicks, Nashville.

Texas—

R. R. Robertson, Austin.

Utah—

No appointment since the death of Prof. J. L. Barfoot in April last.

Vermont—

Dr. Hiram A. Cutting, Lunenburg ; Herbert Brainerd, St. Albans.

Virginia—

Col. M. McDonald, Berryville.

West Virginia—

Henty B. Miller, President, Wheeling ; C. S. White, Secretary, Romney ; N. M. Lowry, Hinton.

Wisconsin—

The Governor, *ex officio*, Madison ; Philo Dunning, Pres., Madison ; C. L. Valentine, Sec. and Treas., Jonesville ; J. V. Jones, Oshkosh ; John F. Antisdell, Milwaukee ; Mark Douglass, Melrose ; Christ. Hutchinson, Beetown.

Washington Territory—

Albert B. Stream, North Cove.

Wyoming Territory—

Dr. M. C. Barkwell, Chairman and Superintendent, Cheyenne ; Otto Gramm, Secretary, Laramie ; Hon. N. L. Andrews, Johnson County ; Hon. E. W. Bennett, Carbon County ; Hon. P. J. Downs, Uinta County ; Hon. T. W. Quinn, Sweetwater County.

THIRD BIENNIAL REPORT
OF THE
BOARD OF HEALTH OF THE STATE
OF DELAWARE.

JANUARY, 1885.

To His Excellency,

CHARLES C. STOCKLEY,

Governor of Delaware:

The Secretary of the Board of Health of the State of Delaware herewith respectfully submits his third biennial report, which is designed to give an account of the general proceedings of the Board and the work of the Secretary for the past two years, ending June 30th, 1884. Frequent meetings of the Board have not been considered necessary, for the reason that the general condition of the public health during the two years past has presented no great departure from the circumstances that usually prevail throughout our borders. In localities of limited extent special forms of disease occurred during the time and prevailed more or less, and to a greater or less degree of fatality, varying with the forms of disease and places of occurrence. The most notable of the special forms of disease within the knowledge of the Secretary occurred during the summer of the past year and presented the destructive characteristics of malignant dysentery, at and near Lincoln, in Sussex County, and prevailed to a considerable extent throughout all of the western part of Sussex, and of such a type as to well deserve the qualification—malignant—many of the subjects dying within a few hours of attack, embracing both the old and the young—even the infant at the breast.

Erysipelas has been more common than of late years, and diphtheria more prevalent than usual, but not to an extent of an epidemic.

Scarlet fever appeared in varying proportional numbers in a majority of the towns of the State, but did not obtain such a foothold as to entitle it to be considered epidemic. Some of the less fatal forms of contagious and infectious diseases, such as measles, mumps and itch, appeared in many of the towns and localities contiguous thereto, and prevailed extensively, but not epidemically. The small pox, which at one time assumed such alarming proportions in the City of Wilmington, is now happily extinct.

As no report from any local health-board in the State has reached the Secretary, except that of the City of Wilmington, Del., through their efficient Registrar, Mr. Frazer, we have had to depend upon our own observation and resources for such data as we are able to present; and in framing our report we have been influenced by the needs, or what we conceive them to be, of the citizens at large, leaving to the City of Wilmington the entire control of their own municipal health affairs.

To the Secretaries of some thirty State Boards of Health we are indebted for valuable hints and information, alike of benefit to the citizens of all the States, and in some instances quoting their exact language, and to whom we desire to here offer our acknowledgments, and to respectfully suggest some of the means by which its work may be enlarged, and the death rate correspondingly diminished.

While we have much to regret at the incompleteness of our report, among which is the apparent apathy and indifference of parties to the laws of registration of births and deaths, especially in the two lower counties, and the reception of no reports whatever from local boards, except from the City of Wilmington, through whose Registrar, Mr. Frazer, we are indebted for his Monthly Report of the Marriages, Births and Deaths, we have much cause for congratulation that no widespread and devastating epidemic has invaded our borders.

By permission of the Board of Health of the State of New Jersey we have been permitted to reprint their industrial circular entitled, "Health Counsels for Working People," and also their

“School and Health Circular for Parents, Guardians, Children and Trustees,” and endeavored to distribute the same through the medium of our Superintendent of Public Schools. We have also sent out our circulars containing an abstract of the laws of our State regulating the practice of medicine, in so far as it relates particularly to the registration of marriages, births and deaths, with the incomplete results as shown by our table on vital statistics appended to our report. We have also exchanged our second biennial report with as many State and local boards of health, and with the public libraries of other States, as the limited number of copies printed would permit.

The board herewith transmits several papers from our honored President, Dr. L. P. Bush, to whose efficiency, untiring energy, industry and gratuitous labor we are under many obligations, and to whom the State is indebted for much valuable sanitary work. By reference to our table of marriages it will be seen that during the year ending June 30th, 1883, there were in New Castle County 336 marriages; for the year 1884 there were 317; for Kent County during the same period, 163 and 165; for Sussex County, 190 in 1883, and 165 in the year ending June 30th, 1884—an aggregate number in the State amounting to 1,336.

The total number of births for the same period is 3,996, distributed as follows: New Castle County, 3,161; Kent County, 494; and Sussex County, 341.

The total number of deaths as follows: New Castle County for 1883, 1,474, and 1,325 for 1884; Kent County, 475 for 1883, and 113 for 1884; Sussex County, 115 for 1883, and 40 for 1884—total number of deaths reported for the State, 3,542.

Taking the population as ascertained by the last census, 146,608, gives us a death rate of 24.15, which is higher than that shown by England and Wales for the last decimal periods. While England and Wales show a reduction equivalent to $4\frac{1}{2}$ per cent. in the decade from 1870 to 1880 over the decade from 1860 to 1870, and may be considered only an installment of sanitary progress, we in our State show an increased rate of three per cent. for the last two years. On the demonstration of various model instances it may be assumed that the reduction of the general death-rate by four-and-one-half per cent. is satisfactory. This, however, cannot be considered more than one-third of the results obtainable by advanced sanitary administration and further

sanitary work. The pain and misery, the loss of time and labor, the consequent expense and social disorder occasioned by excessive and preventable sickness and premature mortality are beyond pecuniary estimation. Among the causes which have operated in England to produce these desirable and remarkable results may be recorded the construction of more perfect systems of sewerage and house-drainage, the disuse of cesspools and wells, the introduction of more copious water supplies, the more efficient scavenging of towns and sanitary inspection of dwellings, and the purification and utilization of sewage.

What, it may be asked, is sewage? The meaning of the word is, "The foul fluids that are conveyed by sewers, and which vary in their offensive character, from the foetid overflowing of privies, &c., to the diluted liquids found in the sewers of large cities." Its meaning, however, is extended in sanitary discussions to include the more solid forms of excrement and filth, without regard to the degree of their dilution or the possibility of their removal by flow. It does not include those solid refuse matters which may be used for animal food, as kitchen garbage, nor those which, like ashes, have no tendency to decomposition. The sewage of cities is of a complex character, a large proportion of its most offensive matters is of course human excrement from water-closets and privies, and also urine, but mixed with this there is water from kitchens, containing vegetable, animal and other refuse, and that from wash-houses, containing soap and the animal matters from soiled linen. There is also the drainage from stables and cow-houses and that from slaughter-houses containing animal and vegetable offal. In cases where privies and cesspools are used instead of water-closets, or these are not connected with the sewers, there is still a large proportion of human refuse in the form of chamber slops and urine. In short, and in fact, sewage cannot be looked upon as composed solely of human excrements diluted with water, but as water polluted with a vast variety of matters, some in solution and some held in suspension.

The old fashioned privy vault and cesspool cannot be too highly condemned, since they retain the solid matters upon the premises and thus become centres of pollution and infection. The liquid portions escaping pollute the soil and neighboring wells; the noxious exhalations arising from their putrifying contents contaminate the air. As an instance of soil pollution we read, that the escape of a barrel of petroleum or benzine, which

had been buried in an orchard, a circuit of wells sixty feet below and seven hundred and fifty or nine hundred feet distant, became so affected that the tenants of fifteen houses, containing eighty-two inhabitants, were for ten days unable to use the water for drinking purposes. The cattle refused to drink at the spring where they were accustomed to. Had this been sewage instead of petroleum, who can doubt that the result might have been wholesale water-poisoning and an outbreak of typhoid fever far reaching in its dissemination as from a common centre.

This leads us to consider the water supply in our State, which is almost universally from wells already so polluted by the foul saturations of the soil as to be absolutely unfit for use in the older towns, and on many farms old wells in proximity to cattle pounds, pig-stys and privies, which serve to drain such cesspools and contaminate the drinking supply of water, and has, in a number of instances within our own personal knowledge, resulted in a terrible retribution, by the defiance of natural laws. History records the repeated devastation of Europe by epidemics from this cause. The "Great Mortality," or "Black Death," which prevailed from A. D. 1347 to 1350, originating in the far East, approached through Asia Minor and Egypt, and ravaged in succession the various countries in Europe. It is recorded by Hecker that in the fourteenth century Europe lost by death, during the prevalence of the epidemic, 25,000,000, or one-quarter of its population. Few persons know that an individual of 150 pounds weight consumes on the average 2,000 pounds of water annually. How important then is it that this water should be pure and wholesome and fit for the complex duties it must perform in its relation to digestion, assimilation and nutrition.

Let the important matter of public comfort and health meet with greater favor and concern as is becoming its due, and thereby prevent sickness, death and premature old age and decay. If people were as careful in avoiding the habits and sources which produce disease as they are persistent in seeking cures for their ailments, the number of invalids in the world would be materially reduced.

It must be borne in mind that the circumstances of average individual longevity in any town or district of the State is not dependent on the relative healthfulness of the location. The surroundings must be salubrious to promote length of life, but the character of the habitations, the methods of home-living, dietic

and otherwise, the public habits and customs, the average intelligence, industry and morality of the people, are potent factors of the length or brevity of life.

The duration of life in England, as shown by their published statistics, is on the increase. Men's lives are prolonged two, and women's three and one-third years beyond the limit of thirty-five years ago. The change is ascribed to various causes, prominent among which are the influence of the Public Health act, the progress of the temperance movement, and the diminished virulence of epidemics. The mortality of the globe, as given by a continental journal, which has made the computation, is as follows: Per minute, 67; per diem, 97,790; and per annum, 35,639,835; whereas the births are 36,792,090 per annum, 100,000 per diem, and 70 per minute.

How best to dispose of the excretions and refuse necessarily accompanying the aggregation of human beings into families and communities of fixed location, seems to be one of the most important and intricate problems of sanitary science that we now have to confront, and is commanding the attention of sanitarians in all civilized countries. The fact is an established one that the contamination of the soil and water by excretory and refuse matter are capable not only of disseminating fatal diseases, but also of engendering them, and the problem how best to avert this casualty is one we have to encounter. That such contamination has commenced and is progressing with increased vigor wherever the excretions and refuse are deposited in cesspools, sunk in the soil or turned through sewers into the neighboring brooks or water courses, is demonstrable. This subject is of first importance not only to the denizens of cities congregated in large masses, who are seemingly compelled to drink the water poisoned by their own sewage and that of the manufacturing centres above them living higher up the stream, but the isolated farm houses resting upon soil saturated with the drippings of the barnyard, the kitchen, cesspools and pig-pens, and in which typhoid fever, diphtheria, scarlet fever and kindred zymotic diseases are yearly seen:

Dr. Bardwell, of Illinois, has furnished us with examples as to how, "without outside help," such diseases may be engendered by the kitchen refuse, by stagnant pools, containing decaying vegetable and animal matter, within a few feet of the doors.

By these means disease is produced by disregard of the laws of hygiene, their spread afterwards begets another question, and "one with which" (quoting from the same source) "we have at the present time no concern more than to venture the remark, that the innocent inevitably suffer with the guilty; the persons whose doors are kept clean suffer the penalty of allowing their neighbors to live in ignorance of plain sanitary laws. If improper sanitation is the primordial factor in the evolution of these disorders, then it is not so important to ascertain in just what form and by what means disease is disseminated, as it is to strike at the root of the evil, to annihilate the first cause, without which there can be no elements of disease to be carried about by the air by innocent micro-organisms, or by distinct varieties of minute life created for this special purpose. Some doubtless can be taught the danger of unsanitary surroundings, but many more will learn only when compelled to do so.

The physician can instruct to a certain extent, but his advice would have much more weight if it was known that compulsion might follow its disregard. When every town has a health officer, properly qualified and not afraid to do his duty, then will most diseases be lessened in severity and in all probability will disappear altogether.

Let it be remembered that we not only breathe disease, but swallow it also in impure drinking water, impure milk, diseased meat, stale vegetables, from garbage and cesspools. Again, there are moral influences which contribute to debility and nervous prostration. In this we occasionally find the secret germ which undermines the constitution and prepares the way for the reception of the occult bacteria. The question of atmospheric poisons and poisons pertaining to the soil, though of great moment, are secondary to the proper arrangement of the sleeping room.

The subject of general sanitation of our individual homes, especially since the advent of Asiatic cholera in Europe, and its probable advent in this country during the present year, demands the attention of every one. One serious feature of its revival, as an epidemic in Europe, is the large extent of territory into which the infection is spreading. It is not only making its way into the towns of central France, but it is steadily gaining ground eastward from the Italian frontier. No doubt lack of sanitary appliances and precautions, as well as of the immediate attention of skilled physicians, renders the disease terribly fatal in many of

the small communities that it has attacked. The question of national control of quarantine is one of paramount importance, and it is the judgment of this Board, such quarantine measures should be under the direct control of the National Government, and the necessary rules and regulations formulated by a national organization, and their execution intrusted to officers clothed with national authority.

The subject matter embraced in our report concerns not only the body politic, but every individual man, woman and child in our State, and we believe that nothing within the purview of our Legislature warrants, indeed demands, their more earnest consideration and attention; and permit us to hope the matter will receive that conclusion which determines for the weal or woe of all alike. The subject of drainage alone is one of vast importance to us in a pecuniary point of view, to say nothing of the prevention of diseases which are due to causes wholly, or nearly so, preventable, and if preventable, then we are culpable—as our own and our “brother’s keeper”—if the means to secure that much to be desired end is not adopted.

WM. MARSHALL,

Secretary of Board of Health of Delaware.

PRESIDENT’S REPORT.

To the Members of the Delaware State Board of Health:

GENTLEMEN: In accordance with the law instituting this Board, we have met to-day. And it would be well for us to review some of the objects referred to the Board in the law, for the double purpose of considering how far we have been able to comply with the conditions of our appointment, as well as to inquire in what respect the enacting law is defective, if at all.

The purposes of the Board are to encourage the establishment of local boards of health; to make inquiries in respect to the

causes of diseases, especially of epidemics, and investigate the sources of mortality and the effects of localities, employment, and other conditions upon public health; and this together with such other information as may be obtained regarding the various public institutions of the State. In addition to this we are authorized and directed to superintend the workings of the registration of births, marriages and deaths in the several counties of the State. In accordance with this the Secretary of the Board has sent copies of the law providing for the organization of local boards of health through the State—has conferred with the Recorders of the several counties in regard to registration; has sent copies of the registration law to every physician in the State; has made a report to the Governor of the State in 1881 and 1883, in which were presented some researches on *malaria*; a paper on Infant Feeding; another on Vaccination; valuable remarks upon the subject of Drainage, and upon the importance of public attention to the health of the community.

To supplement the efforts of the Secretary, I have addressed a letter to the Recorders of each of the lower counties, inquiring as to the registration of the names of physicians, clergymen, &c., in their offices, as required by the statute; and as to the efficiency of the reports directed by the Registration Act.

I would suggest that the Secretary again circulate among the physicians of the State the law regarding registration, and also to the various towns of the State, the law relating to the formation of local boards of health and the reports of the board; urging upon the physicians the careful reporting of their cases, and upon the commissioners and councils of the towns and cities of the State the formation of boards of health and to forward a report of their proceedings, how constituted, and the names of members. I think, also, that in the latter case a series of questions might be proposed on a form suitable for reply, making the inquiry whether a board of health had been organized; how often they met; what is the general character of their proceedings; what is the situation of the town, the care in regard to the cleanliness of streets; are the cellars dry; any ponds, and of what description, or swamps in neighborhood; any drainage going on; how supplied by water; whether the privies and drinking wells are near together, and how near; whether cared for; whether the water is hard or soft; how deep the drinking wells; whether the board has put forth any effort for the abatement of nuisances, or

the improvement of the general healthfulness of the place, at the same time stating that these inquiries are not from curiosity, but such as the Board is not only authorized but instructed to make, in order that a report may be made by the State Board of Health through the Governor, to the Legislature, of the hygienic condition of the whole State.

In addition, I would suggest that the Secretary have circulars printed relating to contagious diseases, mode of preventing communication and disinfection; that they be printed on good paper with fair type and somewhat attractive form, and that they be sent to all the physicians, especially in the country places, that is, outside of the cities, and to the commissioners of the towns throughout the State, with the request that they would have them circulated through their towns and neighborhoods.

I would suggest, also, that in making out the statistics for the next Legislature the Secretary prepare an estimate of the deaths by months; proportion of males to females; deaths by ages; color of decedents; proportion of different diseases; from all diseases; proportion of births to deaths; births of males to females; births in counties—a proportion in each to population; color of births; nativity of parents; births by nativities; marriages—nation; how many; by counties.

L. P. BUSH,

President of the Delaware State Board of Health.

THIRD BIENNIAL REPORT
OF THE
INSURANCE COMMISSIONER.

STATE OF DELAWARE,
INSURANCE DEPARTMENT,
SMYRNA, DEL., February 18, 1885.

To the General Assembly of the State of Delaware:

I have the honor to submit, in compliance with the statute, the Third Biennial Report of this Department.

During the year 1883, seventy-seven Insurance Companies were authorized to transact business in this State, namely:

- 58 Fire.
- 10 Life.
- 1 Guarantee.
- 1 Life and Accident.
- 1 Accident.
- 6 Coöperative Associations.

During the year 1884, seventy-five Insurance Companies were authorized, as follows:

- 57 Fire.
- 8 Life.
- 2 Steam Boiler.
- 1 Plate Glass.
- 1 Guarantee.
- 1 Life and Accident.
- 1 Accident; and
- 4 Coöperative Associations.

Of the companies above enumerated, six are incorporated by this State, each of which pays an annual tax of \$100, except the Delaware State Grange Mutual Fire Insurance Company, of Camden, which is exempted from taxation by legislative enactment.

The receipts and expenses of the Department for the year ending December 31, 1883, were :

Fees for filing annual statements, charters, issuing certificates, and from all other sources	\$ 1,667.40	
Paid newspapers for advertising abstracts of annual statements	\$263.60	
Paid Daily Gazette for advertising abstracts of insurance law	11.04	
Paid for postage and express charges	55.22	
		<u>329.86</u>
Excess of receipts over expenditures		<u>\$1,337.54</u>

And for the year ending December 31, 1884, were :

Fees for filing annual statements, charters, issuing certificates, and from all other sources	\$ 1,671.40	
Paid newspapers for advertising abstracts of annual statements	\$240.75	
Paid newspapers for advertising abstracts of insurance law	62.74	
Paid for postage and express charges	67.14	
		<u>370.63</u>
Excess of receipts over expenditures		<u>\$1,300.77</u>

Vouchers for the above payments are herewith submitted, and allowance to the Commissioner is asked for all of them, except the amount paid for advertising abstracts of annual statements, the latter having been repaid by the companies directly to the department, leaving the amount due to the Commissioner, \$196.14.

Bills have been incurred by the department, which are due to the persons named, as follows :

C. F. Thomas & Co., for office supplies, printing various blanks, and stationery	\$ 558.02
R. D. Hoffecker, for printing	19.00
Total	<u>\$ 577.02</u>

which bills will be laid before you.

The revenue to the State from companies and agents, as I am advised by the Clerks of the Peace of the several counties, and the State Treasurer, was :

For the year 1883	\$ 5,098.83
For the year 1884	5,174.63
	<hr/>
Making the total gross revenue to the State for the years 1883 and 1884	<u>\$10,273.46</u>

During the year 1883 the Commissioner became greatly annoyed by the tardiness of agents in furnishing duplicate receipts for license and premium tax, as required by the insurance act, and other irregularities, which hindered the intelligent discharge of the business of the office.

Believing that many of these irregularities arose from a lack of information respecting the provisions and requirements of the insurance law, it was deemed proper, for the purpose of remedying the evil, to publish in several newspapers of the State those sections of the law which clearly defined their duties to the department, which duties have since been more promptly performed.

During the year 1883, the companies incorporated by this State collected premiums in the State amounting to \$79,952.74, and paid for losses \$23,020.02; and the companies of other States and countries, having authority to transact business in this State, received premiums amounting to \$136,445.17, and paid for losses \$41,362.42, thus showing the total premium receipts, for the year, to have been \$216,397.91; the total losses paid, \$64,382.44; and an average ratio of losses to premiums of twenty-nine and seven-tenths per centum.

As a considerable number of companies have not, at this date, transmitted their annual statements for the year ending December 31, 1884, a like statement for the business of that year cannot now be laid before your honorable body.

Of the joint stock companies, Fire, Life, Guarantee and Casualty, now in legal existence in this State, nearly all possess a surplus of assets largely in excess of the requirement of the law; and the mutual companies, both Fire and Life, which have been admitted, or which exist under State incorporation, appear to be in a healthy condition.

In nearly all the States of the Union legislative protection has been extended to legitimate companies, aided by the supervision of Insurance Commissioners, and such safeguards have been thrown around the whole machinery of insurance, for the benefit alike of insurer and insured, that badly managed companies, or those of questionable integrity, do not long pass unnoticed.

Before the establishment of these legal safeguards, when companies were not required to make any exhibit whatever of their condition, even to the insured, those desiring to place insurance had no guide as to the safety of the corporations; but there is now no reason why ordinarily well informed persons should fall into the hands of fraudulent operators.

The insured should, however, always keep faith with the company, and ever bear in mind that any negligence on his part, or any act of his departing from the strict terms of the contract with the insurers, may vitiate the policy.

In this regard, so appropriate is the language employed by the Hon. John K. Tarbox, Insurance Commissioner of the State of Massachusetts, in his last report, that I take the liberty of reproducing therefrom the following paragraphs:

“Insurance should mean indemnity for loss from misfortune, not immunity from consequences of crime or reckless fault; and the compact to indemnify creates on the part of the insured a moral obligation which should be a legal one.

“If the insured willfully burns his property, he is not entitled morally or legally to recover his insurance. Why should he if it burn through his positive fault, or careless omission to reasonably provide for its safety? Why should not the law void the insurance when the loss is due to the owner's negligent act?

“While just in itself it would also consult public policy, which desires the conservation of useful wealth; by the inducement of self-interest it would offer to owners to exercise a greater care for the safety of their property, than though, regardless of the contract in relation to it, their indemnity was sure in case of loss.”

And I cite also from the January message of His Excellency, the Governor of this Commonwealth, to the General Assembly:

“I have no doubt that a very large majority of the fires are due to negligence.

“The law provides punishment for the incendiary, whether it be his own or another’s property to which he applies the torch.

“It also provides a penalty for the person who injures another, either in his person or property, even though it be not intentionally done.

“The law should, and I hope the day is not far distant, when it will punish the man, who, through negligence, fails to take the ordinary precautions for prevention of fires.”

LIFE INSURANCE

has, undoubtedly, become a subject of importance. In this era of sharp business competition, with a mania among the people for indulging in all species of chance, taking risks beyond their ability, in the hope of obtaining a fortune by a day’s operations, it is not surprising that a large percentage of excitable humanity goes down in distress and financial ruin.

Therefore, provision for some protection in the event of failure or death seems to be wise ; and in no way can this provision be so effectually and economically secured as through life insurance.

Those desiring to effect insurance should, however, be careful to contract with such companies only as are organized upon a proper basis of business intelligence and integrity, and which have due regard for standard tables of mortality, which have been arranged by experienced actuaries.

COÖPERATIVE OR ASSESSMENT ASSOCIATIONS

have found entrance into almost every State, in some being placed under the supervision of the Commissioner, while in others they are under no restriction whatever.

In this State they are required to make reports annually to the Department ; but the Commissioner fails to discover as much benefit to the insured as might be expected from such reports, since the statute provides that such associations “shall not be required to maintain a cash reserve.”

Their assessments to provide for the payment of any policy are not made until after the death of the insured, when all the association can do is to *levy* the assessment, the response to which seems, practically, to depend upon the volition of the members ; no resort to the law seeming, in practice, to be made effective,

either for the collection of the assessment from the members, or of the face of the policy from the association.

Although some among them may prove reliable, such associations are generally without sufficient basis, since there is no capital, and usually, neither a reserve fund nor anything of a reliable character in the nature of premium notes.

The Hon. J. M. Forster, Commissioner of the State of Pennsylvania, which State, I believe, is the birth-place of associations of this character in this country, in his report of the business of the year 1882, states that the number of coöperative or assessment companies incorporated under the laws of that State to that date, was 236, and, "of this number 171 have been dissolved by the Court of Common Pleas of Dauphin County, 7 have voluntarily discontinued business, 21 have failed to report, having probably abandoned their organizations, and 37 have reported to this department." Mr. Forster, for the year 1883, adds: "The number of assessment life companies, organized under the laws of this State, and reporting to this department, has diminished from 37 in 1882, to 24 in 1883."

It is due to the coöperative associations which have been admitted into this State to say, that the Commissioner believes them to be as well managed as any others of their class, and that their officers, so far as he is informed, are men of integrity.

SURREPTITIOUS INSURANCE

is no doubt practiced, to some extent, in all the States. Such unauthorized or underground insurance, by which is meant insurance without the sanction of law or authority of the Insurance Commissioner, has been invariably decided, whenever the question has been brought to issue, by Courts, both State and Federal, to be utterly worthless, and such contracts, of course, have no binding or legal force whatever; and I consider it my official duty to caution insurers to inform themselves whether, when they take policies, they are securing them from companies having a legal right to issue policies in the State—that is, which have, and whose agents also, have been legally authorized by the Insurance Commissioner to transact business in Delaware.

All of which is respectfully submitted,

H. C. DOUGLASS,

Insurance Commissioner.