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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES

OF THE
STATE OF DELAWARE,

AT A SESSION OF THE GENERAL ASSEMBLY,

CONVENED AND HELD AT DOVER, ON

TUESDAY, THE SECOND DAY OF JANUARY,

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED
AND SEVENTY-SEVEN,

AND OF THE

INDEPENDENCE OF THE UNITED STATES OF AMERICA
THE ONE HUNDRED AND FIRST.

1877:

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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF DELAWARE.

At the session of the General Assembly of the State of Delaware, convened and held at Dover, on Tuesday, the second day of January, in the year of our Lord one thousand eight hundred and seventy-seven, and of the independence of the United States of America the one hundred and first,

Messrs. James W. Ware, John E. Bartholomew, Thomas Holcomb, Thomas Bird, James Nicholson, and Edwin R. Cochran, of New Castle county; and

Messrs. Thomas K. Taylor, Andrew J. Wright, Cornelius J. Hall, Jacob G. Brown, and William H. Burnite, of Kent county; and

Messrs. David L. Mustard, Peter Robinson, Kendall Rickards, John L. Thompson, William W. Morris, Hugh Martin, and Miles Messick, of Sussex county, appeared and took their seats.

The House was called to order by William D. Hazel, former Clerk.

On motion of Mr. Wright,

Mr. Thomas Holcomb was appointed Speaker *pro tempore*.

On motion of Mr. Robinson,

Mr. Burnite was appointed Clerk *pro tempore*.

On motion of Mr. Robinson,

The returns of the election for Representatives of the several counties of the State, were read.

By the returns of the officers of New Castle county, appointed by law, judges of elections, it appeared that on the Tuesday next after the first Monday, in the month of November last, at the several and respective places specified by law for holding the elections in and for said county, the following persons were chosen to represent the said county in the House of Representatives of the State of Delaware, to wit: James W. Ware, John W. R. Killgore, John E. Bartholomew, Thomas Holcomb, Thomas Bird, James Nicholson, and Edwin R. Cochran, Esquires.

By the returns of the officers of Kent county, appointed by law, judges of elections, it appeared that on the Tuesday next after the first Monday, in the month of November last, at the several and respective places specified by law for holding the elections in and for said county, the following persons were chosen to represent the said county in the House of Representatives of the State of Delaware, to wit: Thomas K. Taylor, Andrew J. Wright, Jonathan Slaughter, Cornelius J. Hall, Jacob G. Brown, Wilbur H. Burnite, and Garrettson Saulsbury, Esquires.

By the returns of the officers of Sussex county, appointed by law, judges of elections, it appeared that on the Tuesday next after the first Monday, in the month of November last, at the several and respective places specified by law for holding the elections in and for said county, the following persons were chosen to represent the said county in the House of Representatives of the State of Delaware, to wit: David L. Mustard, Peter Robinson, Kendall Rickards, John L. Thompson, William W. Morris, Hugh Martin, and Miles Messick, Esquires.

On motion of Mr. Robinson,

The House proceeded to elect by ballot, a Speaker.

Mr. Bird placed in nomination Hugh Martin, of Sussex county.

Mr. Bird moved, that two tellers be appointed,

Which motion

Prevailed.

Whereupon,

Messrs. Cochran and Robinson were appointed tellers.

Upon the ballot being counted, it appeared that Hugh Martin had received seventeen votes and Thomas Holcomb one vote.

Whereupon,

Hugh Martin, having received a majority of the votes cast, was declared to be duly elected Speaker of the House of Representatives.

Mr. Wright moved,

That a committee of two be appointed to inform Mr. Martin of his election and conduct him to the chair;

Which motion

Prevailed.

Whereupon,

Messrs. Wright and Bartholomew were appointed said committee.

Mr. Martin, Speaker elect, appeared and was conducted to the chair by Messrs. Wright and Bartholomew, the committee appointed for that purpose.

The Speaker, upon taking the chair, made an address acknowledging the honor conferred upon him.

The Speaker and members elect who were present were qualified according to the Constitution and Laws of the State of Delaware, and the act of Congress entitled, "An act to regulate the time and manner of administering certain oaths," as appear by the following certificate, to wit:

I, Thomas Holcomb, a member elect of the House of Representatives of the State of Delaware, from the county of New Castle, do hereby certify that Hugh Martin, a member elect of the House of Representatives, from Sussex county, was, previous to entering upon any other business and previous to taking his seat as Speaker, duly sworn by me, on the Holy Evangels of Almighty God, to support the Constitution of the United States, to support the Constitution of the State of Delaware, and to perform his duties as a member of the General Assembly of said State with fidelity.

And,

I, Hugh Martin, Speaker of the House of Representatives of the State of Delaware, do hereby certify that James W. Ware, John E. Bartholomew, Thomas Holcomb, Thomas Bird, James Nicholson, and Edwin R. Cochran, of New Castle county; and Thomas K. Taylor, Andrew J. Wright, Cornelius J. Hall, Jacob G. Brown, Wilbur H.

Burnite, of Kent county; and David L. Mustard, Peter Robinson, Kendall Rickards, John L. Thompson, William W. Morris, and Miles Messick, of Sussex county, members elect of the House of Representatives, were, previous to taking their seats, respectively sworn or affirmed by me, to support the Constitution of the United States, to support the Constitution of the State of Delaware, and to perform their duties as members of the General Assembly of the said State with fidelity.

Witness our hands this second day of January in the year of our Lord one thousand eight hundred and seventy-seven.

THOMAS HOLCOMB.
HUGH MARTIN.

Mr. Morris moved,

That the House now proceed to the election of Clerk,

Which motion

Prevailed.

And on his further motion, Charles H. B. Day was placed in nomination.

Mr. Morris moved,

That Charles H. B. Day be elected by acclamation,

Which motion

Prevailed.

And Charles H. B. Day was declared elected Clerk of the House of Representatives.

Mr. Morris moved,

That a committee of two be appointed to inform the Clerk of his election,

Which motion

Prevailed.

Whereupon,

Messrs. Ware and Robinson were appointed said committee.

Charles H. B. Day, Clerk elect, being introduced, was duly qualified and took his seat at the Clerk's table.

On motion of Mr. Nicholson,

The House proceeded to the election of a Sergeant-at-Arms by acclamation.

On motion of Mr. Robinson,

William H. Crow was unanimously elected Sergeant-at-Arms.

Whereupon,

William H. Crow was duly qualified and entered upon the duties of his office.

Mr. Bird moved that the House now proceed to the election of messenger,

Which motion *Prevailed.*

Mr. Brown moved that the House elect the Messenger by acclamation,

Which motion *Prevailed.*

On motion of Mr. Wright,

Dennis Collins was elected Messenger.

Mr. Taylor, Clerk of the Senate, being admitted, informed the House that the Senate was duly organized and ready to proceed to business.

Mr. Wright offered a resolution,

Which was read as follows :

Resolved, That Rev. John H. Caldwell be invited to act as Chaplain of this House during the present session.

And on motion of Mr. Wright,

The resolution was *Adopted.*

Mr. Burnite offered a resolution,

Which,

On his motion was read as follows :

Resolved, That the rules agreed upon by the last House of Representatives, be adopted as those governing the present House; until new rules shall be adopted.

And on his further motion,

The resolution was *Adopted.*

Mr. Bird offered a resolution,

Which,

On his motion, was read as follows:

Resolved, That the Sergeant-at-Arms be instructed to prepare suitable accommodations for the reporters of the press on the floor of the House.

And on his further motion,

The resolution was

Adopted.

Mr. Holcomb moved that the Clerk inform the Senate that the House was organized and ready to proceed to business,

Which motion

Prevailed,

And the Clerk proceeded to inform the Senate.

Mr. Robinson moved that a committee of two be appointed to inform Rev. John H. Caldwell, of his election as Chaplain,

Which motion

Prevailed.

Whereupon,

Messrs. Robinson and Ware, were appointed said committee.

Mr. Morris offered a resolution,

Which,

On his motion, was read as follows:

Resolved, That that the Clerk be requested to furnish each member with a copy of the amended Code, and a copy of the Laws of the last Session of the General Assembly.

And on his further motion,

The resolution was

Adopted.

Mr. Taylor, Clerk of the Senate, being admitted, informed the House that the Senate had adopted a joint resolution appointing a committee of two on the part of the Senate and three on the part of the House to wait upon his Excellency the Governor, and inform him that both Houses were organized and ready to receive any communication he may have to make, and requested the concurrence of the House, and that Messrs. Ray and Fiddeman were appointed said committee on the part of the Senate,

And presented the same to the House.

On motion of Mr. Burnite,

The joint resolution just received from the Senate was read,

And, on his further motion, *Was* *Concurred in.*

Whereupon,

Messrs. Burnite, Mustard and Bartholomew were appointed said committee on the part of the House.

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

Mr. Cochran offered a resolution,

Which,

On his motion, was read, as follows:

Resolved, That the Clerk is hereby directed to furnish during the session, to each member of the House, a daily paper of his choice; and also to furnish, for the use of the House, three copies of each weekly and semi-weekly paper published in the State,

And, on his further motion, *The resolution was* *Adopted.*

On motion, the House adjourned until 3 o'clock this afternoon.

SAME DAY.—3 o'clock, P. M.

Mr. Robinson, on behalf the committee appointed to inform Rev. John H. Caldwell of his election, as Chaplain, informed the House that the committee had performed that duty, and that he had accepted and would be present to-morrow morning at 10 o'clock.

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

"An act to repeal Chapter 61, of the Laws of the State of Delaware, Vol. 15, entitled 'An act taxing Dogs and for the protection of Sheep.'"

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

"An act to amend Chapter 72, Vol. 14, Laws of Delaware."

Mr. Burnite, on behalf of the joint committee on the part of the House, to wait upon his Excellency, the Governor, reported that the Committee had waited upon his Excellency, and that he would send a communication through Mr. Grubb, the Secretary of the State, in ten minutes.

Mr. Grubb, Secretary of State, being admitted, presented a written communication from his Excellency; the Governor, with sundry accompanying documents.

On motion of Mr. Robinson,

The message from the Governor, was read as follows:

Gentlemen of the Senate and House of Representatives:

Your convening in General Assembly in the one hundred and first year of the Independence of the State of Delaware, suggests the completion of the first century of the existence of the United States of America as an independent power among the nations of the earth. As a people, we have reached a stage in our progress which invites a comprehensive glance at both the past and the future. In each there is to a thoughtful mind sufficient cause for both congratulation and anxiety. The history of this State during the past hundred years is rich in its illustrations of ennobling aims, lofty patriotism, pure government, unaffected republican simplicity, and progress at once decided and conservative. In the Revolutionary era Delaware bore a part which all her citizens may recall with feelings of pride and emulation. At a sacrifice of material interests which was unsurpassed, if not unequalled, by that of any of the other colonies, the people of the "three counties upon Delaware" embarked unhesitatingly in the war for independence, and having well sustained the appeal to arms which proved to be inevitable, the State promptly ratified the Federal Constitution which embodied and secured the rights won by the sword.

Throughout the century the State has remained steadfastly true to the compact of government to which it had so promptly yielded assent.

and has at all times recognized and upheld the dual system of government which was therein provided. Regulating all local affairs with prudence, economy and a just regard for the interests of all, the constant aim has been to advance steadily rather than hastily. All suitable opportunities have been, from time to time, embraced to develop the resources and to foster the domestic interests of the State, and promote the welfare of its people by legislation well and carefully matured and approved by the common experience of mankind. At the same time, as one of the United States, Delaware has made her influence felt in the general government by honest, able and competent representatives, who have, as a rule, honored alike themselves and the State by the part which they have borne in the Federal councils.

Mistakes, doubtless, may have been made in carrying out the details of the governmental policy of the State. Governments but reflect the views, the passions, the aspirations of men, and human nature has not attained such perfection in the advance of the race that we may expect any of its achievements to be unmingled with error. If errors of policy have been committed, they may frequently be attributed to the habitual and praiseworthy conservatism of our people. They have ever recognized the truth, that, in the wisdom of ages, and not of one man or of one generation, we should seek for principles of sound government, and that changes in the laws should be made when experience has demonstrated their necessity, rather than in obedience to the untried theories of political doctrinaires. Thus has the governmental policy of the State accommodated itself, from time to time, to the necessities of changed conditions of society, and its system of laws has been sufficiently elastic to meet the growing demands of rapidly increasing manufacturing and other interests of modern origin. At the same time it has preserved the simplicity of a truly republican form of government, and its public service has remained free from extravagance or corruption. I am not aware of a single example of loss to the State by reason of a breach of faith by one of its officers. Such a record is peculiarly gratifying and worthy of remark, at this time, when notorious and shameless dishonor of the public service in the country at large, and in some of the States, excites the alarm of all who thoughtfully regard the history of the time and feel concern for the good name and prosperity of the country.

I feel, therefore, justified in pointing with pride to the past century of the history of the State; and I earnestly recommend you, for the future, so far as to you is committed the power to influence its policy, to adhere to the same general principles of legislation, at the same time seeking the benefit of the common experience of mankind in

order to avail of every well tried plan for increasing the welfare, the happiness, and the elevation of the people.

Extending our view to the country at large, we find that, in a single century, it has astonished the world by the vastness and fertility of its resources, the breadth and grasp of its statesmanship and its marvelous growth in population, in energy, in territory, and in the respect which it has usually commanded as a member of the great family of nations.

The thirteen feeble colonies have grown to be thirty-eight powerful commonwealths; a narrow strip of territory along the Atlantic has broadened from year to year, until arrested by the shores of the Pacific, and three millions of people have increased to forty millions.

At the same time in the domain of practical science many magnificent achievements, which have largely influenced the progress of the world's civilization, owe their first conception to the American mind. And the mechanical and industrial resources of the country, recently gathered together at the Centennial Exhibition for the inspection of the peoples of the earth, were found to place us fairly abreast of the foremost nations of the old world, as well in the variety as in the completeness of their development.

Such has been the marvelous material growth of a century which has not been wanting in the triumphs as well as trials of the political system embodied in the Federal Union. Great dangers it has met, and thus far they have been successfully resisted. The many strains to which the system has been subjected have but served to increase our admiration for its founders. Despite the bitterness of party strife, the devastation of civil war and its bitter fruit of sectional antipathies sedulously fomented by selfish demagogues, and the rapid encroachments of Federal power upon the rights reserved by the States, we still rejoice in an undivided Union. Very recently we have averted war with a foreign power by the submission to peaceful arbitration of an angry controversy between two nations, thus challenging the respect and imitation of the world.

And yet with all this, at the close of its first century the Federal Union is confronted with dangers and grappling with problems of government which warn us that this effort at self-government is yet but an experiment. To secure its ultimate success will demand of the present and succeeding generations the same wise statesmanship, self-sacrificing patriotism, careful study of the lessons of history, thorough appreciation of the underlying principles of our system of government, manly deprecation of party strife, resolute subordination of selfish

interests whether partisan or sectional, and "firm reliance on the protection of Divine Providence," which characterized the men of the Revolution and the founders of the Republic.

FINANCIAL

The accompanying report of the State Treasurer discloses a very satisfactory condition of the State credit. It shows that a large portion of the bonded debt has been paid and cancelled, and that the outstanding bonds of the State have steadily risen above par and are now so firmly held that he is unable to procure them for the investment of the large and growing surplus in the treasury applicable to the payment of maturing indebtedness.

The following statement will exhibit the original and present indebtedness of the State and the progress of its reduction:

Bonds issued to pay bounties to volunteers and to relieve drafted persons.....	\$1,110,000
Bonds loaned to the Junction and Breakwater R. R. Co., exclusive of bonds to the amount of \$48,000 retained by State Treasurer to pay two year's interest.....	352,000
Bonds loaned to Breakwater and Frankford R. R. Co., exclusive of bonds for \$24,000, also retained for two year's interest.....	176,000
Aggregate original indebtedness.....	\$1,638,000
Deduct bonds bought and cancelled from January, 1871 to January, 1875.....	373,340
Total indebtedness at commencement of present administration of Treasury, January, 1875, and composed as follows:	
Balance of war bonds due January 1, 1875	\$ 23,000
Interest due on bonds, January 1, 1875...	660
Balance of war bonds due January 1, 1885.	795,000
Balance of bonds loaned to J. & B. R. R. Co., due January 1, 1890.....	230,000
Bonds loaned to B. & F. R. R. Co., due January 1, 1898.....	176,000
Notes issued by late State Treasurer.....	40,000
	<hr/> \$1,264,660

Deduct amount paid by State Treasurer since January, 1875, as follows:	
Residue of war bonds due January 1, 1875	23,000
Interest due on bonds, January 1, 1875...	660
Notes issued by late Treasurer	40,000
	<hr/> 63,660

Present total bonded debt	\$1,201,000
Deduct net balance now in Treasury applicable to redemption of bonded debt (about)	\$90,000
Deduct also investments of State other than those appropriated to free schools	671,800
Deduct amount now due State from interest, taxes and all sources	100,462
	<hr/> 862,262
	<hr/> \$338,738

The investments dedicated to the support of free schools amount to	\$449,000
Showing assets of all descriptions in excess of State indebtedness to be	\$110,262

From the foregoing exhibit it is apparent that the entire issue of war bonds which matured in January, 1875, has been met and extinguished, and that one hundred and twenty-two thousand dollars, (\$122,000), of the bonds loaned to the Junction and Breakwater Railroad, and due in 1890, have been anticipated and canceled, thus making the residue of the bonded debt as follows:

War bonds due January 1, 1885	\$795,000
Balance of bonds loaned to J. & B. R. R. Co., due January 1, 1890	230,000
Bonds loaned to Breakwater & F. R. R. Co., due Jan. 1, 1898	176,000
Total	<hr/> \$1,201,000

Of this sum the residue of war bonds amounting to seven hundred and ninety-five thousand dollars (\$795,000), matures earliest and should be first provided for. An examination of the financial condition of the State affords the assurance that before the close of the present month there will probably be in the hands of the Treasurer a redemp-

tion fund of ninety-five thousand dollars, (\$95,000). Deducting this sum from the \$795,000, there will remain \$700,000 to be raised for the payment of said issue of bonds at their maturity in 1885. If it shall be deemed advisable to pay the same in full, when due, out of the proceeds of taxation, an annual surplus of about sixty-five thousand dollars, (\$65,000), properly invested, will be required for the purpose in addition to the surplus fund now in the Treasurer's hands. For the redemption of the bonds loaned to the Junction and Breakwater Railroad Company which mature five years later, (January, 1890), (if that shall become necessary on the part of the State); an annual surplus of about forty thousand dollars, (\$40,000); must be provided from January, 1885, until their maturity. And for the redemption of the bonds loaned to the Breakwater and Frankford Railroad, which mature eight years later, (January, 1898), (if that also shall become necessary), an annual surplus of less than twenty thousand dollars, (\$20,000), must be provided from January, 1890, until their maturity. So that it is manifest that, at the present rate of taxation, the State will be fully able with its annual surplus to more than meet the entire issue of the 1885 bonds at maturity, and thenceforward, even with material reductions of taxation, to promptly meet the 1890 and 1898 bonds, unless further indebtedness shall be incurred necessarily, or imposed by unwise and improvident legislation.

Despite the large reduction of taxation by the legislation of 1873, and by the abolition of the mortgage tax since 1875, the revenues of the State have proven ample for the payment of all demands upon the treasury, and also for the accumulation of the gratifying surplus I have mentioned. Taking two years together, and including the usual expenditures of the legislative year, the average annual expenditures, exclusive of purchases of bonds, will be according to reliable estimates, about one hundred and five thousand dollars, (\$105,000), while the annual receipts from all sources will, at the present rate of taxation, be about \$195,000, thus securing an annual surplus of ninety thousand dollars, (\$90,000), for the redemption fund.

Notwithstanding certain extraordinary appropriations by the last General Assembly, and the large reduction of taxation and corresponding diminution of revenue, the surplus in excess of interest disbursements and current expenses during the past two years and applicable to the payment of the public indebtedness has amounted to the sum of one hundred and fifty-three thousand dollars, (\$153,000), inclusive of the net balance now in the treasury awaiting safe and profitable investment. The exceptional appropriations referred to were \$10,000 to Centennial stock, and \$2,000 to be expended under

the direction of the State Centennial Commission, \$4,000 for attorney fees in railroad cases, \$1,500 to fishery commissioners, \$2,920 for State Capitol repairs, \$1,800 for binding residue of Revised Codes, and \$8,175 in satisfaction of a judgment obtained by the Junction and Breakwater Railroad Company against the late State Treasurer. These expenditures, amounting to about \$30,000, the State will not be called upon to incur hereafter, and therefore the said sum may be considered as part of the future annual surplus applicable to the redemption of outstanding bonds, and, if added to the \$153,000 surplus of the last two years, the aggregate amount will be \$183,000, and show an accumulation of at least \$90,000 per annum to be applied to the extinction of the State debt.

Since the meeting of the last Legislature the State Treasurer has paid \$23,660 of the matured bonded debt with interest, and accumulated the said net balance of about \$90,000 which he has endeavored to invest in the purchase and cancellation of the unmatured bonds of the State, but without success, making a total of \$113,000 of substantial decrease of the bonded debt. This amount, in connection with the actual reduction of \$373,340 of the bonded debt during the four years prior to January, 1875, shows the practical liquidation of almost a half million of dollars of bonded liabilities since January, 1871. A financial achievement which is highly honorable to our State and extremely advantageous to her pecuniary credit.

But this signal success of our fiscal policy, while it has unquestionably demonstrated an ample ability to maintain the credit of the State, and greatly enhanced the value and popularity of its bonds, has nevertheless been attended with other results which are worthy of serious consideration.

SURPLUS REVENUE.

By reference to the State Treasurer's report herewith transmitted, it will be perceived that, in addition to the net surplus of about \$90,000 already referred to, he has in hand the sum of \$21,000 out of \$25,000 formerly loaned to the New Castle and Wilmington Railroad Company for the benefit of Free Schools and repaid to him by said company in May, 1875, and which he has been unable to invest in the purchase of unmatured bonds of the State. The proper disposition of said sums and also of the large annual surplus which I have shown must arise from year to year if the present rate of taxation shall be continued, presents a difficult problem for your careful investigation and practical solution.

Whether the said surplus shall be invested from time to time in the

purchase and cancellation of unmatured bonds of the State at market value, or invested in reliable securities for the benefit of a Sinking Fund for the redemption of said bonds at maturity, is deserving of mature consideration. Against the proposed purchase of the unmatured bonds of the State at their market value, it is urged that such a policy would so appreciate the price of such bonds that the payment of the exorbitant premium thereon would occasion unreasonable losses without compensating benefits to the treasury, and would be inconsistent with sound principles of finance. On the other hand, if a Sinking Fund is to be accumulated, it is believed that the annual surplus, raised by taxation for such purpose, should be rigorously limited to the requirements of the strictest necessity consistent with the maintenance of the public credit. Experience has abundantly shown that large amounts of money, even invested in sinking funds, tempt to improvident expenditure and illegitimate use. So long as sinking fund investments are subject to the control and disposition of every successive legislature, unrestrained by constitutional restriction, they may be diverted to such unwise and hazardous projects as may be advocated and urged successfully in the hurry of legislation, or in the heat of excited feeling. Owing to the difficulty of securing their inviolability, it is always a matter of the deepest concern to the prudent legislator to create them cautiously and guard them carefully against every manner of diversion from the purposes of their creation.

Therefore, in making provision for the safe and productive investment of the annual redemption surplus to which I have adverted, you will doubtless consider the feasibility of making such reductions of the present rates of taxation as will diminish said surplus to such annual amount as shall not exceed the sum necessary to maintain the public credit unimpaired. Whether such sum shall be an amount sufficient to redeem the entire issue of the outstanding bonds at maturity, or only a portion of them, will be exclusively within the legislative discretion guided by the necessities of true public policy. I have already shown that the annual redemption surplus has been sufficient to liquidate a half million of dollars of State indebtedness within the last six years, and also that the annual redemption surplus will continue to be about \$90,000 at the present rate of taxation, while the accumulation of merely \$65,000 yearly surplus properly invested and compounding interest will be amply sufficient to pay every dollar of the 1885 bonds at maturity, and that a far less annual surplus thereafter will suffice to pay at maturity the bonds loaned to the Junction and Breakwater and the Breakwater and Frankford Railroad Companies respectively.

After having already demonstrated the ability to pay a half million of dollars of indebtedness within so short a period, the credit of the State doubtless would remain unimpaired even if no more than one-half of the 1885 bonds were paid at maturity out of surplus redemption funds, and the residue raised by sale of new bonds issued to replace the same. It is most probable that, in such event, the credit of the State would be so firmly established and its bonds in such demand that such new issue of bonds could readily be negotiated at par at a rate of interest lower than six per cent., or that six per cent. interest bearing bonds could then be sold at such a premium as would produce a large profit to the State, and that such a policy will be much more advisable than the proposed plan of buying present outstanding bonds at an excessive premium and consequent loss to the treasury.

If these observations be well founded, then it may become desirable for the General Assembly to consider the propriety of making such reductions in the present rates of taxation as will reduce the annual surplus to such a sum as shall, in their judgment, prove conducive and not detrimental to the credit of the State and the interests of its people. In any reduction of taxation the burdens should always be lightened in such manner as to avoid all injustice and inequality, so far as possible; for the general recognition of the justice and necessity of any law is the surest guarantee that it will meet with a ready and willing obedience and accomplish the purpose of its enactment.

In offering these suggestions I have no disposition to advocate any curtailment of the revenues that would leave the State without proper provision for current expenses, interest on the public debt, the gradual and certain redemption of the bonds of the State and the strict preservation of the public faith and credit.

Believing that the reduction of all revenues not necessary for the legitimate purposes of government will encourage retrenchment and economy and discourage unwise and wasteful expenditure, I commit this subject to the wisdom of the legislature with full confidence that it will receive such consideration as is demanded by its vital importance to their constituents.

CENTENNIAL STOCK.

A Joint Resolution of the General Assembly adopted March 25, 1875, directed the Governor to subscribe for stock of the United States Centennial International Exhibition to the amount of ten thousand dollars. In obedience thereto, and in behalf of the State, I

subscribed for one thousand shares of said stock of the par value of ten dollars each, and the said sum of ten thousand dollars was duly paid by the State Treasurer upon my warrant drawn in favor of the Treasurer of the Centennial Board of Finance, and the proper certificates of stock are now in the hands of the State Treasurer for the use of the State. It is with satisfaction that I am able to announce, upon information derived from an authentic source, that at least twenty-five per cent. of the State subscription will certainly be refunded as dividends, even though the United States Congressional appropriation of \$1,500,000 shall be first deducted from the net cash assets of the exhibition, and that possibly ninety per cent. thereof will be refunded if said appropriation shall not be so deducted—a result which is as gratifying as it was unanticipated when the General Assembly, from sentiments of patriotism and without expectation of return, made our liberal appropriation in aid and encouragement of the great historic celebration in its hour of need.

Under the provisions of the same Joint Resolution a Commission of nine citizens, prominent representatives of the various professions and pursuits within our State, was appointed to attend the Centennial Exposition to take all measures necessary to secure the proper exhibition of the industries and products of the State, and the sum of two thousand dollars was appropriated for the payment of all needful expenditures necessarily incurred by them in the discharge of their duties. These duties, as is well known, were faithfully and satisfactorily discharged, and in a manner highly creditable to our State and greatly to the advantage and convenience of its people. But the amount appropriated for the expenditures of the Commissioners, owing to outlays which could not be anticipated, as I am assured, proved inadequate and they were obliged to incur an indebtedness somewhat in excess of the legislative appropriation. As these gentlemen rendered their services from public spirited motives, for the honor of the State and the benefit of its citizens, and entirely without compensation, it seems but just and proper that any indebtedness incurred by them in the discharge of their duties to the State and its people should be paid by the State, and I cordially recommend their claims for your favorable consideration.

SCHOOL FUND.

It will be observed that the State Treasurer, in his report, makes allusion to the sums formerly loaned to the New Castle and Wilmington Railroad Company, and the Philadelphia, Wilmington and Baltimore Railroad Company, for the benefit of the free schools of the

State, and that he awaits further authority and direction of the Legislature in reference to the disposition thereof. I beg leave to invite your early attention to the subject and to recommend that such action may be taken as shall meet the requirements of the case.

RAILROADS.

The Treasurer's Report also announces that all the railroad companies within the State are now prompt in the payment of their taxes excepting the Wilmington and Western and the Breakwater and Frankford Companies. It is also necessary to inform you that interest to the amount of \$8,730 is due the State from the Breakwater and Frankford Railroad Company, on its mortgage given to secure the payment of the bonds loaned by the State.

INSURANCE SUPERVISION.

The increase of late years in the number of insurance companies either organized or having agencies established within this State, renders it necessary that some adequate provision shall be made by law for their careful supervision. It is of primary importance that both those who seek to become policy-holders and those who reputably conduct the business of insurance shall be protected against the fraudulent devices of spurious and insolvent companies. A well-devised plan of supervision would furnish such protection and strengthen the confidence of the people of other States, as well as of our own, in the stability and trustworthiness of our Delaware companies, and, while preventing unscrupulous persons from making Delaware a theatre for dishonest insurance transactions, would encourage useful capital and capable management to engage in a reputable and remunerative business enterprise within our State.

After careful consideration of the subject, I am satisfied that a law should be enacted creating or designating a special officer of the State to make examination; whenever he may deem it expedient, into the affairs of any company doing business in the State, and when found to be insolvent to take such proceedings to compel a discontinuance of the business as by law may be provided in that behalf. Similar provision has been made in all our neighboring States, and generally throughout the Union, with results which have been eminently satisfactory. A commissioner of insurance for this State might be specially created without any additional draft on the treasury for his compensation, or the duties might be devolved upon one of the existing officers of the State. In other States he is compensated for his services by fees which the companies are required by law to pay, and which not

only afford ample remuneration to the commissioner, but also, in many instances, a considerable revenue in excess thereof to the State.

In effecting the modifications I have suggested it may be found expedient to revise the entire body of our insurance enactments and reduce them to a comprehensive and concise code of insurance law. A revision of this character, if carefully made, could not fail to be of great public benefit.

STATISTICS.

Frequent applications are made to the executive department by State and Federal authorities, for information concerning crimes, paupers, deaf, dumb, blind, insane, assessment and valuation of property, taxation, insurance and railroad companies, agriculture, and kindred topics connected with the details of government. Such applications cannot be properly answered because of an utter lack of provision under our laws for the collection and preservation of any statistics from which such information may be derived. For the same reason it is also difficult for the executive to obtain, for transmission to the legislature, much information which is needed to give an intelligible view of the various operations of our State government. There is no source of knowledge so useful and necessary to the law-maker as the collection of the results which have been accomplished by the practical operation of the laws under similar conditions of governmental affairs.

I, therefore, earnestly commend the subject to your consideration, merely suggesting, as one method of accomplishing something in this direction, that it might be made by law the duty of certain officers to prepare annually and file in the office of the Secretary of State, for public use, certain statistics of the matters pertaining to their respective offices.

TRAMPS.

Within a recent period our State has been infested at stated seasons with a class of vagrants commonly known as tramps, who rove in gangs from place to place, especially throughout the rural districts, committing depredations upon farmers, exacting money and supplies from defenseless women in the absence of their male protectors, and in some instances perpetrating very serious crimes.

The mischievous propensities of these vagabonds have made them an intolerable nuisance, and their vicious character has rendered them objects of apprehension to the unprotected. The public mind has become seriously alarmed at the unrestrained license they enjoy and at the unchecked increase of their number. Public policy and public

security alike demand the prompt and effectual suppression of the evil. Existing laws seem ineffectual, and the necessity for more effective remedies is apparent. If possible some legislation should be devised which, while discriminating between the deserving poor and the lawless vagrant, would serve to repress the reprobate without denying relief to the unfortunate.

PARDONS.

In obedience to constitutional requirement I herewith transmit a list of the pardons and remissions granted since the commencement of the last session of the General Assembly, with the reasons inducing me to grant the same.

Although numerous applications have been made to me for the exercise of the pardoning power, I have been constrained by a sense of public duty to deny them all, save in two instances. In most cases these appeals to executive clemency to disturb the judgments of the courts after a fair jury trial, are founded upon no other grounds than consideration for the wounded feelings of the suffering relatives of the condemned. To yield to such considerations would save much pain to the executive, but would be of bad public example and extremely prejudicial to the public safety, and hence I have deemed it obligatory upon me, when applied to in such cases, to act steadfastly in accordance with the sentiments I expressed upon the occasion of my inauguration.

CHARITIES.

By general statutes, wise provision has been made for the care and education of the indigent deaf and dumb and of the indigent blind, and also for the support and training of the destitute imbecile children of the State.

Contracts have been made with the directors of institutions which are especially devoted to the instruction of these afflicted persons, and a limited number of beneficiaries from this State are now enjoying all the advantages and benefits, that their individual cases admitted of, from the most improved mode of treatment administered by skillful and experienced instructors in their respective departments.

The number now maintained in the various institutions by the bounty of the State is as follows:

In the Pennsylvania Institution for the Deaf and Dumb,	7
In the Columbia Institution, (Wash'ton), for the Deaf and Dumb .	2
In the Pennsylvania Institute for instruction of the Blind,	3
In the Pennsylvania Training School for Feeble-minded Children .	2
Total,	14

The Annual Report of the Principals of these institutions will be laid before you, containing full information of the details of their management. There is also ample provision made by law for the care of the indigent insane. The cost of maintaining the few beneficiaries from our State is small when compared with the beneficent results accomplished, and it may well be doubted whether an equal amount of the public money could be appropriated to a better purpose than in thus alleviating the afflictions and improving the condition of these stricken fellow beings.

FREE SCHOOLS.

I take pleasure in transmitting to you herewith the annual report of the State Superintendent of Free Schools, and commend it to your attention. It presents an interesting statement of the condition of the schools in the several counties, showing particularly the practical working of the amendments to the school law, adopted by the General Assembly of 1875, and suggesting some further improvements in detail. The adoption of the school law of 1875, and the generally cordial acquiescence of our people in the modifications therein made of the old system, shows a marked advance in the popular estimate of common school education and an increasing readiness to incur the sacrifices required in order to bring to perfection this great interest. It is true that there still remains defects to be corrected, and much room for improvement; yet we may find not only a legitimate gratification but also much encouragement to further efforts by contemplating the steady progress thus far made, and to this let me invite a brief attention.

Popular education has from the beginning engaged the earnest attention of our people. It was one of those fundamental interests with which, in framing the State Constitution of 1792, the people specially charged the legislature. Among other objects of prime importance, the General Assembly was directed to provide by law "for establishing schools and promoting arts and sciences." Nor was the legislature of that day negligent of the duty thus imposed by the Constitution. Although our people were exhausted and impoverished by the revolutionary struggle just ended, still as early as 1796 a school fund was created such as the limited resources of the State allowed. An act was passed setting apart the fees on all marriage and tavern licenses, together with any gifts or bequests offered by the benevolence of the people, and solemnly pledging the fund thus created as the act expresses it, "to the establishment of schools in the several districts of the respective counties of the State for the purpose of instructing the children of the inhabitants thereof in the English language, arithmetic

and such other branches of knowledge as are most useful and necessary in completing a good English education." That was, as it may seem to us now, a day of small things; yet with a steadiness of purpose under great discouragements which we cannot too much honor, the investment of these small sums was faithfully made from year to year until at length a fund was accumulated, yielding an income adequate to commence the work of a more general education. To this end the first effort was made in 1817, in which year, and for several years afterwards, an annual appropriation was made by the Legislature of \$1,000 to each of the counties, to be disbursed by trustees appointed in the several hundreds of the county, to aid in the schooling of poor children. It is not surprising that a provision which invited a free-spirited and independent people to have their children schooled as paupers proved a failure. Perhaps the best fruit of this effort was that it excited a wide-spread discontent which served to quicken interest in the subject; provoking discussion and stimulating to an earnest effort for a better matured and more efficient system. After several years, marked by the struggles of many diverse opinions, by perplexities and discouragements, a scheme was devised by the late venerable Judge Hall, while Secretary of State under Governor Collins, in 1822. It was forcibly commended by the Governor in his annual message of that year, and it so far harmonized conflicting views and satisfied the public judgment that, by request of a succeeding legislature Judge Hall's plan was embodied in an act of Assembly and became the Free School Law of 1827. Under that system the whole State was divided into school districts; the school voters of each district were incorporated, with power to raise money by taxation, and were invested with full control and responsibility touching the maintenance of a school within their district, the State encouraging the districts in their work by offering an annual dividend from the school fund equal in amount to such sum as the school voters might raise within the district. Certainly the Free School law of 1827 was for the time a great step made in the direction of common school education. It was a system wisely adapted to the free and independent spirit of our people, and was framed upon what is a sound principle of social progress—that a new system, resting on the popular will, should begin with moderate requirements so as to secure stability and a gradual advance to a higher standard.

Fortunately, the large accession to the school fund in 1837, by the appropriation to it of the State's share of the surplus revenue of the Federal Government, made the fund quite adequate to the necessities then felt, while the law of 1827, by bringing the school voters to share

largely in the administration of their schools, gradually educated them to appreciate and desire the improvements, which, in due season, have since followed. A steady improvement was traceable under the old law, not only in the general grade of common school instruction, but, what was hardly less important, in the public sentiment, which, though slow, was on that account the more sound and reliable because it was the result of experience and reflection. This improvement was evinced especially in and about the towns, by the effort to improve the schools by the consolidation of districts; and in 1861 a more general advance was made by the law of that year which required the school committee in each district to raise by taxation a certain sum for the school of the district, irrespective of the action of the school voters, though leaving them free to raise an additional sum.

The school law of 1827 was based on the policy of devolving upon the people the direct charge of their schools, giving them needful facilities in the way of legal provisions, and affording them encouragement and help by the school fund dividends. This was a sound policy and should never be surrendered. But what the old system lacked, and, perhaps, what it needed, time, experience and reflection to bring, was an efficient general supervision which, without excluding the people from the administration of their school affairs, should give to the system greater unity and vigor. This *desideratum* has been well supplied by the act of 1875, which engrafts upon the old system several most valuable features.

THE SCHOOL LAW OF 1875.

It secures a class of better qualified teachers, to be licensed by the State Superintendent, from among whom the commissioners of the district may select. It contemplates the adoption by the districts of a uniform class of text-books approved by the State Board of Education. It provides for an annual visitation of the school by a State Superintendent competent to judge of its condition and necessities, and to advise and encourage the teachers, requiring also from the teacher periodical reports of his school to the school commissioners, and through them to the Superintendent. It also directs the holding of teachers' institutes annually, in each county, at which the superintendent and teachers are to meet for an interchange of views as to the wants of the schools, and the discussion of the best methods of instruction and other germane subjects. I regard this as not the least important of the features of the new law.

Besides enlarging the information of the teachers it will create among them an *esprit de corps*, and keep alive a professional enthu-

siasm. These meetings also being held annually in different places within each county will go far to increase the interest of our people in the schools. I am happy to find in the report of the Superintendent that these annual institutes have thus far been attended with marked interest and success. I should not omit to notice as an additional feature of the new law, that a more stable provision is made for the support of the schools by directing the commissioners to raise by taxation a larger sum than previously, being at least \$100 in the counties of New Castle and Kent, and \$60 in Sussex. It does not appear that dissatisfaction has attended this increase in the amount required to be raised by taxation in the districts.

It seems to me, on not a little reflection, that the act of 1875, in its main features, fully supplements the old free school system, and will, if fairly tried, supply to it the needed efficiency without infringing materially upon its fundamental policy of giving to the people, through the district commissioners, the charge of the schools. Some amendments, deemed necessary to complete the law in details, will be suggested to you in the report of the State Superintendent. In addition to his suggestions, I would advise that some consideration be given to the subject of improving the school houses in the country districts, many of which appear from the Superintendent's report to be illy constructed, scantily furnished, and uncomfortable. It might be sufficient at present to direct the attention of the State Board of Education to this subject, with a view to a report at the next session of the legislature as to the best means of awakening an interest in the districts, and of encouraging an effort by them to improve in this direction.

Beyond such amendments as may be necessary to the proper working of the present law, I recommend that the system be left undisturbed in its essential features. Especially do I desire earnestly to advise the legislature and people at large always to maintain the policy of giving to the school voters in the districts, through commissioners chosen by them, a large share in the administration of the school system, and the determination of all questions proper to be decided locally, affording to them all proper facilities, encouragement, and incentives, but not divesting them of their proper control and responsibilities as parents. It is true that a system thus administered is not without its disadvantages. It works slowly, under the friction of conflicting opinions; subject sometimes to abuses by the selfishness and craft of some, and oftener to discouragements from the caviling and indifference of others. It does not, like the compulsory system of Prussia, guided by a central, arbitrary power, move on with the pre-

cision of clock-work, to certain and speedy results. But the results of compulsory education, though so striking and splendid, and to superficial observation so attractive, are of less enduring value than are the fruits of the voluntary system, though these are wrought out more slowly and laboriously. The system which gives to the school voters substantially the charge of their schools is of unspeakable value in its educating influence upon the people, enlarging their information, training their judgments, quickening their sense of responsibility, and preparing them to appreciate more highly the value of popular education and to aspire after higher standards. The compulsory system may make good subjects for arbitrary governments, but the other will better fit men for the duties and responsibilities of free citizens.

I ought not to leave this subject without bearing testimony to the fidelity and efficiency with which the State Superintendent has performed his very responsible duties. These, in their whole range, are severely onerous and engrossing, especially so from the necessity of an annual visitation to each school, which must be made within the season when the schools are in operation. These visitations, to be of lasting benefit, should be deliberately made, so as to bring each school, its condition, methods of instruction and necessities, under careful inspection by the Superintendent, enabling him to give considerate advice and to bring himself into sympathy with the teachers. I believe the requirements of the present law have been fulfilled as efficiently and usefully as can be done by one officer alone.

The annual report of the State Superintendent contains much valuable information, the circulation of which would be highly useful in making the people familiar with the condition, prospects, and necessities of their schools, and in exciting an interest in their welfare and efforts to improve them. I therefore recommend that the State Board of Education be authorized to compile such information as they may deem important, and have the same printed in convenient form and circulated in the school districts.

THE BOUNDARY QUESTION.

Since the last session of the General Assembly the "fishery controversy" has been renewed between this State and the State of New Jersey, involving the jurisdiction of the respective States over that portion of the Delaware River lying within "the compass or circle of twelve miles about the town of New Castle" to low-water mark on the New Jersey shore.

On the 28th day of March, 1871, the General Assembly passed an act declaring it unlawful for any person, not being a citizen of this

State, to catch or take fish of any kind in Delaware Bay or river, or any of the creeks emptying into the same, within the limits of this State, without first paying twenty dollars, for the use of the State, to the clerk of the peace for one of the counties, for an annual license therefor. A supplement to said act, passed at the same session, declared it also unlawful for any resident or citizen of this State to catch or take any shad, for the purpose of sale, in Delaware River or bay, or any of the creeks or rivers emptying into the same, within the limits of this State, without first paying five dollars for an annual license therefor for the use of the State.

The enforcement of these provisions by the arrest of citizens of New Jersey engaged in fishing within that portion of the Delaware river lying within the twelve mile circle was promptly opposed by the authorities of that State, with a claim of jurisdiction over said river east of the middle line, and of the legal right of her citizens to fish on the New Jersey side of the river without the license of Delaware, either within or without the said circle.

The controversy arising over this question of disputed jurisdiction, led, during the year 1872, to a correspondence and subsequent conference between the late Executives of the two States which finally resulted in their agreement to bring the subject to the attention of the legislatures of their respective States, and recommend the appointment of commissioners on the part of each to settle the matter in dispute. Their recommendations were accordingly made and a Joint Commission, consisting of three members from each State, and comprising lawyers of acknowledged learning and ability, was appointed by legislative authority. Shortly after their appointment a Joint Resolution of the General Assembly suspended all laws requiring a license to fish for shad within the waters of this State, pending the negotiations between the commissioners of the two States.

But all efforts of the Joint Commissioners to reach a satisfactory basis of definite settlement of the matter in controversy having failed, it was finally agreed between them, as I am duly informed, that the commissioners from each State should prepare and present to the other a written or printed statement of the title and claim involved in the controversy of each State, with the grounds upon which the same were based, which might be reported by them to their respective States. I am also informed that as early as July, 1874, the commissioners from this State duly delivered the statement asserting and vindicating the claim and title of Delaware, but that the commissioners from New Jersey have as yet wholly failed to do likewise in behalf of their State. This omission on the part of the latter, having continued until March 26,

1875, was construed to be an implied abandonment of their case and a tacit relinquishment of their alleged claim of title and jurisdiction. The General Assembly of this State accordingly, on that day, adopted a Joint Resolution declaring that the commissioners on the part of this State, having fully performed their duty and reported the result of their labors, were relieved of further duties as such commissioners.

The effect of this resolution was to abrogate their authority, and terminate their negotiations, and to revive the suspended license laws. It thereupon became my imperative duty, under my constitutional obligation to "take care that the laws be faithfully executed," to sign and cause to be issued the licenses prescribed by the acts I have referred to. Immediately upon his receiving information of this fact, I was solicited by his Excellency Governor Bedle, of New Jersey, to meet him in Philadelphia for a conference upon the subject, with a view to some amicable arrangement for the temporary postponement of the execution of the law in question until the necessary proceedings could be had for the final settlement of the controversy by some competent authority. But desirable as it was to secure an amicable adjustment of our differences, and to avert any disturbance of the friendly relations which have so long existed between the citizens of New Jersey and Delaware, I was nevertheless unable to comply with his Excellency's desire, because I had no power, as the Executive of this State, to suspend for an instant any law upon its statute book. Therefore, after a complete review of the history of the controversy and a thorough interchange of views, it became apparent that the State of New Jersey must necessarily resort to the proper legal tribunal for an adjudication, if she is determined to insist upon her denial of our title and jurisdiction over the Delaware river to her low water mark within the twelve mile circle. In confirmation of this conclusion it has been communicated to me officially that the Attorney General of New Jersey is now engaged in the completion of a bill in equity in support of the pretensions of that State, and that the same will shortly be filed in the Supreme Court of the United States for the purpose of having the true boundary line between the two States judicially determined and finally and definitely established. If this proceeding shall indeed be taken by New Jersey, it will be incumbent upon the General Assembly at its present session to make adequate provision for the proper vindication of that rightful claim of title and jurisdiction which, I believe, has never before been denied by New Jersey, but which, on the contrary, is based upon original and incontestable grants, and has been uninterruptedly asserted and maintained by the State of Delaware for the space of high two centuries, and I

would respectfully recommend that such legislation be had as will meet all exigencies likely to arise pending the litigation.

MILITARY. The report of the Adjutant-General, submitted for your consideration, embodies valuable information respecting the military department of the State.

By virtue of the provisions of the act of Congress of April 23, 1808, the yearly sum of \$200,000 is appropriated for the annual distribution of arms and equipments to the several States of the Union according to the number of their Senators and Representatives in Congress respectively, for the militia therein, upon the requisition of the Governors thereof.

The manifest design of this act of Congress was to encourage military organization and discipline within each of the several States, to the end that a sufficient force might always be in readiness either to aid the General Government in time of war, or to preserve the public peace and order against domestic violence and uphold the civil authority whenever its power might be exhausted in the effort to subdue unlawful resistance. Grave crises in the past history of both the State and Federal Governments have fully shown the utility of this wise provision of our ancestors. While the present dangerous and reprehensible habit among some State executives of calling upon the Federal authority to suppress merely local disorder that could and should be corrected by vigorous action on the part of the State itself, still more conclusively demonstrates it to be the duty of each State, in accordance with the purpose of said act of Congress, to organize and maintain such military force as may be necessary to quell all internal disturbances and preserve the supremacy of the civil power in every emergency.

This obligation has been generally recognized by the States throughout the Union, and the imposing ceremonies attending the Centennial celebration gave an impulse to this spirit in our own State, which it is to be hoped may increase rather than abate.

The Adjutant-General announces that an erroneous charge of \$17,000 by the United States against this State, for arms furnished in 1861 has been expunged; and that the sum of \$16,739.80 is now due this State from the United States, as arrears of quota, payable in arms and accoutrements. He also invites your attention to the necessity of providing a suitable arsenal for the storage and preservation of the arms of the State, the places of deposit in the respective counties having proven utterly inadequate for the purpose. Other subjects are also suggested by him as proper for legislative action.

STATE AID.

Among the causes which have contributed to the financial embarrassments, both public and private, throughout the country, may be included the unwise outlay of capital upon uncertain railway enterprises. The misgovernment which has prostrated the people and paralyzed the industries of the Southern States, and destroyed the natural market which they furnished for the manufactures and other products of the north, has had other far reaching and deplorable consequences. The capital, which might otherwise have sought safe and legitimate investment in developing the industries and encouraging the enterprise of the southern people, and in restoring them to prosperous and profitable relations to the north, was driven to seek investment elsewhere. The plethora of money occasioned by the unwise introduction of an irredeemable currency and aggravated by the virtual exclusion from southern investment I have mentioned, was compelled to seek employment in enterprises of some kind. Owing to the love of speculation which always accompanies the inflation caused by an artificial measure of values, and owing also to the improvidence and public demoralization which ever follow in the wake of war, much of this superabundant currency was absorbed in unwise railway enterprises, which, in many cases, have brought nothing but bankruptcy and ruin to those connected with them.

The history of railroads in this country, especially in some of the distant States has been pregnant with solemn warning to those who would seek large and rapid gains in violation of sound business laws, and by methods other than that patient industry and careful economy whereby true and enduring success can alone be attained. But the failure of illegitimate railway enterprises, notwithstanding the private distress and public calamities they have brought upon the American people since the memorable panic of 1873, have not been unattended by compensating benefit. Out of painful experience the country has learned lessons which must be productive of much good and preventive of much ill in the future—lessons which have taught that the laws of political economy cannot be defied, nor true business principles violated with impunity by either commonwealths or individuals. It has been satisfactorily demonstrated that railroads should not be constructed in advance of a legitimate demand for them, nor where they have no reasonable prospect of a supporting patronage, and that the law of supply and demand, here as elsewhere, will command observance or impose its penalties. Unemployed capital is always eager and vigilant for safe and profitable investment, and the undertaking upon which it hesitates or refuses to venture may be a fair and just

object of suspicion. So with a projected railroad. If capital shun it, there is adequate reason to distrust its success. And when the projectors of a railroad are forced to resort to government for the means of its construction, it may be fairly presumed that capital has been withheld from the project, that it is not demanded by the needs of legitimate traffic, and that the probable result must be the bankruptcy of the railroad and an ultimate loss to the State, to be paid by the people out of the taxation of their property and industries.

I am aware it has been argued that it is the duty of government to construct those so-called internal improvements which are of such general advantage as to benefit its entire people and thus bear the character of a great public work. On this question, however, the public opinion of the country has been irreconcilably divided from an early period in our history. But clearly this very exception implies the condemnation of government aid to all those projects which would benefit one locality, or one portion of the people alone, at the expense of all others. If one corporation, or one locality, may receive special government aid, then every other may, with equal justice, demand the same favor, until such concessions end in crushing public debt, ruinous taxation, and final bankruptcy of the State in both credit and character.

GOVERNMENT RAILROADS.

It has been argued that, in some peculiar cases, it is the duty of the State to aid in the construction of a main trunk line of travel and traffic which shall traverse its territory and furnish to its people the means of connection and communication with the great avenues and centres of trade throughout the country. But surely it cannot be maintained that it is the duty of the State to virtually construct the short branch or lateral lines necessary to give the people of surrounding localities access to such main line. Nor, for much stronger reasons can it be conceded that it is the duty of the State to construct thoroughfares of trade and travel within its borders to compete with an established through line which its opponents may complain of as a monopoly. The logical and ultimate consequences of such a doctrine would impose upon the State the projection, construction, maintenance, and operation of every railroad or canal within its jurisdiction. It would impose enormous burdens of debt and taxation upon the industries of the people, imperil the public credit, and tend to unbridled corruption and jobbery, surpassing even the *Credit Mobilier* and other scandals which have tarnished the reputation of the country throughout the world. It would be anti-American and contrary to our theory of self-government, and introduce the paternal and imperial plan in our land.

It would be inimical to our theory and doctrine that it is the right and duty of the people to manage their own local affairs and internal concerns; would create the habit of relying upon government in all cases, and destroy the spirit of independence and self-reliance which has always characterized our people, and would paralyze the individual energy and enterprise which have been the glory of our race, and which have reclaimed and civilized our broad domains, and made possible and successful the recent Centennial Exhibition of our marvelous progress and achievements.

Again, if the doctrine shall become established in practice that government in this country, whether State or Federal, shall have the possession and management of railroads, canals, telegraphs, and the like, then there will be imported into our politics a very dangerous power, the anticipation of which may well excite the profoundest alarm in the mind of every thoughtful citizen. For it would inevitably, according to the present political practice, make every employee and official of such government project a zealous partizan, and enormously add to the menacing army of those political mercenaries who, having bartered their own political independence for government maintenance, have become potent party agents for the corruption and subjection of others, thus destroying the independence of the individual voter and dealing a mortal blow to that which is the very corner-stone of free government—a fair and free ballot. It would place the people of a State inextricably in the power of the party which controlled its government, and the States at the mercy of the Federal administration; would imperil both the safety of the States and the liberties of the people, and ultimately end in the subversion of free government on this continent.

Recent occurrences indicate this to be the prevailing tendency of power, and demonstrate the necessity of a jealous and a vigilant opposition to its further increase or encroachments, and inculcate the wisdom of leaving to the people the control of their local institutions and concerns freed as much as possible from all government connection and influence.

I am gratified to feel that the action of the General Assembly at its last session was in full accord with these views. Application was then made from each of the three counties of the State for loans of its credit in aid of certain railroad projects amounting in the aggregate to a half million of dollars. In behalf of these measures their respective advocates invoked every influence and employed every argument and appeal calculated to convince the judgment or enlist the sympathies of the legislature, but happily, without success. The members

were not unmindful of their solemn obligations to the entire State and people, and hence these local projects were forced to yield to public policy and private interests to the general welfare. The General Assembly remembered that the State had given valuable aid and encouragement to the Delaware railroad, and thereby contributed to a main trunk line and thoroughfare throughout the State for the benefit and convenience of all; that it had loaned \$400,000 of its bonds in aid of the construction of the Junction and Breakwater railroad, and \$200,000 of additional bonds to the Breakwater and Frankford railroad, thus connecting the main trunk line with the Breakwater and Ocean on the one hand, and with the railroad system of Maryland on the other, and furnishing an outlet and highway for the products and travel of a very extensive portion of that section of the State.

RETRENCHMENT.

Thoroughly impressed with the truth of the views I have expressed, I am firmly convinced that there should be careful retrenchment in railroad projects, as well as in all other business enterprises, with a view to a speedy return to a sound business basis throughout the country; that new railroads should not be constructed in violation of the plain laws governing such enterprises, and that neither the money nor credit of the State should be loaned in further aid of such projects. I profoundly appreciate the utility and value of all true improvement and progress in both private and public concerns, and heartily sympathize with the desire of any portion of our people to improve and develop the resources of their particular section. But this must be done in accordance with natural laws to be healthy and enduring, and not hastened prematurely by the forcing process. And while I am unalterably opposed to every manner of railroad injustice and oppression, and would have them held to a strict accountability by an injured people, I am, nevertheless, unwilling that in the effort for redress, we shall pursue a delusion which may lead to improvident public indebtedness or irreparable private loss.

It is of paramount importance that the credit of the State shall be maintained at all hazards; and all attempts to augment its indebtedness by the further issue of bonds in aid of any railroad projects whatsoever, may justly be viewed as ultimately jeopardizing its credit. If such loans are to grow into a practice with each successive legislature, the purchasers of our bonds will soon take the alarm and their depreciation must inevitably ensue. Moreover, as the State must primarily pay the interest on the loaned bonds, and afterwards look to the railroads for re-payment, it compels a rate of taxation for the purpose

which might otherwise be discontinued to the relief of the tax-payer. And in the end, if financial disaster shall overtake these roads, the bonds loaned to them will then become a permanent burden upon the State and the tax-payer. To point out these possible consequences is the constitutional duty of the executive. To avert them is within the legislative power and discretion alone. But I deem it incumbent upon me earnestly to urge the necessity of steadfastly opposing every speculative project which may result in additional debt and taxation, or prove hazardous to the credit of the State.

FEDERAL RELATIONS.

The recognition and careful maintenance of the proper and mutual relations of the governments of the several States and the government of the Union, and the cultivation of union and harmony between them, is a constant and patriotic duty which is devolved upon every citizen, and more especially upon every one holding official power under either.

Events of late occurrence exhibit forcibly the dangers to liberty arising from a disregard of the relative duties and powers, and the assumption of Federal control over matters essential to the internal affairs and domestic peace of the States, and the necessity of checking such attempts.

The declarations of the Supreme Court of the United States should always be regarded with respect, and are entitled to be considered authoritative and binding as definitive of the relations of the State and Federal powers under our system of government, and I respectfully cite its latest utterances on this subject, made since the adoption of the 13th, 14th, and 15th articles of amendment to the Constitution.

In the case of *The Collector vs. Day*, 11th Wallace's U. S. Supreme Court Reports 124, the Court say:

"It is a familiar rule of construction of the Constitution of the Union, that the sovereign powers vested in the State governments by their respective constitutions, remained unaltered and unimpaired, except so far as they were granted to the government of the United States. That the intention of the framers of the Constitution in this respect might not be misunderstood, this rule of interpretation is expressly declared in the tenth article of the amendments, namely: 'The powers not delegated to the United States are reserved to the States respectively, or to the people.' The government of the United States, therefore, can claim no powers which are not granted to it by the Constitution, and the powers actually granted must be such as are expressly given, or given by necessary implication.

"The general government and the States, although both exist within the same territorial limits, are separate and distinct sovereignties, acting separately and independently of each other, within their respective spheres. The former in its appropriate sphere is supreme, but the States within the limits of their powers not granted, or, in the language of the tenth amendment, 'reserved,' are as independent of the general government as that government within its sphere is independent of the States."

Further on, in the same case, the court say :

"Two of the great departments of the government, the executive and legislative, depend upon the exercise of the powers, or upon the people of the States. The Constitution guarantees to the States a republican form of government, and protects each against invasion or domestic violence. Such being the separate and independent condition of the States in our complex system as recognized by the Constitution, and the existence of which is so indispensable, that, without them, the general government itself would disappear from the family of nations, it would seem to follow, as a reasonable if not a necessary consequence, that the means and instrumentalities employed for carrying on the operations of their governments, for preserving their existence, and fulfilling the high and responsible duties assigned to them in the Constitution, should be left free and unimpaired, should not be liable to be crippled."

Again :

"Without this power, and the exercise of it, we risk nothing in saying that no one of the States under the form of government guaranteed by the Constitution could long preserve its existence. A despotic government might. We have said that one of the reserved powers was that to establish a judicial department; it would have been more accurate, and in accordance with the existing state of things at the time, to have said the power to maintain a judicial department. All of the thirteen States were in the possession of this power, and had exercised it at the adoption of the Constitution; and it is not pretended that any grant of it to the general government is found in that instrument. It is, therefore, one of the sovereign powers vested in the States by their constitutions, which remained unaltered and unimpaired, and in respect to which the State is as independent of the general government as that government is independent of the States."

Again, in 2nd Otto's U. S. Supreme Court reports 550-51, *United States vs. Cruikshank et al.* :

"The people of the United States resident within any State are subject to two governments, one State and the other National; but there need be no conflict between the two. The powers which one possesses the other does not. *They are established for different purposes, and have separate jurisdictions.* Together they make one whole, and furnish the people of the United States with a complete government, ample for the protection of all their rights at home and abroad. True, it may sometimes happen that a person is amenable to both jurisdictions for one and the same act. Thus, if a marshal of the United States is unlawfully resisted while executing the process of the courts within a State, and the resistance is accompanied by an assault on the officer, the sovereignty of the United States is violated by the resistance, *and that of the State by the breach of peace in the assault.*

* * * * *

"This does not, however, necessarily imply that the two governments possess powers in common, or bring them into conflict with each other. It is the natural consequence of a citizenship which owes allegiance to two sovereignties, and claims protection from both. The citizen cannot complain, because he has voluntarily submitted himself to such a form of government. He owes allegiance to the two departments, so to speak, and within their respective spheres *must pay the penalties which each exacts for disobedience to its laws.* In return, he can demand protection from *each* within its own jurisdiction.

"The government of the United States is one of delegated powers alone. Its authority is defined and limited by the Constitution. All powers not granted to it by that instrument are reserved to the States or the people. No rights can be acquired under the Constitution or laws of the United States except such as the government of the United States has the authority to grant or secure. All that cannot be so granted or secured are left under the protection of the States."

Further, in the same case, the court say:

"Certainly it will not be claimed that the United States have the power or are required to do mere police duty in the States. If a State cannot protect itself against domestic violence, the United States may, upon the call of the executive, when the legislature cannot be convened, lend their assistance for that purpose. This is a guaranty of the Constitution, (Art. 4, sect. 4;) but it applies to no case like this."

FEDERAL USURPATIONS.

It can no longer be doubted that the claim of power has been deliberately made, and frequently and extensively executed by the Pres-

ident of the United States and his associates in office, of a general police supervision of any and all the States, whether under a general plea of keeping "the peace of the United States," or securing fair and peaceable elections, or a fair count of the votes cast in any State.

Under this claim and exercise of power, and under circumstances not contemplated nor provided for by the Constitution of the United States, in a time of profound peace the armed forces of the United States have been sent into the State of Virginia to remain near the polling places in Petersburg for a period preceding, during and following the general election in that State. A resolution of the Senate of the United States has been responded to by the President in a message which I believe to have been happily without precedent in the history of this country, either in tone or substance, in which he fully justifies the posting of U. S. troops in the States during elections and at the polling places, thus, to use the remarkable language of the President, "securing the very essence of liberty."

I forbear further to characterize this communication, excepting to enter my most emphatic protest against the claims of power it contains, and my most hearty dissent from all his propositions of law.

In South Carolina the election was held in the presence of the United States troops, avowedly placed under the control of one of the candidates for Governor, and the organization of the State Legislature entirely controlled by a corporal and his guard, acting under the authority and direction of the President of the United States and his military subordinates, in the avowed interest of one of the political parties which the President has declared that *he represents*.

In Louisiana and Florida, United States troops have been hurried to the scene of State official action in canvassing and declaring the result of the ballots cast and in utter disregard of those contingencies and requirements which, under the Constitution of the United States, could alone warrant their presence; and the perpetration of frauds infamous and glaring has been secured by their presence, and guilty actors abetted, encouraged and protected from just punishment.

To term such a government republican in form, or to describe it as a government of laws, would be a hollow mockery of truth.

If an honest and sound public opinion shall not condemn and dismiss in disgrace the officials who have been guilty of such monstrous abuse of their trust, and who have inflicted such wounds upon law, order and constitutional liberty, the forms of free government will not long remain, and despotism must soon become a permanent and terrible reality in our land. The continuance of our freedom cannot

be maintained without incessant caution to guard against such encroachments by the Executive.

Usurpations of power are sometimes so gradual as to be almost imperceptible, but in the present case there is no concealment, no stealthy step, but a bold, open, shameless stride, trampling down the most sacred and essential reserved rights of the States. The President has openly interfered in three States—and in Louisiana for the third time—with the management and control of affairs which were strictly and solely subject to State authority. The very suggestion of armed Federal interference in State affairs was at one time so repugnant to our people, without regard to party, as to be deemed impossible, but unhappily that time seems to have passed. He has forcibly prevented the peaceable organization of the legislature of South Carolina, treated the decisions of her highest court with open contempt, and thrown the State into dire confusion. What his further plans are the future only can tell, but his present conduct would seem to justify the gravest apprehension.

The overthrow of our system of government is also threatened in the insidious interference with the essential rights and powers of the States under claims of judicial power in the courts of the United States. In our own State an instance is now found to which I invite your careful consideration.

At the November Term of the Court of General Sessions of the Peace and Jail Delivery in and for New Castle county, true bills of indictment were found by the Grand Jury against one William J. Heal, for assault and battery committed in the said county upon John O'Byrne, a citizen of the State. At the same term of the Court the defendant, acting through the attorney of the United States for the District of Delaware, as his legal counsel, sued out of the U. S. Circuit Court a writ of habeas corpus *cum causa*, directed to the sheriff of New Castle county, for the removal of the proceedings against Heal to the Circuit Court of the United States.

The Court of General Sessions, Chief Justice Comegys presiding, declined to relinquish its jurisdiction, for reasons then stated, and has ordered that the trial of the case be continued until the next term in course. I can imagine no valid authority to exist which can thus deprive the State of Delaware of a power so manifestly essential as to keep the peace within her borders and punish all violations of her laws in that behalf. But such a claim of power is now made by the attorney for the United States for the District of Delaware by direction of the Attorney-General of the United States, as I am informed, and accompanied by process issued from out the U. S. Circuit Court.

for the said District; and I feel it to be my duty to ask you to consider the consequences of admitting its legality. No suggestion of any breach of the laws of the United States by Mr. O'Byrne has been made to my knowledge, and there can be no question that he is fully answerable to those laws and in the United States tribunals whenever he shall be charged with their violation.

If any official of the United States, residing within the State of Delaware; and subject to her jurisdiction, can commit a breach of the public peace and remove himself and his offence, at will, beyond the power of her laws, what becomes of the "sovereignty of the State," referred to by the U. S. Supreme Court, which has been thus violated and cannot protect itself? The indictment in question alleges the assault and battery by Heal of a citizen of New Castle County in violation of the laws of Delaware and against the peace and dignity of the State. Before the State of Delaware entered the Federal Union under the Constitution, the control of the public peace and of all persons within her border undoubtedly belonged to her and was admittedly exercised, invariably and without question until now, as her sole and exclusive power. By no act express or implied has this essential power ever been delegated by the State of Delaware to the government of the United States, and I cannot doubt that it exists to-day unimpaired.

To deprive the State of such jurisdiction would strike at the very foundation of her political existence, and reduce her to a most pitiable and defenseless condition. If her peaceful citizens cannot be protected within her borders against assaults and batteries, they are equally defenseless when mayhem and murder shall have been committed upon them. The consequence of conceding the claim made in behalf of Heal would be to deprive the judicial branch of the government of Delaware of its power to try him under the laws of the State for an offence against those laws, and to remove his case to another jurisdiction—that of the courts of the United States—whose government has provided no law for his trial or punishment, nor a power to pardon his offence should conviction follow, because he does not stand charged with a violation of any United States law. The attempt, if successful, would completely oust the State of all jurisdiction over offenders against her laws, and set at naught all her legislative, judicial and executive authority in a class of subjects over which it is essential for her existence as a State that she should continue to have control. If the party indicted has, in committing this unlawful assault, also committed any other offence against the laws of the United States, as illustrated in the opinion of the U. S. Supreme Court to which I have

adverted, proceedings can be duly commenced and prosecuted after the violated laws of Delaware have been vindicated.

In view of the gravity of the situation I feel justified in recommending that the employment of counsel be authorized by the legislature to assist the Attorney-General of the State in the cases to which I have alluded, to the end that there may be a thorough and deliberate presentation for judicial determination of a question of such grave constitutional importance and vital moment to the sovereignty, integrity and very existence of the State.

JOHN P. COCHRAN.

EXECUTIVE DEPARTMENT, Jan. 2d, 1877.

A LIST OF REPRIEVES AND PARDONS GRANTED BY THE GOVERNOR OF THE STATE
OF DELAWARE SINCE THE FIFTH DAY OF JANUARY, A. D. 1875.

JAMES PONDER, GOVERNOR.

Names.	Crime.	In what court convicted and sentenced.	Sentence.	Action of Governor.	Date.	Grounds of Reprieve, Pardon, or Remission.
Mark A. Greer.	Alleged forgery of promissory notes in 1860.	None.	None.	Pardon before conviction.	1875. Jan'y 14.	The Governor granted this pardon upon the representations of the gentlemen whose names were alleged to have been forged, and other respectable citizens of Kent county, that the said Mark A. Greer did not commit the said forgeries with the deliberate purpose of defrauding any one, but rather hoped by this means to bridge over a pecuniary crisis in his business affairs, intending to protect the paper in question and save his business from failure. His whole career in life up to these transactions had gained him an enviable reputation as a man of unblemished character and standing. The Governor considered that, under all the circumstances of the case, he had already suffered sufficient punishment by his exile from his State and home for fourteen years, and that the public interest would not be jeopardized by this pardon.
Wilson C. Long.	Alleged forgery of a receipt in 1874.	None.	None.	Pardon before conviction.	1875. Jan'y 18.	The Governor granted this pardon upon the representation of some of the most reliable citizens of Sussex county that the said Wilson C. Long was only a boy in years, and ignorant of the nature of the offence; that he did not sign said receipt for his own benefit, but at the instigation of Stephen H. Hudson, and for the said Hudson's benefit, and that, taking all the circumstances into consideration, it was a proper case for executive clemency.

LIST OF REPRIEVES AND PARDONS—CONTINUED.

JOHN P. COCHRAN, GOVERNOR.

Names.	Crime.	In what court convicted and sentenced.	Sentence.	Action of Governor.	Date.	Grounds of Reprieve, Pardon, or Remission.
Jno. Hanley.	Assault with intent to rob.	Court of General Sessions of the Peace and Jail Delivery, New Castle county, November term, 1874.	To pay a fine of \$300 and costs of prosecution, and be imprisoned for two years.	Pardon.	1875. December 3.	The Governor granted this pardon upon the petition of many good citizens of New Castle county and upon the representation of the officers of the jail and the jail physician that longer confinement, owing to the feeble health of the prisoner, would jeopardize his life, and because the chief justice and other judges of said court recommended the case as a proper one for the exercise of the pardoning power.
Jno. Nookes, negro.	Larceny.	Court of General Sessions of the Peace and Jail Delivery in New Castle county, May term, 1876.	To pay fifty cents restitution money and costs of prosecution, to be whipped with five lashes, imprisoned six months, and wear a convict's jacket for six months.	Pardon.	1876. May 12.	The Governor granted this pardon upon the representation of the judges of said court and the Attorney-General that the prisoner, since his imprisonment, had become entirely blind, presenting a sad appearance, exciting the deep commiseration of all who saw him; that this was his first offence, and that he was a fit subject for executive clemency and a full pardon.

REPORT OF THE STATE TREASURER.

OFFICE OF STATE TREASURER,
DOVER, DEL., December 12, 1876. }

TO HIS EXCELLENCY,

JOHN P. COCHRAN, *Governor of Delaware.*

SIR:—I have the honor to submit the following report of the receipts and disbursements of the Treasury of the State, since my settlement with the Legislative Committee in January last, together with the amount of our liabilities, and also of the assets, with such other information and suggestions as I have deemed necessary to make.

At the beginning of the present administration of this department the State debt amounted to the sum of one million two hundred and sixty-four thousand six hundred and sixty dollars, consisting as follows, viz:

Remainder of Bonds issued to pay bounties and for volunteers.....	\$795,000
Remainder of Bonds loaned to the Junction and Breakwater Railroad, and for which the State is secured by first mortgage on said road and its equipments.....	230,000
Bonds loaned to the Breakwater and Frankford Railroad which is also secured by first mortgage on said road and its equipments.....	176,000
Bonds outstanding and due January 1st, 1875.....	23,000
Interest outstanding and due January 1st, 1875.....	660
Loan created by late Treasurer to redeem Bonds due Jan. 1st, 1875.....	40,000
	\$1,264,660

Although at the commencement of this administration the Treasury was reduced to nineteen thousand one hundred and forty-eight dollars and ninety-eight cents, (\$19,148.98), and in consequence of the Act taxing bonds and mortgages being repealed by the last legislature, our revenue was curtailed about fifteen thousand dollars, (\$15,000), it has nevertheless been sufficient to meet the interest on the above debt promptly and reduce our indebtedness as follows:

<i>Total State debt brought forward</i>	\$1,264,660
Residue of Bonds due January 1st, 1875.....	\$23,000
Interest due January 1st, 1875.....	660
Loan created by late Treasurer.....	40,000
	<hr/>
	63,660
The present Bonded debt.....	\$1,201,000
With no floating debt whatever.	

The reduction taken in connection with the payment of our extraordinary expenses during the past year amounting to about twenty-six thousand dollars, (\$26,000), together with a surplus now in the Treasury of seventy-five thousand dollars, applicable to the public debt, is conclusive evidence that our present revenue is amply sufficient to meet all the legitimate expenses of the State, and also enable the Treasurer to cancel our indebtedness each year to a satisfactory extent. Our bonds are held with such firmness and command such a high premium that it is impossible to obtain them, and some provision should be made either to check the large flow of money into the Treasury, or place it in a position which would render it productive.

As an off-set against the foregoing indebtedness the State has semi-annual interest-paying investment, as follows:

Mortgage on the Junction and Breakwater Railroad.....	\$400,000
Mortgage on the Breakwater and Frankford Railroad.....	200,000
1250 shares Farmers' Bank Stock @ \$50.....	62,500
20 shares National Bank of Delaware @ \$465.....	9,300
Amount in the Treasury applicable to the public debt.....	75,000

The State has investments for the benefit of Free Schools as follows:

5000 shares Farmers' Bank Stock @ \$36.....	\$180,000
Loan to the Phila., Wilmington and Baltimore Railroad...	85,000
Loan to Sussex County.....	5,000
2439 shares Farmers' Bank Stock @ \$50.....	121,950
37 shares National Bank of Delaware @ \$465.....	17,205
114 shares Smyrna Bank @ \$50.....	5,700
254 shares Union National Bank, @ \$36.....	9,144
Invested in State Bonds.....	4,000
Balance in hand which was received from the New Castle and Wilmington Railroad.....	21,000

\$1,195,799

If the total assets were deducted from the total debt it would only leave a net indebtedness of five thousand two hundred and one dollars, (\$5,201), with prospective receipts which are due January 1st, as follows:

Interest on Investments	\$26,272 50
Tax on Railroad earnings and Capitation	18,785 00
Tax on Bank Shares	2,682 17
Tax from Real and Personal Property	50,722 80
Tax from County Officers and other sources	2,000 00
	<hr/>
	\$100,462 47

The loan to the New Castle and Wilmington Railroad, of twenty-five thousand dollars, (\$25,000), for the benefit of free schools, expired on May 1st, 1875, by limitation, and was paid. Twenty-one thousand dollars (\$21,000) of the same is now idle and should be invested as soon as possible. I have used every effort to secure State Bonds for the above, and now have an order in my hands of two prominent bankers in Wilmington and Philadelphia to purchase them at one hundred and three, but with all their efforts in connection with my own, I have only succeeded in securing four, in consequence of their being at a much higher premium. The payment of this sum has been unfortunate for the free schools as the Treasurer has no authority to invest it, and as it has remained idle so long the revenue of the schools has been curtailed to a serious extent.

There was an Act passed March 15, 1865, authorizing and requiring the State Treasurer to convert the loan of eighty-five thousand dollars (\$85,000) to the Philadelphia, Wilmington and Baltimore Railroad for the benefit of free schools into stock of said Railroad, and by the terms of said loan the company is obliged to submit to the conversion at par. The said stock is now commanding an extraordinary premium and pays a dividend of eight per cent. on its par value, whereas the loan only pays six. But as it has either been overlooked or intentionally avoided by other treasurers so long, I have deemed it advisable to wait until the convening of the legislature and then direct their attention to the same.

Under the act known as the Oyster Law there has been received during this administration, after deducting expenses, \$4,864.97.

But I presume there is a considerable amount in the hands of the collector at this time, as he is only required to settle annually.

There has been received to August last, from various sources, the income of which is appropriated to the support of free schools, \$30,-

904.15, and the same distributed among the districts entitled to receive it.

I am gratified to inform your Excellency that all the railroads within the State are prompt in the payment of their taxes, except the Wilmington and Western and the Breakwater and Frankford. The latter, however, has promised to remit at an early day, and I am of the opinion will do so.

None of our bonds are due until January 1st, 1885, and if we could obtain them without paying the ruinous premium which they are now commanding, our present revenue, if allowed to remain untouched, is sufficient to redeem them before they are due.

There has been received since January 21st, 1876, the date of my settlement with the Legislative Committee, under the various acts to raise revenue and from all other sources belonging to the general fund as follows:

From the Clerks of the Peace for licenses.....	\$49,590 16
From the County Treasurer, which is a tax upon real and personal property.....	30,956 69
From tax on net earnings of railroads.....	20,250 00
From tax on passengers.....	13,563 00
From process tax from registers and recorders.....	10,903 29
From dividends from banks.....	2,992 50
From tax on bank shares.....	3,577 35
From fines and forfeitures other than school fund.....	1,527 73
From commission fees from Secretary of State, other than school fund.....	588 75
From tax on fire ins. co.'s other than school fund.....	450 00
From vacant land.....	12 75
From interest on mortgage from the Junction and Break- water Railroad.....	24,000 00
Belonging to the school fund.....	2,056 12
	<hr/>
	\$160,468 34

Disbursed from the general fund since January 21st, 1876, to pay interest on the State debt, to meet the balance of the Centennial subscription, and to pay the necessary expenses of the State government, as follows:

Executive.....	\$ 2,000 00
Judicial.....	12,361 64
	<hr/>
<i>Amount carried forward.....</i>	<i>\$14,361 64</i>

<i>Amount brought forward</i>	\$14,361 64
State	6,802 44
Bonds	1,000 00
Coupons	39,730 00
Allowances	1,806 32
Interest on Delaware College bonds.....	2,490 00
Expenses of State Capitol.....	41 92
Printing	268 53
Balance on Centennial subscription.....	5,000 00
Chancery reports.....	1,000 00
	<hr/>
	\$72,500 85

Disbursed from the school fund since the distribution in August last, as follows:

To the Pennsylvania Institute for board, tuition, &c., for feeble-minded children from this State.....	\$200 00
To the Pennsylvania Deaf and Dumb Asylum, for board, tuition, &c.....	810 00
To the Pennsylvania Blind Asylum, for board, tuition, &c.....	,662 50
	<hr/>
	\$1,672 50

I have thus endeavored to make the transactions of this department of the State government as plain as possible, without going into details, but in conclusion I will request of your Excellency, together with the legislature that is soon to convene, that if you deem this report not as thorough as you would desire, not to hesitate to make any further inquiry which you may wish, and it will be my pleasure to answer.

Very respectfully, yours,

THOMAS B. GILES,

State Treasurer.

ACCOUNTS OF IGNATIUS C. GRUBB, SECRETARY OF STATE, FOR THE YEARS 1875 AND 1876.

*Ignatius C. Grubb, Secretary of State, in account with the State of
Delaware.*

		DEBITOR.		CREDITOR.	
1875.				DOLLS.	CTS.
January	21.	To cash from Henry R. DuPont, for commission as Notary Public		10	00
	28.	To cash from John Russell, for commission as Commissioner of Deeds		10	00
Feb.	25.	To cash from William D. Clark, for copy of private act		10	00
		To cash from John W. Phillips, for copy of private act		20	00
		To cash from William D. Dowe, copy of private act		20	00
	26.	To cash from H. C. Turner, for copy of private act		10	00
		To cash from Joshua Maris, for two copies of private act		20	00
	27.	To cash from J. H. Hoffecker, for copy of private act		10	00
March	1.	To cash from William H. Brady, for commissions as Notary Public and Justice of Peace		20	00
		To cash from Dr. Dodge, for copy of private act		10	00
	5.	To cash from Anthony Higgins, copy of private act		20	00
		To cash from George B. Money, two copies of private acts		40	00
		To cash from Anthony Higgins, copy of private act		10	00
<i>Amount carried forward</i>				\$210	00

1875.	<i>Amount brought forward</i>	\$210 00
March	5. To cash from Walton, Whann & Co., copy of private act.....	10 00
	To cash from J. B. Penington, for copy of private act.....	10 00
	To cash from J. Z. Barr, copy of private act.....	10 00
	15. To cash from Croasdale & Cameron, copy of private act.....	10 00
	To cash from T. Massey, copy of private act.....	10 00
	To cash from Andrew J. Wilson, for com- mission as Recorder of Deeds.....	50 00
	18. To cash from Henry C. Turner, copy of private act.....	10 00
	To cash from Thomas Bird, copy of private act.....	10 00
	To cash from William B. Collins, copy of private act.....	10 00
	To cash from Joseph McDaniel, copy of private act.....	10 00
	To cash from Dr. J. L. Register, copy of private act.....	20 00
	To cash from Samuel B. Huey, commission as Commission of Deeds.....	10 00
	To cash from William Hoskins, commission as Commissioner of Deeds.....	10 00
	To cash from Joseph Ward, commission as Justice of the Peace.....	10 00
	To cash from Charles B. Lore, copy of private act.....	10 00
	To cash from George B. Money, copy of private act.....	20 00
	29. To cash from George W. Stone, copy of private act.....	10 00
	To cash from Joseph P. Comegys, copy of private act.....	20 00
	To cash from Thomas Bird, copy of private act.....	10 00
	To cash from J. Turpin Moore, copy of private act.....	10 00
	<i>Amount carried forward</i>	\$480 00

1875.		<i>Amount brought forward</i>	\$480 00
March	29.	To cash from Hon. Thos. F. Bayard, copy of private act.....	20 00
April	7.	To cash from George Gray, copy of private act.....	10 00
		To cash from William D. Dowe, copy of private act.....	10 00
		To cash from S. M. Harrington, copy of private act.....	20 00
		To cash from Wm. Broadaway, copy of private act.....	10 00
		To cash from George V. Massey, copy of private act.....	10 00
		To cash from John Lee, commission as Justice of the Peace.....	10 00
		To cash from John Lee, commission as Notary Public.....	10 00
		To cash from Thomas R. Lally, commission as Notary Public.....	10 00
		To cash from John D. Coverdale, commission as Justice of the Peace.....	10 00
		To cash from John D. Coverdale, commission as Notary Public.....	10 00
		To cash from Randel B. Garman, for commission as Constable.....	5 00
	10.	To cash from George S. Hagany, commission as Notary Public.....	10 00
		To cash from Theodore D. Rand, commission as Commissioner of Deeds.....	10 00
		To cash from George F. Graham, commission as Commissioner of Deeds.....	10 00
	15.	To cash from Henry C. Turner, copy of private act.....	10 00
		To cash from J. B. Dorman & Co., copy of private act.....	10 00
	17.	To cash from Wm. Canby, copy of private act.....	10 00
		To cash from Isaac C. Pyle, copy of private act.....	10 00
April	19.	To cash from Thomas Holcomb, copy of private act.....	10 00
		<i>Amount carried forward</i>	\$695 00

1875.		<i>Amount brought forward</i>	\$695 '00
April	20.	To cash from Joshua Maris, copy of private act.....	20 '00
	20.	To cash from B. F. Moore, commission as Commissioner of Deeds.....	10 '00
	23.	To cash from Joseph L. Killgore, copy of act.....	10 '00
	27.	To cash from John Ball, copy of act.....	10 '00
May	8.	To cash from F. W. Curtis, copy of act...	10 '00
	10.	To cash from George Gray, two copies of acts.....	30 '00
	11.	To cash from John H. Puhl, copy of private act.....	10 '00
	13.	To cash from J. M. Williamson, commission as Commissioner of Deeds.....	10 '00
		To cash from Wm. H. Hobson, copy of private act.....	10 '00
	26.	To cash from Charles B. Lore, copy of private act.....	20 '00
June	1.	To cash from Nathaniel F. Wilds, commission as Notary Public.....	10 '00
	3.	To cash from E. J. Golt, commission as Justice of the Peace.....	10 '00
		To cash from J. D. Reinboth, commission as Commissioner of Deeds.....	10 '00
	7.	To cash from John P. Springer, commission as Clerk of the Peace.....	50 '00
	9.	To cash from John P. Hudson, commission as Constable.....	5 '00
	21.	To cash from John T. Poore, commission as Constable.....	5 '00
	25.	To cash from Wm. H. Rodney, commission as Justice of the Peace.....	10 '00
		To cash from Wm. H. Rodney, commission as Notary Public.....	10 '00
	30.	To cash from B. Nields, copy of act.....	10 '00
July	6.	To cash from Charles Beaston, commission as Prothonotary.....	50 '00
August	25.	To cash from Wm. M. Mayer, two copies of acts.....	20 '00
<i>Amount carried forward</i>			\$1,025 '00

1875.		<i>Amount brought forward</i>	\$1,025 00
Aug.	26.	To cash from J. T. Hoffecker, for copy of act.....	10 00
Sept.	2.	To cash from Dr. Joseph Chandler, copy of act.....	10 00
		To cash from E. W. Houston, copy of act.....	10 00
	15.	To cash from Robert W. Todd, commission as Commissioner of Deeds.....	10 00
		To cash from Wm. H. Holschumaker, copy of act.....	10 00
	22.	To cash from John Jones, commission as Justice of the Peace.....	10 00
	24.	To cash from Wm. P. Biggs, copy of act..	10 00
	29.	To cash from John H. Puhl, copy of act..	10 00
	30.	To cash from Wm. F. Lane, commission as Notary Public.....	10 00
October	7.	To cash from Thomas E. Young, commission as Notary Public.....	10 00
	16.	To cash from Wm. J. Waterman, commission as Commissioner of Deeds.....	10 00
	18.	To cash from George F. Hawkins, commission as Notary Public.....	10 00
	21.	To cash from Hale & Emory, copy of act.	10 00
		To cash from George F. Hawkins, commission as Justice of the Peace.....	10 00
	23.	To cash from Franklin Haines, commission as Commissioner of Deeds.....	10 00
	26.	To cash from L. G. Vandegrift, for copy of act.....	10 00
		To cash from W. W. Browning, commission as Commissioner of Deeds.....	10 00
Nov.	1.	To cash from D. S. Clark, copy of act....	10 00
	12.	To cash from Eleazer Jackson, commission as Commissioner of Deeds.....	10 00
	13.	To cash from David Green, commission as Notary Public.....	10 00
	26.	To cash from H. J. Enright, copy of act..	10 00
Dec.	2.	To cash from Philip C. Pennel, commission as Clerk of Orphans' Court.....	25 00
Dec.	2.	To cash from Philip C. Pennel, commission as Register in Chancery.....	10 00

 \$1,270 00

CREDITOR.

1875.
Dec. 9. By cash paid, Thomas B. Giles, State Treasurer, as per receipt..... 1,270 00

December 9, 1875. Examined and found correct:

NATHAN PRATT,
Auditor of Accounts.

Ignatius C. Grubb, Secretary of State, in account with the State of Delaware.

DEBTOR:

		DOLLS.	CTS.
1875.			
Dec.	11. To cash from John O'Byrne, copy of act...	10	00
	13. To cash from Charles Chauncey, commission as Commissioner of Deeds.....	10	00
	15. To cash from Robert Lambden, copy of act.....	10	00
	To cash from Jacob B. Cannon, copy of act.....	10	00
	16. To cash from William Bell, copy of act...	10	00
	22. To cash from Thomas B. Windsor, commission as Constable.....	5	00
	27. To cash from Andrew J. Wright, commission as Justice of the Peace.....	10	00
	31. To cash from E. L. Clark, copy of act....	10	00
1876.			
Jan.	24. To cash from J. H. Danby, commission as Notary Public.....	10	00
	26. To cash from J. W. Emory, commission as Constable.....	5	00
	28. To cash from Jasper Dawson, commission as Justice of the Peace.....	10	00
	<i>Amount carried forward.....</i>	\$100	00

1876.		<i>Amount brought forward</i>	\$100 00
March	29.	To cash from E. L. Clark, copy of act...	10 00
Feb.	1.	To cash from George W. Townsend, commis- sion as Commissioner of Deeds.....	10 00
	4.	To cash from Reliance Fire Company, copy of act.....	10 00
	9.	To cash from George V. Massey, copy of act.....	10 00
		To cash from James P. Hayes, for copy of act.....	20 00
	29.	To cash from Wm. M. Bell, copy of act..	10 00
		To cash from Thomas B. Cooper, commis- sion as Justice of the Peace.....	10 00
March	17.	To cash from Wm. H. Conrow, commission as Commissioner of Deeds.....	10 00
	30.	To cash from Henry C. Banks, commission as Commissioner of Deeds.....	10 00
	31.	To cash from Lewis W. Barringer, commis- sion as Commissioner of Deeds.....	10 00
April	3.	To cash from Wm. McGeorge, Jr., com- mission as Commissioner of Deeds.....	10 00
	12.	To cash from G. W. Moore, commission as Justice of the Peace.....	10 00
		To cash from G. W. Moore, commission as Notary Public.....	10 00
	24.	To cash from John A. Reynolds, commis- sion as Notary Public.....	10 00
May	15.	To cash from Hanson Harman, commission as Notary Public.....	10 00
		To cash from Samuel B. Lee, commission as Constable.....	5 00
	17.	To cash from Benjamin D. Burton, commis- sion as Recorder of Deeds.....	50 00
May	23.	To cash from Richard M. Bruno, commis- sion as Commissioner of Deeds.....	10 00
		To cash from Abram Hayden, commission as Constable.....	5 00
	25.	To cash from John H. Puhl, commission as Justice of the Peace.....	10 00
	27.	To cash from Leven W. Phillips, for com- mission as Constable.....	5 00
		<i>Amount carried forward</i>	\$345 00

1876.		<i>Amount brought forward</i>	\$345 00
June	2.	To cash from O. B. Voshell, commission as Notary Public	10 00
	6.	To cash from Wm. Silver, commission as Commissioner of Deeds	10 00
	15.	To cash from John H. Puhl, commission as Notary Public	10 00
	29.	To cash from W. S. Atkins, commission as Constable	5 00
July	8.	To cash from Azel Stephens commission as Justice of the Peace	10 00
	19.	To cash from James S. Key, commission as Commissioner of Deeds	10 00
	21.	To cash from S. G. Wilds, commission as Notary Public	10 00
	27.	To cash from Wm. H. Wheatley, commission as Register of Wills	50 00
		To cash from Thomas F. Hammersley, commission as Notary Public	10 00
August	2.	To cash from James M. Watson, commission as Notary Public	10 00
		To cash from James M. Watson, commission as Justice of the Peace	10 00
	16.	To cash from Isaac S. Truitt, commission as Notary Public	10 00
Sept.	14.	To cash from Adams Mahood, commission as Justice of the Peace	10 00
		To cash from Asa S. Clifton, commission as Constable	5 00
	18.	To cash from N. Proctor Smith, commission as Commissioner of Deeds	10 00
Oct.	16.	To cash from John D. Burton, commission as Prothonotary	50 00
Nov.	10.	To cash from Beniah W. Truitt, commission as Sheriff of Sussex county	50 00
		To cash from Edward Dill, commission as Coroner of Sussex county	10 00
	13.	To cash from Benjamin F. Blackiston, commission as Sheriff of Kent county	50 00
		To cash from Henry Eubanks, commission as Coroner of Kent county	10 00
<i>Amount carried forward</i>			\$695 00

1876.		<i>Amount brought forward</i>	\$695 00
Nov.	14.	To cash from David C. Rose, commission as Coroner of New Castle county.....	10 00
		To cash from Isaac Grubb, commission as Sheriff of New Castle county.....	50 00
	28.	To cash from Joseph Lafetra, commission as Notary Public.....	10 00
Dec.	2.	To cash from J. H. Wheeler, commission as Commissioner of Deeds.....	10 00
	6.	To cash from James W. Chapman, commission as Commissioner of Deeds.....	10 00
			<hr/>
			\$785 00

CREDITOR:

1876.			DOLLS. CTS.
Dec.	7.	By cash paid Thomas B. Giles, State Treasurer, as per receipt.....	785 00

December 7, 1876. Examined and found correct.

NATHAN PRATT,

Auditor of Accounts.

Ignatius C. Grubb, Secretary of State, in account with contingent expenses of office.

DEBTOR.

1875.			DOLLS. CTS.
January 30.		By this sum, being the appropriation made by the General Assembly by Joint Resolution, adopted January 27, 1875, for expenses of Secretary's office.....	700 00

CREDITOR.

1875.			DOLLS. CTS.
January 21.		By cash paid William E. Smith, postage, Voucher No. 1.....	5 00

Amount carried forward..... \$5 00

1875.		<i>Amount brought forward</i>	\$5 00
Feb.	24.	By cash paid F. A. Smith, postage. Voucher No. 2.....	13 12
	25.	By cash paid H. J. Enright. Voucher No. 3.....	20 00
March	27.	By cash paid F. A. Smith, postage. Voucher No. 4.....	9 00
April	16.	By cash paid H. J. Enright, on account of transcribing public laws for publication. Voucher No. 5.....	75 00
May	13.	By cash paid James Kirk, printing. Voucher No. 6.....	68 50
	14.	By cash paid H. J. Enright, transcribing public laws for publication, and for the courts, &c. Voucher No. 7.....	75 50
		By cash paid F. A. Smith, postage. Voucher No. 8.....	9 00
	17.	By cash paid W. T. Westbrook, telegrams. Voucher No. 9.....	1 31
June	9.	By cash paid Boughman, Thomas & Co., for stationery, &c. Voucher No. 10...	45 00
	19.	By cash paid William M. Pyle, postage. Voucher No. 11.....	3 00
August	28.	By cash paid William M. Pyle, postage. Voucher No. 12.....	6 00
Sept.	16.	By cash paid P. W. & B. R. R. Co., freight on books. Voucher No. 13.....	3 92
Nov.	16.	By cash paid O'Byrne Bros., printing. Voucher No. 14.....	23 00
Oct.	26.	By cash paid William M. Pyle, postage. Voucher No. 15.....	3 00
Nov.	26.	By cash paid William M. Pyle, postage. Voucher No. 16.....	6 00
Dec.	1.	By cash paid C. P. Johnson, account of printing. Voucher No. 17.....	25 00
			<hr/>
	9.	Balance in hand of contingent fund.....	391 35
			<hr/>
			\$700 00

December 9, 1875. Examined and approved.

NATHAN PRATT,

Auditor of Accounts.

Ignatius C. Grubb, Secretary of State, in account with contingent expenses of office.

		DEBTOR.	DOLLS.	CTS.
1875.				
Dec.	9.	By balance in hand of the contingent fund, as above approved by the Auditor of Accounts	308	65

		CREDITOR.	DOLLS.	CTS.
1875.				
Dec.	17.	By cash paid C. P. Johnson, printing. Voucher No. 18	76	50
1876.				
January	13.	By cash paid William M. Pyle, postage. Voucher No. 19	9	00
Feb.	8.	By cash paid James & Webb, stationery. Voucher No. 20	22	41
April	5.	By cash paid William M. Pyle, postage. Voucher No. 21	9	00
May	12.	By cash paid C. C. Fulton, transcribing, &c. Voucher No. 22	13	00
June	26.	By cash paid William M. Pyle, postage. Voucher No. 23	6	00
Oct.	14.	By cash paid William M. Pyle, postage. Voucher No. 24	6	00
Nov.	29.	By cash paid J. D. Boggs, R. R. freight. Voucher No. 25	4	65
Dec.	7.	By cash paid James & Webb, printing. Voucher No. 26	8	00
		By cash paid William M. Pyle, postage. Voucher No. 27	9	00
		By cash paid Boughman, Thomas & Co., stationery. Voucher No. 28	44	50
			208	06
Balance in hand of contingent fund.			100	59
			<hr/> \$308 65 <hr/>	

December 7, 1876. Examined and approved.

NATHAN PRATT,
Auditor of Accounts.

STATE OF DELAWARE,

Executive Department.

I, Ignatius C. Grubb, Secretary of State of the State of Delaware, do hereby certify that the foregoing is a true and correct copy of my accounts as Secretary of State.

In testimony whereof I have hereunto set my hand and official seal, at Dover, this second day of January, A. D. one thousand eight hundred and seventy-seven.

[SEAL.]

IGNATIUS C. GRUBB,

Secretary of State.

STATE OF DELAWARE, EXECUTIVE DEPARTMENT, *January 2, 1877.*

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

The following list of orders for printing since January 19, 1875, the date of my appointment, is furnished for the purpose of informing the General Assembly of the amount of printing done by the several papers of the State by orders from this Department :

What published.	When publication ordered.	What length of time.	By what authority.	Papers publishing.
"An act to make personal property liable to taxation for school purposes in the school districts in which it is situated."	1875. March 4.	In two issues of newspapers.	Secretary of State. By act itself.	Del. Gazette, Delawarean, and Sussex Journal.
"An act in relation to free schools in this State."	March 27.	Weekly for three weeks.	Secretary of State. By act itself.	Middletown Transcript, Delawarean, and Sussex Journal.
Proclamation offering reward of \$200 for John Whitlock, jr., charged with murder.	August 31.		Governor.	Del. Gazette and Middletown Transcript
Thanksgiving proclamation.	Nov. 5.	Two weeks.	Governor.	Del. Gazette, Middletown Transcript, Delawarean, and Sussex Journal.
List of justices of the peace and notaries public.	Dec. 6.	Two weeks.	Secretary of State. Required by Sec. 7, Chap. 28. Revised Code.	Del. Gazette, Delawarean, and Sussex Journal.

LIST OF ORDERS FOR PRINTING—CONTINUED.

What published.	When publication ordered.	What length of time.	By what authority.	Papers publishing.
Proclamation of "Delaware-day" at the Centennial Exhibition.	1876. October 2.	Two weeks.	Governor.	Morning Herald of Wilmington, Delawarean, and Sussex Journal.
Proclamation giving notice of election of presidential electors.	October 10.	Weekly for three weeks.	Governor.	Del. Gazette, Delawarean, and Sussex Journal.
Thanksgiving proclamation.	Nov. 14.	Weekly for two weeks.	Governor.	Morning Herald, Delawarean and Sussex Journal.
Proclamation of election of presidential electors.	Nov. 14.	Weekly for two weeks.	Governor.	Del. Gazette, Delawarean, and Sussex Journal.
Proclamation of election of Representative in Congress.	Nov. 14.	Weekly for two weeks.	Governor.	Del. Gazette, Delawarean, and Sussex Journal.
List of justices of the peace and notaries public.	Dec. 4.	Two weeks.	Secretary of State.	Del. Gazette, Delawarean, and Sussex Journal.

Respectfully submitted by

IGNATIUS C. GRUBB,
Secretary of State.

A LIST OF BOOKS RECEIVED FOR THE USE OF THE
STATE LIBRARY FROM JANUARY 1ST, A. D.
1875, TO JANUARY 1ST, A. D. 1877:

ALABAMA.	Vol.	No. of Vols.
Reports	50	1
ARKANSAS.		
Reports,	28	1
Laws of, '75		1
CALIFORNIA.		
Reports	49	1
Reports	50	1
Insurance Report, '74		1
Amendments to the Code, '75-6		1
Statutes of, '75-6		1
CHIEF JUSTICES, <i>purchased by.</i>		
Common Pleas Reports	1 to 9	9
Exchequer Reports	1 to 9	9
Queens Bench Reports	1 to 9	9
Admiralty and Ecclesias Reports....	1 to 3	3
Probate and Divorce Reports	1 to 2	2
Chancery Appeal Cases	1 to 9	9
Crown Cases Revised	1	1
Equity Cases	1 to 18	18
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Blatchford's Circuit Court Reports..	1 to 11	11
Curtis' Circuit Court Reports	1 to 2	2
Clifford's Circuit Court Reports....	1 to 2	2
Sumner's Circuit Court Reports....	1 to 3	3
Gallison's Circuit Court Reports....	1 to 2	2
Mason's Circuit Court Reports	1 to 5	5
Story's Circuit Court Reports	1 to 3	3
Woodbury and Minot's Circuit Court Reports	1 to 3	3
Wallace's Supreme Court Reports U.S.	1 to 23	23
Black's Supreme Court Reports U. S.	1 to 2	2
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Johnson's Chancery Reports.....	1 to 7	7
Paige's Chancery Reports.....	11	1
Rawle's Reports.....	1 to 5	5
Wharton's Reports.....	1 to 6	6
Connecticut Reports.....	1 to 12	12
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Connecticut Reports.....	33	1
Smith's Leading Cases, (part I.)....	1	1
Smith's Leading Cases, (part II.)...	1	1
Smith's Leading Cases.....	2	1
American Leading Cases.....	1 to 2	2
Wharton on the Conflict of Laws...		1
Wharton on the Law of Negligence.		1
Wharton's Criminal Law.....	1-2-3	3
Wharton's Precedents.....	1 to 2	2
Wharton on Homicide.....		1
Wharton on Agency.....		1
Wharton and Stilles' Medical Juris prudence.....	1 to 3	3
Sugden on Vendors.....	1 to 2	2
Benjamin on Sales.....		1
Redfield on the Laws of Railways..	1 to 2	2
Redfield's American Railway Cases..	1 to 2	2
Herman on Executions.....		1
High on Extraordinary Legal Remedies.		1
High on Injunctions.....		1
Wood on Nuisances.....		1
Parsons on Notes and Bills.....	1-2	2
U. S. Supreme Court Reports,(Otto I.)..	91	1

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Reports.....	41	1
Reports.....	42	1
General Statutes, Revision of, '75.....		1
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Special Acts, '75,.....		2

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Colonial Records.....	9	1
Insurance Report, Life, (part 2d), '76...		1
Legislative Documents, '76:.....		1

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Laws of, '74-5.....		1
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Report of Railroad and Warehouse Com- mission, '74		1
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Mr. Wright offered a resolution,
Which,

On his motion, was read as follows :

Resolved, That the Clerk be directed to have printed one thousand copies of the Governor's Message, for the use of the House,

And, on his further motion,

The resolution was

Adopted.

Mr. Bird offered a resolution,

Which,

On his motion, was read as follows :

Resolved, That a committee of three be appointed to wait upon his Excellency the Governor, and invite him to a seat upon the floor of the House of Representatives, at pleasure, during its session ; also the Secretary of State and members of the Judiciary, and ladies who may be present during its session, and extend to them a similar invitation.

And, on his further motion,

The resolution was

Adopted.

Whereupon,

Messrs. Bird, Hall, and Robinson, were appointed said committee.

Mr. Holcomb moved that a committee of three be appointed on rules for the government of the House,

Which motion

Prevailed.

And, on his further motion, the Speaker was added to the committee.

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

“ An act entitled ‘ An act to repeal an act taxing dogs and for the protection of sheep,’ passed at Dover, March 24th, 1875.”

On motion, the House adjourned until 10 o'clock, to-morrow morning.

WEDNESDAY, *January 3, 1877*—10 o'clock A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

The Speaker appointed Messrs. Holcomb, Wright, and Morris Committee on Rules.

Mr. Cochran offered a resolution,

Which,

On his motion was read as follows :

Resolved, That the Clerk of the House have furnished for the use of the House five copies each of all the daily papers printed in the State,

And, on his further motion to adopt the resolution,

Mr. Robinson moved to amend the resolution by striking out five and inserting three in lieu thereof,

Which motion was

Lost.

And the question recurring on the adoption of the resolution,

The resolution was

Adopted.

Mr. Wright moved,

That 500 copies of the report of the State Treasurer be printed for the use of the House,

Which motion

Prevailed.

Mr. Messick moved,

That the report of the Superintendent of Public Schools be read,

Which motion

Prevailed.

The Clerk proceeded to the reading of the report,

Mr. Mustard moved,

That the further reading of the report be dispensed with,

Which motion

Prevailed.

Mr. Messick offered a resolution,

Which was read as follows :

Resolved, That the Clerk of the House be directed to have printed 1,000 copies of the State Superintendent's Report on Public Schools for the use of the House.

Mr. Hall moved that the resolution lie on the table,

Which motion was

Lost.

Mr. Messick moved the adoption of the resolution,

Which motion

Prevailed.

Mr. Cochran offered a resolution,

Which was read as follows :

Resolved, That the report of the Adjutant-General of the State be read.

Which, on his motion,

Was

Adopted.

Mr. Robinson moved,

That the Clerk be directed to request of the Senate the report of the Adjutant-General of the State, now in the possession of that body.

Which motion

Prevailed,

And the Clerk was directed to inform the Senate of the action of the House.

The Secretary of State, Mr. Grubb, being admitted, presented a communication from his Excellency the Governor, being the Joint Resolution of the General Assembly of New Jersey in relation to the rights of the State of New Jersey in that part of the Delaware River which runs between the States of Delaware and New Jersey.

Mr. Robinson moved,

That the communication just received from his Excellency the Governor be read,

Which motion

Prevailed.

Mr. Taylor, Clerk of the Senate, being admitted, informed the House that the Senate had complied with the request of the House concerning the report of the Adjutant-General of the State, and pre-

sented said report to the House ; and also informed the House that the Senate had requested of the House the resolutions of the General Assembly of the State of New Jersey in relation to the rights of the State of New Jersey in that part of the Delaware River which runs between the States of Delaware and New Jersey.

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

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

Mr. Robinson moved,

That the request of the Senate in relation to the resolution of the General Assembly of the State of New Jersey be complied with,

Which motion

Prevailed.

Thereupon,

The Clerk was directed to inform the Senate and deliver the Joint Resolution of the General Assembly of the State of New Jersey to that body.

Mr. Cochran moved,

That the report of the Adjutant-General of the State received from the Senate be read,

Which motion

Prevailed,

And the report was read as follows :

STATE OF DELAWARE.

ADJUTANT GENERAL'S OFFICE,
WILMINGTON, January 1st, 1877.

TO HIS EXCELLENCY, JOHN P. COCHRAN,
Governor and Commander-in-Chief.

SIR:—I have the honor to transmit herewith, the report of this department, for the two years past, ending January 1st, 1876.

With respect, your obedient servant,

WM. REYNOLDS,
Adjutant General.

STATE OF DELAWARE,
EXECUTIVE DEPARTMENT,
ADJUTANT-GENERAL'S OFFICE.

TO HIS EXCELLENCY,

JOHN P. COCHRAN,

Gov. of Del., and Com.-in-Chief of the Militia.

SIR:—In compliance with your request, I have the honor to submit the following report of this office:

On examining the books and papers received from my predecessor, General Porter, I found due the State of Delaware, from the United States (under the act of Congress of April 23, 1808,) up to June 30, 1876, Ordnance Stores to the amount of six thousand seven hundred and eighty-one dollars and ninety-nine cents, (\$6,781.99;) from this amount the United States claimed and deducted as overdrawn account, January 1, 1876, \$354.12, leaving balance due, \$6,427.87.

On applying to the War Department for a statement of the account between the United States and the State of Delaware, I received the following:

On the 15th day of July, A. D. 1861, the Hon. Secretary of War, upon a requisition signed by Hon. Geo. P. Fisher, then M. C. from Delaware, and Major General Henry DuPont, of the State militia, directed the Ordnance Officer to forward to Major-General Henry DuPont, Wilmington, Delaware, Ordnance Stores as follows:

1,000 altered Muskets of value.....	\$13,000 00
1,000 sets Accoutrements.....	3,500 00
40,000 B. & B. Cartridges.....	500 00
Total.....	<hr/> \$17,000 00

And charged the same to the State of Delaware. This charge I disputed the justice of, on the following grounds:

1st. That the State of Delaware had not made the requisition for these stores.

2d. That these stores had not been issued to the State of Delaware.

3d. That the State never had received, used, or in any manner made itself responsible for the payment or return of these stores.

4th. That the State of Delaware had not received from the Ordnance Officer any notice of these stores having been charged to the State, or that the United States made any claim upon the State of Delaware for these stores at the time they were furnished to Messrs. DuPont and Fisher; and,

5th. That General DuPont claimed that he had asked for these

stores upon his own responsibility and not of the State of Delaware; that he became personally liable to the United States for these stores, and at the close of the war had delivered them up to the United States Quartermaster then stationed in Wilmington.

After much correspondence and some personal interviews, combined with the assistance of Hon. James Williams and General Henry Du-Pont, the honorable Secretary of War directed the Ordnance Officer to credit the State of Delaware with the sum charged July 15, 1861, viz \$17,000 00
The account then stood due June 30, 1876..... 6,427 87

Total amount of credits..... \$23,427 87

The charges made and to be deducted therefrom by the United States are as follows, and correct:

February 18, 1876, on the requisition of his Excellency James Ponder, 70 Springfield B. L. R. Cadet Muskets of value..	\$1,596 00	
25 Non-Commissioned Officers' Swords...	100 00	
70 sets Accoutrements, with waist-belts, &c.	240 23	
3,000 Ball Cartridges.....	90 00	
3,000 Blank Cartridges.....	60 00	
		<hr/> 2,086 23

Leaving balance due..... \$21,341 64

November 1, 1875, your Excellency made requisition for, and on the 10th instant this office received from the War Department 64 S. B. L. R. Muskets complete..	\$960 00	
64 sets of Accoutrements	183 04	
5 Non-Commissioned Officers' Swords....	25 00	
4 Musicians' Swords.....	19 00	
1,000 Blank Cartridges	17 00	
		<hr/> 1,204 04

On November 12, 1876, your Excellency made requisition for, and the 17th inst. this office received 120 S. B. L. Muskets, complete.....	1,800 00	
120 sets Accoutrements.....	343 20	
10 Non-Commissioned Officers' Swords...	50 00	
8 Musicians' Swords.....	38 00	
2,000 Blank Cartridges	34 00	
		<hr/> 2,265 20

<i>Amount brought forward</i> ,	\$24,810 70
On March 1, 1876, your Excellency made requisition for, and on the 6th instant this office received 60 S. B. L. R. Muskets, complete.....	900 00
60 sets Accoutrements.....	171 60
5 Non-Commissioned Officers' Swords....	25 00
4 Musicians' Swords.....	19 00
1,000 Blank Cartridges.....	17 00
	<hr/>
	1,132 60

Making a total of..... \$4,601 84

Which deducted from the balance due June 30, 1876, \$21,341.64, leaves upon the books of the Ordnance Office of the United States due the State of Delaware up to the close of the fiscal year ending June 30, 1876, the sum of..... \$16,739 80

RECAPITULATION :

June 30, 1876. Due the State of Delaware.....	\$ 6,781 99
Jan. 1, 1876. By error corrected and amount credited.	17,000 00
	<hr/>
Total amount.....	\$23,781 99

CONTRA :

To amount claimed to be overdrawn.....	\$ 354 12	
Feb. 18, 1873. To amount of requisition..	2,086 23	
Nov. 1, 1875. To amount of requisition..	1,204 04	
Nov. 12, 1875. To amount of requisition..	2,265 20	
March 1, 1876. To amount of requisition..	1,132 60	7,042 19
		<hr/>

Leaving a balance due this State, June 30, '76, of \$16,739 80

The Ordnance Stores issued to this State, upon the requisition of Governor Ponder, dated Feb. 18, 1876, were turned over to the President of Delaware College, as provided for in Chapter 218, Vol. 14, page 282, Laws of Delaware.

In compliance with General Order, No. 3, made by your Excellency, dated Nov. 17, 1875, directing me to receive the bond and honor the requisition of the American Rifles, Company A, I turned over to Captain Samuel Wood,

64 S. B. L. R. Muskets, complete, of value.....	\$960 00
64 Sets Accoutrements, value.....	183 04
5 Non-Com. Officer's Swords.....	25 00
4 Musician's Swords.....	19 00
1000 Blank Cartridges.....	17 00

Total value \$1,204 04

In compliance with General Order, No. 5, made by your Excellency, dated December 2, 1875, directing me to receive the bond and honor the requisition of the German Military Company, Company B, I turned over to Captain George Wilhelmi,

60 S. B. L. R. Muskets, complete, of value.....	\$900 00
60 Sets of Accoutrements, value.....	171 60
5 Non-Com. Officer's Swords.....	25 00
4 Musician's Swords.....	19 00
1000 Blank Cartridges.....	17 00

Total value..... \$1,132 60

In compliance with General Order, No. 6, made by your Excellency, dated December 13, 1876, directing me to receive the bond and honor the requisition of the State Capital Guards, Company C, I turned over to Captain James W. Leatherbury,

60 S. B. L. R. Muskets, complete, of value.....	\$900 00
60 Sets of Accoutrements, value.....	171 60
5 Non-Com. Officer's Swords.....	25 00
4 Musician's Swords.....	19 00
1000 Blank Cartridges.....	17 00

Total value..... \$1,132 60

The following Ordnance Stores procured to meet the requisition of the National Rifles, Company D, are yet in my charge and stored in my private office,

60 S. B. L. R. Muskets, complete, in value.....	\$900 00
60 Sets of Accoutrements, value.....	171 60
5 Non-Com. Officer's Swords.....	25 00
4 Musician's Swords.....	19 00
1000 Blank Cartridges.....	17 00

Total value..... \$1,132 60

On May 31, 1876, Captain Thomas D. G. Smith, of the State Capital Guards, Company C, officially notified me that said company had disbanded. I therefore directed all the Arms and Accoutrements, furnished to the State Capital Guards, to be turned over to the sheriff of Kent county, and triplicate receipts from sheriff Cooper, for 60 S. B. L. R. Muskets, complete; 60 sets of Accoutrements; 5 Non-Com. Officer's Swords; 4 Musician's Swords; 925 Blank Cartridges, have been forwarded to me and placed on file in the archives of this office.

The Ordnance Stores of the State are as follows:

In New Castle county, 60 S. B. L. R. Muskets, complete; 60 sets Accoutrements; 9 Non-Com. Officer's and Musician's Swords; 1000 blank Cartridges; in the office of the Adjutant General.

Also, 200 old Muskets assorted, in the Armory and worthless, except for old iron.

In Kent county, 200 old Muskets, worthless; 120 smooth-bore Muskets, in bad order; 40 smooth-bore Rifles, in good order; 35 Rifle-bore Muskets, in bad order; 60 S. B. L. R. Muskets, complete, new; 60 sets of Accoutrements, new; 9 Non-Com. Officer's and Musician's Swords, new; 925 blank Cartridges, new.

In Sussex county, 99 Stand of Arms, assorted and worthless; 170 Cartridge-boxes, worthless.

ARSENALS.

The sheriff of Sussex county, reported July 17, 1875, that the Public Arsenal was totally unfit for the storage of arms, and is used as a warehouse or granary, and that all arms in it are ruined.

The sheriff of Kent county, reported July 9, 1875, no fit place in Kent county suitable for keeping arms, and all State Ordnance Stores in that county are placed and kept in the cellar of the Capital building.

In New Castle county the Commissary reports a good and suitable room in the County Court House, used as an armory.

I would respectfully suggest that it would be well to sell as old iron the worthless Muskets, Rifles, &c., now in the Arsenals, and replace them from out of the credit to the State at the U. S. War Department, provided there be some proper place for the storage and care of the Ordnance Stores after the State obtains them.

On the 4th day of February, 1861, his Excellency William Burton, made the necessary requisition for and obtained from the War Department for the use of the volunteer militia of the State of Delaware, 120 long-range rifles, 120 sets of accoutrements, 55 rifle muskets, 55

sets of accoutrements, for which the State of Delaware was charged the sum of three thousand four hundred and thirty-one dollars, (\$3,431.) These stores were seized upon an order issued by the Hon. Secretary of War, directed to Colonel James Wallace, during the year 1861, and removed from the State of Delaware by United States soldiers, and at this time have neither been returned nor has the State of Delaware received any compensation for them. I have presented a claim to the United States for the return of these arms and accoutrements or the credit for them upon the books of the Ordnance Office in favor of Delaware.

The Roster of this office shows that during the late sectional war there were raised within the State of Delaware and mustered into the United States service, 7 regiments of infantry, 1 regiment of cavalry, 1 battery, a greater number of soldiers in proportion to the population than was furnished by any other State.

I respectfully suggest to your Excellency that it seems but just and right, in view of the foregoing facts, that the State of Delaware should be reimbursed the full amount of the debt created by the State during the war, properly called and known as the war debt, of \$1,110,000, under the act of Congress approved March 8, 1862, viz:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That the Secretary of the Treasury be and he hereby is directed, out of any money in the Treasury not otherwise appropriated, to pay to the Governor of any State, or to his duly authorized agents, the costs, charges, and expenses properly incurred by such State for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the present insurrection against the United States, to be settled upon proper vouchers to be filed and passed upon by the proper accounting officers of the Treasury."

Under this act other States have recovered their war expenditures, and Delaware should do the same. I think if the legislature would authorize the publication of the Roster of this office, showing all the troops furnished by, or enlisted in this State, and enrolled into the service of the United States during the civil war, this claim might be recovered.

The records of this office when turned over to me, were in a very imperfect condition. I have devoted much time endeavoring to correct them from the daily reports from the field, while the regiments were in active service, but much matter of pertinent moment to the soldier, and this office, remains yet to be done; the records now show who enlisted, when and where, but are seriously deficient as to what

became of the men thereafter—whether killed, and where died, and from what cause, when and where deserted, and at what time, or having served their time and been honorably discharged, if so what date and where, these are serious deficiencies, as it is almost a daily occurrence for this office to be applied to for certificates of discharge. Since the date of my commission, I have furnished four hundred and eighty-three certificates of discharge, and many more were applied for, that I could not supply. These deficiencies can be corrected at small cost, (not exceeding one hundred dollars), from the records in the war department at Washington, and really should be.

There are two military organizations now in this State containing the minimum number of men, viz :

American Rifles, Captain Samuel Wood, 64 men rank and file.
German Military Company, Captain August Hilgen, 60 men rank and file.

By Act of Congress, approved March 2, 1803, it is the duty of the Adjutant-General of each State to make return of the militia of the State, to which he belongs, to the President of the United States, annually, on or before the first Monday in January in each year. This duty I have attended to as required.

In conclusion, I respectfully suggest that legislation is needed to create an efficient State militia, secure suitable arsenals, and have the Ordnance Stores of the State properly cared for.

Very respectfully, your obedient servant,

WM. REYNOLDS,

Adjutant-General, State of Delaware.

Mr. Taylor, Clerk of the Senate, being admitted, informed the House that the Senate had adopted a Joint Resolution in relation to the report of the Adjutant-General of the State appointing a committee of two on the part of the Senate and three on the part of the House, and requested the concurrence of the House, and that Messrs. Ray and Causey were appointed said committee on the part of the Senate.

Mr. Wright moved,

That the Joint Resolution just received from the Senate be read,

Which motion

Prevailed,

And on his further motion,

Was

Concurred in,

And Messrs. Cochran, Hall, and Messick were appointed said committee on the part of the House, and the Clerk was directed to inform the Senate thereof, and return the resolution to that body.

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

“An act to repeal Chapter 60 of the current volume of Delaware Laws.”

Mr. Taylor, Clerk of the Senate, being admitted, informed the House that the Senate had adopted a Joint Resolution appointing a committee of two on the part of the Senate and two on the part of the House to report joint rules for the government of the two Houses in their joint intercourse, and requested the concurrence of the House, and that Messrs. Harrington and Hopkins were appointed said committee on the part of the Senate.

Mr. Burnite moved,

That the Joint Resolution just received from the Senate be read,

Which motion

Prevailed.

And, on his further motion,

Was

Concurred in.

Whereupon,

Messrs. Burnite and Bartholomew were appointed said committee on the part of the House.

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

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

“An act to repeal Chapter 47 of Volume 15 of Delaware Laws, taxing dogs for school purposes.”

On motion, the House adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

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

“An Act to repeal Chapter 557, Vol. 14, Laws of Delaware.

Mr. Taylor, Clerk of the Senate, being admitted, informed the House that the Senate requested the report of the Superintendent of Public Schools, now in the possession of the House.

Mr. Ware moved,

That the request of the Senate be complied with,

Which motion

Prevailed.

Ordered that the Senate be informed thereof, and the report be delivered to that body.

Mr. Robinson moved,

That the rules governing the last House of Representatives being the rules now governing the present House, be read,

Which motion

Prevailed.

Mr. Holcomb offered a Joint Resolution, providing for the repair of the portrait of the late Commodore Jones,

Which, on his motion, was read, and, on his further motion,

Was

Adopted.

Mr. Wright offered a resolution, which was read as follows:

Resolved, That clergymen be, and they are hereby invited to take seats upon the floor of the House of Representatives, when visiting the Capital,

Which, on his motion,

Was

Adopted.

Mr. Rickards offered a resolution, which was read as follows:

Resolved, That when the House adjourns, it adjourns to meet to-morrow morning at nine o'clock,

Which, on his motion,

Was

Adopted.

On motion, the House adjourned until 9 o'clock, to-morrow morning.

THURSDAY, *January* 4, 1877—9 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Bird offered a Joint Resolution, that when the two Houses adjourn this morning, they adjourn to meet on Monday next, at 3 o'clock, P. M.,

Which,

On his motion, was read, and, on his further motion,

Was

Adopted.

Ordered to the Senate for concurrence.

Mr. Holcomb, on behalf of the committee to draft rules for the government of the House, made a report, which was read as follows:

RULES:

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

RULE 2. Every day, before the House proceeds to business, the Clerk shall call the names of the members in alphabetical order, and shall read the journal of the preceding day, which may then be corrected by the House.

RULE 3. All motions and resolutions, except for the reading of

bills, the daily adjournment of the House, or any motion to refer the subject, or to postpone the same, shall, if required by the Speaker or any member, be reduced to writing by the mover, and, if seconded, shall be repeated by the Speaker to the House before a debate or decision thereon. And any written resolution introduced by the Speaker, or a member of the House, and sent to the Clerk's table, shall be read without a previous motion to receive the same, unless the reading of such resolution shall be objected to by a member of the House.

RULE 4. All committees, unless the House shall otherwise direct, shall be appointed by the Speaker. And every committee shall report within five days of actual session of the House from the time of their appointment, or furnish sufficient reason why report has not been made.

RULE 5. The following committees shall be standing committees, and shall continue during the session, to whom business applicable to them shall be referred, viz :

- A committee of six on Enrollment.
- A committee of three on Claims.
- A committee of three on Accounts.
- A committee of three on Election.
- A committee of five on Corporations.
- A committee of six on Federal Relations.
- A committee of five on Ways and Means.
- A committee of five on Education.
- A committee of three on Vacant Lands.
- A committee of three on Roads and Highways.
- A committee of three on Divorces.
- A committee of five on Revised Statutes.

RULE 6. The unfinished business in which the House was engaged at the time of the last adjournment, shall have the preference in the order of the day.

RULE 7. Every bill shall be introduced by motion for leave, by order of the House, or by a report of a committee; and one day's notice, at least, shall be given of an intended motion for leave to bring in a bill.

RULE 8. Every motion, except a motion to adjourn, shall be entered on the journal with the name of the mover.

RULE 9. No member shall be interrupted when speaking but by a

call to order by the Speaker, or a member through the Speaker, nor shall any member be allowed to speak upon any subject more than three times (except in explanation) without leave of the House; and no member shall be referred to by name in debate.

RULE 10. While the Speaker is putting any question, or addressing the House, no one shall walk out of or across the House, nor in such case, or when a member is speaking, shall entertain private discourse; nor while a member is speaking shall pass between him and the Chair.

RULE 11. Before any petition or memorial addressed to this House shall be received and read at the Clerk's table, whether the same be introduced by the Speaker or a member, a brief statement of the contents shall be verbally made by the introducer; and any petition or memorial shall be referred, of course, without putting a question for that purpose, unless the reference is objected to by a member at the time such petition or memorial is presented and read.

RULE 12. Every bill and every amendment, except as to style or form, shall receive three several readings, no two of which shall be on the same day, except by special order of the House, under a suspension of the rules.

RULE 13. No rule of the House shall be changed or suspended, except by a vote of two-thirds of the members present.

RULE 14. All bills ordered to be engrossed shall be certified by the Clerk, noting the day of passing at the foot thereof.

RULE 15. All amendments to bills shall be made before they are taken up for the third or final reading, unless such as will not materially alter or change their nature or meaning.

RULE 16. No question which has been decided shall be reconsidered but on a motion made by a member who voted with the majority on the original question, and no motion for reconsideration shall be in order unless made on the same or one of the three next succeeding days of actual session of the House thereafter. And the word majority shall, in application of this rule, be construed to mean, not the greater number of votes, but such number as was sufficient to prevail in the decision of the original question.

RULE 17. Questions of order, either before the House or in Committee of the Whole, shall, in the first place, be determined by the Speaker or Chairman, from whose decision an appeal may be made

to the House or Committee on the request of a member, but no debate shall be allowed thereon until the appeal is taken.

RULE 18. The rules of proceeding in the House shall, as far as applicable, be observed in Committee of the Whole.

RULE 19. The Speaker, or Chairman, shall put every question, and, if necessary for a fair decision, may, of his own accord, or at the request of a member, require those in the affirmative to rise, and reverse the question; and the yeas and nays shall be taken, if requested by the Speaker or a member.

RULE 20. All messages from the House to the Senate shall be conveyed by the Clerk or a member, as the Speaker may direct, and when a message is brought to the House by a member of the Senate, or an officer of the State, the members shall rise upon their feet.

RULE 21. Messages to the House shall not be admitted while the House is voting on a question.

RULE 22. Unless otherwise ordered, the House shall meet every day (except Sunday), at ten o'clock in the morning, and three o'clock in the afternoon.

RULE 23. No member shall absent himself from more than one sitting of the House without first having obtained leave.

RULE 24. The rules of Parliamentary practice, comprised in Cushing's Manual, shall govern the House in all cases to which they are applicable, and which are not inconsistent with the standing rules and orders of the House.

Mr. Ware moved, that the report of the committee be accepted,

Which motion

Prevailed.

Mr. Holcomb moved, that the rules be taken up for consideration,

Which motion

Prevailed.

Mr. Taylor, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the Joint Resolution, adjourning the two Houses until Monday next, at 3 o'clock, P. M.

And returned the resolution to the House.

Mr. Bird moved, that the rules for the government of the House, be adopted.

Mr. Taylor, Clerk of the Senate, being admitted, informed the

House that the Senate had adopted the report of the Joint Committee, appointed to prepare joint rules for the government of the two Houses in their joint intercourse.

Mr. Bird asked, and on motion of Mr. Wright, obtained leave to withdraw his motion for the adoption of the rules.

Mr. Holcomb moved, that the rules be adopted *seriatim*,

Which motion *Prevailed.*

And the rules were adopted, from 1 to 11, inclusive.

And pending the motion for the adoption of Rule 12,

Mr. Robinson move, to amend by striking out the words,

“And every amendment except as to style or form,”

Which motion was *Lost.*

And the question recurring upon the original motion,

It was decided in the affirmative,

And Rule 12 was *Adopted.*

And the rules, from 13 to 24 inclusive,

Were *Adopted.*

And, upon the further motion of Mr. Holcomb,

Were adopted as a whole as reported by the committee,

Mr. Holcomb moved,

That the Clerk be instructed to have fifty copies of the rules printed for the use of the House.

Mr. Robinson moved,

To amend the motion by inserting one hundred in lieu of fifty,

Which motion was *Lost.*

And the question recurring on the original motion,

It was decided in the affirmative.

Mr. Burnite, on behalf of the Joint Committee on the part of the House, appointed to prepare Joint Rules for the government of the two Houses in their joint intercourse, made a report, which was read as follows :

JOINT RULES.

The Joint Committee appointed to prepare Joint Rules for the government of the intercourse between the two Houses, respectfully ask leave to report the following Joint Rules, and recommend their adoption :

RULE 1. In every case of an amendment to a bill, or any other matter agreed to in one House and dissented to in the other—if either House shall request a conference, and appoint a committee for that purpose, and the other House shall also appoint a committee to confer—such committee shall, at a convenient hour, agreed on by their chairman, meet in the Conference Chamber, and state to each other, verbally, or in writing, as either shall choose, the reasons of their respective Houses for and against the amendment or other matter of disagreement, and confer freely thereon.

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

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

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

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

RULE 6. After examination and report, each bill or joint resolution shall be signed in the respective Houses, first by the Speaker of the House in which it originated.

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

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

RULE 9. After each House shall have adhered to their disagreement a bill or resolution shall be lost.

(Signed,)

C. J. HARRINGTON,
JAMES A. HOPKINS,

Joint Committee on part of the Senate.

WILBUR H. BURNITE,
JOHN E. BARTHOLOMEW,

Joint Committee on part of the House.

Mr. Holcomb moved,

That the report of the committee on joint rules be accepted,

Which motion

Prevailed.

And, on his further motion, the report of the committee,

Was

Adopted.

Mr. Burnite moved,

That the Clerk be instructed to have fifty copies of the joint rules, governing the two Houses in their joint intercourse, in connection with the rules for the government and preservation of the Capitol building, for the use of the House.

Mr. Robinson moved,

To postpone the further consideration of the subject, until Tuesday next,

Which motion was

Lost.

Mr. Burnite asked,

And, on motion of Mr. Wright, obtained leave to withdraw the motion.

Mr. Burnite moved,

That the Clerk be instructed to have printed for the use of the House, fifty copies of the joint rules governing the two Houses in their joint intercourse,

Which motion

Prevailed.

The Speaker announced the Standing Committees of the House, as follows:

COMMITTEE ON ENROLLMENT :

Messrs. Robinson,	Messrs. Thompson,
Taylor,	Brown,
Killgore,	Bartholomew.

COMMITTEE ON CLAIMS :

Messrs. Mustard,	Messrs. Hall,
	Bird.

COMMITTEE ON ACCOUNTS :

Messrs. Hall,	Messrs. Thompson,
	Ware.

COMMITTEE ON ELECTIONS :

Messrs. Bartholomew,	Messrs. Slaughter,
	Morris.

COMMITTEE ON CORPORATIONS :

Messrs. Ware,	Messrs. Bird,
Wright,	Morris,
	Messick.

COMMITTEE ON EDUCATION :

Messrs. Cochran,	Messrs. Ware,
Morris,	Mustard,
	Saulsbury.

COMMITTEE ON WAYS AND MEANS :

Messrs. Holcomb,	Messrs. Ware,
Wright,	Thompson,
	Messick.

COMMITTEE ON ROADS AND HIGHWAYS :

Messrs. Morris,	Messrs. Taylor,
	Bartholomew.

COMMITTEE ON VACANT LANDS :

Messrs. Brown,	Messrs. Rickards,
	Nicholson.

COMMITTEE ON DIVORCES :

Messrs. Bird,	Messrs. Brown,
	Messick.

COMMITTEE ON FEDERAL RELATIONS :

Messrs. Burnite,
 Morris,
 Bartholomew,

Messrs. Robinson,
 Brown,
 Cochran.

COMMITTEE ON REVISED STATUTES :

Messrs. Wright,
 Holcomb,

Messrs. Burnite,
 Nicholson,
 Morris.

Mr. Burnite moved,

That the Clerk be instructed to have printed fifty copies of the list of standing committees for the use of the House,

Which motion

Prevailed.

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

“An act to repeal the act entitled ‘A supplement to the act entitled ‘An act for the protection of Fishermen,’ passed at Dover, March 29, 1871.’”

On motion, the House adjourned until Monday next at 3 o'clock in the afternoon.

MONDAY, *January* 8, 1877—3 o'clock, P. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

The Speaker presented a communication from the National Board of Trade of the United States, with an accompanying memorial,

Which were read,

And, on motion of Mr. Robinson,

Were referred to the Committee on Education.

Mr. Burnite offered a resolution,

Which, on his motion, was read as follows :

Resolved, That so much of his Excellency's the Governor's message as refers to "insurance companies" and their careful supervision, be and the same is hereby referred to a special committee of three, with instructions to take into consideration the suggestions therein contained, and, after diligent and careful inquiry into our existing laws on the subject, and the practical working of the laws in other States where such supervision already exists, report to the House at as early a day as practicable, by bill or otherwise.

And, on his further motion,

Was

Adopted.

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

"An act to establish a State Work House, for all persons convicted of crime and punishable with imprisonment."

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

"An act to amend 'An act to incorporate the Kiamensi Woollen Company,' passed at Dover, Oct. 20, 1864."

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

"An act to amend Chapter 61, of the Revised Statutes of the State of Delaware, concerning Mills."

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

"An act to amend the act entitled, 'An act in relation to Free Schools in this State,' passed at Dover, March 25, 1875."

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

"An act to incorporate the Seaford Fire Insurance Company."

Mr. Robinson moved,

That so much of the Governor's message as relates to Federal Relations be referred to the Committee on Federal Relations,

Which motion

Prevailed.

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

"An act to repeal the act entitled 'An act to exempt from execution process certain articles of personal property,' passed at Dover, April 10, 1873."

Mr. Brown moved,

That so much of the Governor's message as relates to tramps be referred to a special committee of three,

Which motion

Prevailed.

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

"An act to lay off an additional school district in Sussex County."

Mr. Morris, in pursuance of previous notice, asked,

And, on motion of Mr. Robinson,

Obtained leave to introduce a bill entitled,

"An act to repeal the act entitled 'An act authorizing the Levy Courts of the several counties in this State to adopt measures for the destruction of hawks and owls,' passed at Dover, March 23, 1875,"

Which,

On motion of Mr. Morris, was read.

Mr. Holcomb offered a Joint Resolution in relation to the claim of Messrs. James & Webb,

Which, on his motion, was read,

And, on his further motion,

Was referred to the Committee on Claims.

Mr. Bird, in pursuance of previous notice, asked,

And, on motion of Mr. Robinson,

Obtained leave to introduce a bill entitled,

"An act to repeal the act entitled 'A supplement to the act entitled 'An act for the protection of Fishermen,' passed at Dover, March 29, 1871,'"

Which,

On motion of Mr. Bird, was read.

Mr. Holcomb moved to reconsider the vote, by which the Joint Resolution, in relation to the claim of Messrs. James & Webb, was referred to the committee on claims,

Which motion

Prevailed.

Mr. Ware moved to refer the Joint Resolution in relation to the claim of Messrs. James & Webb, to a special committee of three,

Which motion

Prevailed.

Whereupon,

Messrs. Ware, Burnite and Robinson, were appointed said committee.

Mr. Wright, in pursuance of previous notice, asked,

And, on motion of Mr. Morris,

Obtained leave to introduce a bill entitled,

“An act to repeal Chapter 61, of the Current Volume of Delaware Laws,”

Which,

On motion of Mr. Wright, was read.

Mr. Holcomb was appointed the committee, on the part of the House, on Joint Resolution, providing for the repair of the portrait of the late Commodore Jones,

And, the resolution was ordered to the Senate for concurrence.

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

“An act to incorporate the United Children of the Light, of the State of Delaware, at Summit Bridge.”

Mr. Wright, in pursuance of previous notice, asked,

And, on motion of Mr. Robinson,

Obtained leave to introduce a bill entitled,

“A further additional supplement to the act to extend the time for recording Deeds,”

Which,

On motion of Mr. Wright, was read.

Mr. Holcomb moved,

That so much of the Governor's message as related to financial affairs and taxation, be referred to the committee on Ways and Means,

Which motion

Prevailed.

On motion the House adjourned until 10 o'clock to-morrow morning.

TUESDAY, *January* 9, 1877—10 o'clock A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Morris, in pursuance of previous notice, asked,

And, on motion of Mr. Holcomb,

Obtained leave to introduce a bill entitled,

“An act to amend the act entitled ‘An act in relation to Free Schools in this State,’ passed at Dover, March 25th, 1875.”

Which,

On motion of Mr. Morris, was read.

The Speaker appointed Messrs. Burnite, Messick, and Bird, the special committee of three to whom so much of the Governor's message as relates to the supervision of insurance companies was referred.

Mr. Cochran offered a resolution,

Which,

On his motion, was read as follows:

Resolved, That the report of the State Superintendent of Education, together with so much of the Governor's message as refers to

free schools and the school law of 1875, be, and the same is hereby referred to the Committee on Education,

And, on his further motion,

The resolution was

Adopted.

On motion of Mr. Morris, the bill entitled,

“An act to repeal the act entitled ‘An act authorizing the Levy Courts of the several counties in this State, to adopt measures for the destruction of hawks and owls,’ passed at Dover, March 23, 1875.”

Was read a second time by its title,

And, on motion of Mr. Holcomb,

Was referred to the Committee on Revised Statutes.

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

“An act authorizing the Recorder of Deeds of Kent county to copy indices.”

Mr. Holcomb, in pursuance of previous notice, asked,

And, on motion of Mr. Wright,

Obtained leave to introduce a bill entitled,

“An act to amend ‘An act to incorporate the Kiamensi Woolen Company,’ passed at Dover, Oct. 20, 1864,”

Which,

On motion of Mr. Holcomb, was read.

Mr. Holcomb, in pursuance of previous notice, asked,

And, on motion of Mr. Robinson,

Obtained leave to introduce a bill entitled,

“An act to repeal Chapter 557, Vol. 14, of the Laws of Delaware,”

Which,

On motion of Mr. Holcomb, was read.

Mr. Messick offered a resolution,

Which was read as follows :

Resolved, That so much of the Governor's message, as relates to the deaf, dumb, blind and insane, be referred to a committee of three, with leave to report by bill, or otherwise,

And, on his further motion, the resolution,

Was

Adopted.

On motion, the House adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Robinson presented a petition praying for the passage of an act authorizing the appointment of an additional Justice of the Peace, and Notary Public, in Sussex county, to reside within one mile of the town of Gumboro, in Gumboro hundred,

Which, on his motion,

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

Whereupon,

Messrs. Rickards, Thompson and Holcomb, were appointed said committee.

The Speaker appointed as the committee on so much of the Governor's message as relates to tramps,

Messrs. Brown, Nicholson and Cochran.

The Speaker appointed as the committee on so much of the Governor's message as relates to the deaf, dumb, blind and insane,

Messrs. Messick, Wright and Bird.

Mr. Bird offered a Joint Resolution requesting the directors of the

Farmers' Bank, appointed by the State, to make a just and true report of the condition and financial standing of said bank,

Which,

On motion of Mr. Bird, was read,

Mr. Bird moved the adoption of the resolution.

Pending the motion to adopt the resolution,

Mr. Robinson moved to postpone the further consideration of the resolution until Thursday next,

Which motion

Prevailed.

Mr. Cochran presented the petition of W. B. Hollis and 27 others, asking that the present mode of amending the laws be changed,

Which, on his motion, was read.

Mr. Burnite offered an additional rule for the government of the House,

Which was read as follows :

Additional rule to the "Rules Governing the House."

When it is moved to amend by striking out certain words and inserting others, the passage to be amended as it at present stands shall be first read, then the words proposed to be struck out, next those to be inserted, and lastly the passage as it will be if so amended. And the question on its adoption, if desired, is to be divided, and first put on striking out; if carried, it is next on inserting the words proposed; if that be lost, it may be moved to insert others,

Which, on his motion, was laid on the table.

Mr. Robinson, from the Committee on Enrollment, reported the House Joint Resolution of adjournment duly and correctly enrolled and presented the same for the signature of the Speaker of the House.

Mr. Messick, in pursuance of previous notice, asked,

And, on motion of Mr. Morris,

Obtained leave to introduce a bill entitled,

"An act to repeal Chapter 47, Volume 15, Delaware Laws,"

Which,

On motion of Mr. Messick, was read.

Mr. Morris presented two letters, one from Geo. M. Davis, Esq., and one from T. W. Willen, Esq., in relation to the act entitled, "An act authorizing the Levy Courts of the several counties in this State, to adopt measures for the destruction of hawks and owls, passed at Dover, March 23, 1875,"

Which were read,

And, on his motion,

Were referred to the committee on Revised Statutes.

Mr. Robinson offered a Joint Resolution, appointing a joint committee of two, on the part of the Senate, and three on the part of the House, to examine the accounts of the State Treasurer,

Which, on his motion, was read,

And, upon his further motion,

Was

Adopted.

Whereupon,

Messrs. Holcomb, Wright and Robinson, were appointed said committee on the part of the House.

Ordered to the Senate for concurrence.

Mr. Hall moved,

That so much of the Governor's message as relates to statistics, be referred to a special committee of three,

Which motion

Prevailed.

And, thereupon,

Messrs. Hall, Ware and Thompson, were appointed said committee.

On motion the House adjourned until 10 o'clock, to-morrow morning.

WEDNESDAY, *January 10, 1877*—10 o'clock A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Thompson, on behalf of Mr. Mustard, asked and obtained leave of absence for Mr. Mustard for the day.

Mr. Bird, in pursuance of previous notice, asked,

And, on motion of Mr. Hall,

Obtained leave to introduce a bill entitled,

“An act to establish a State Work-House for all persons convicted of crime and punishable with imprisonment,”

Which,

On motion of Mr. Bird, was read,

And, on his further motion,

Was referred to a special committee of five,

Whereupon,

Messrs. Bird, Holcomb, Brown, Messick, and Robinson were appointed said committee.

Mr. Bird moved,

That the Clerk be directed to have printed five hundred copies for the use of the House, leaving out the names of the proposed commissioners,

Which motion

Prevailed.

On motion of Mr. Morris, the bill entitled,

“An act to amend the act entitled ‘An act in relation to Free Schools in this State,’ passed at Dover, March 25th, 1875,”

Was read a second time by its title,

And referred to the Committee on Education.

On motion of Mr. Holcomb, the bill entitled,

“An act to repeal Chapter 557, Volume 14, Laws of Delaware,”

Was read a second time by its title,

And referred to the Committee on Revised Statutes.

On motion of Mr. Bird, the bill entitled,

“An act to repeal the act entitled ‘A supplement to the act entitled ‘An act for the protection of Fishermen,’ passed at Dover, March 29, 1871,’ ”

Was read a second time by its title,

And referred to the Committee on Revised Statutes.

Mr. Burnite offered a resolution,

Which was read as follows :

Resolved, That the Rules for the government of the House, be so amended as to add a standing committee of three, on printing, and this committee shall have charge and direction of all matter to be printed by order of the House,

And on his motion,

Was

Adopted.

Whereupon,

Messrs. Taylor, Morris and Bird, were appointed said committee.

Mr. Wright, in pursuance of previous notice, asked,

And, on motion of Mr. Robinson,

Obtained leave to introduce a bill entitled,

“An act authorizing the Recorder of Deeds of Kent county, to copy indices,”

Which,

On motion of Mr. Wright, was read.

Mr. Cochran moved,

That the petition of Wm. B. Hollis, Samuel Townsend, and others, be referred to a special committee of three,

Which motion

Prevailed.

Whereupon,

Messrs. Cochran, Burnite and Morris, were appointed said committee.

Mr. Burnite moved,

That the additional rule for the government of the House, offered by him, yesterday, and laid on the table, be taken up for consideration,

Which motion

Prevailed.

And upon his further motion,

Was referred to the special committee of three, to whom was referred the petition of Wm. B. Hollis, Samuel Townsend, and others.

On motion of Mr. Messick,

The bill entitled "An act to repeal Chapter 47, Vol. 15, Delaware Laws,"

Was read a second time, by its title, and referred to the committee on Revised Statutes.

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

"An act to amend Chapter 7, of the Revised Code of 1852, as amended and published in the amended code of 1874."

The Speaker gave notice that, on to-morrow or some future day, he would ask leave to introduce a bill entitled,

"An act to repeal Chapter 188, Volume 15, of the Laws of Delaware."

On motion of Mr. Holcomb, the bill entitled,

"An act to amend an act to incorporate the Kiamensi Woolen Company, passed at Dover, October 20th, 1864,"

Was read a second time by its title,

And referred to the Committee on Corporations.

On motion the House adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock P. M.

The House met pursuant to adjournment.

Mr. Holcomb presented the petition of R. S. Carpenter and others, praying for the repeal of the present law in relation to gill-nets and gill fisheries in the Delaware River and its tributaries,

Which was read, and, on his motion,

Was referred to the Committee on Revised Statutes.

Mr. Taylor, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House Joint Resolution entitled,

“Joint Resolution appointing a joint committee to examine the accounts of the State Treasurer,

And returned the same to the House, and that Messrs. Fiddeman and Sharpley were appointed said committee on the part of the Senate.

He also presented for the signature of the Speaker of the House the following enrolled Joint Resolutions, the same having received the signature of the Speaker of the Senate :

“Joint Resolution appointing a joint committee to wait upon his Excellency the Governor, and inform him of the organization of the two Houses ;”

“Joint Resolution appointing a joint committee to prepare joint rules for the government of the two Houses in their joint intercourse ;”

“Joint Resolution appointing a joint committee to take action and report upon the report of the Adjutant-General.”

He also returned to the House the enrolled House Joint Resolution relative to the adjournment of the two Houses, from Thursday the 4th day of January, to Monday the 8th, at 3 o'clock P. M., the same having received the signature of the Speaker of the Senate.

Mr. Burnite offered a Joint Resolution appointing a joint committee of two on the part of the Senate, and three on the part of the House, in relation to the boundary question,

Which was read,

And, on motion of Mr. Burnite,

Was

Adopted.

Whereupon,

Messrs. Burnite, Holcomb and Thompson, were appointed said committee on the part of the House.

Ordered to the Senate for concurrence.

On motion of Mr. Holcomb,

The resolutions of the General Assembly of the State of New Jersey, in relation to the boundary question, were referred to said joint committee.

On motion of Mr. Wright, the bill entitled,

“A further additional supplement to the act entitled, ‘An act to extend the time for recording Deeds,’ ”

Was read a second time by its title, and referred to the committee on Revised Statutes.

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

“An act to amend Section 23, of Chapter III, of the Revised Statutes of the State of Delaware of 1852, as amended, and republished in 1874.”

Mr. Thompson, in pursuance of previous notice, asked,

And, on motion of Mr. Robinson,

Obtained leave to introduce a bill entitled,

“An act to repeal an act entitled, ‘An act to exempt from execution process, certain articles of personal property,’ ”

Which,

On motion of Mr. Thompson, was read.

On motion the House adjourned until 10 o'clock, to-morrow morning.

THURSDAY, *January 11, 1877*—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Bird, on behalf of the committee on Corporations, to whom was referred the bill entitled,

“An act to amend an act to incorporate the Kiamensi Woolen Company, passed at Dover, October 20, 1864,”

Reported the bill back to the House without amendment,

And, on motion of Mr. Holcomb,

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

And, on the question, “Shall this bill pass the House?”

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Bartholomew, Bird, Brown, Burnite, Cochran, Hall, Holcomb, Messick, Morris, Mustard, Nicholson, Rickards, Robinson, Taylor, Thompson, Ware, Wright and Mr. Speaker—18.

Nays—None.

So the bill, having received the constitutional majority,

Passed the House.

Ordered to the Senate for concurrence.

Mr. Wright, on behalf of the committee on Revised Statutes, to whom was referred the bill entitled,

“An act to repeal Chapter 557, Volume 14, Laws of Delaware,”

Reported the bill back to the House without amendment ;

And, on motion of Mr. Holcomb,

The bill was read a third time, by paragraphs,

And

Passed the House.

Ordered to the Senate for concurrence.

Mr. Wright, on behalf of the committee on Revised Statutes, to whom was referred the bill entitled,

“A further additional supplement to the act entitled, ‘An act to extend the time for recording deeds, reported the bill back to the House, without amendment,’”

And, on his motion, the bill was read a third time, by paragraphs,

And

Passed the House.

Ordered to the Senate for concurrence.

Mr. Taylor, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House Joint Resolution, appointing a joint committee in relation to the Boundary Question,

And that Messrs. Fiddeman and Davis were appointed said committee on the part of the Senate,

And returned the resolution to the House.

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

“An act to amend Chapter 111 of the Revised Code, in relation to sale of lands and tenements under execution process.”

Mr. Wright, on behalf of the committee on Revised Statutes, to whom was referred the bill entitled,

“An act to repeal the act entitled ‘A supplement to the act entitled ‘An act for the protection of Fishermen,’ passed at Dover, March 29, 1871,’”

Reported the bill back to the House without amendment.

On motion of Mr. Bird,

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

And, on the question “Shall this bill pass the House?”

Mr. Robinson called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bartholomew, Bird, Brown, Burnite, Cochran, Hall, Holcomb, Messick, Morris, Mustard, Nicholson, Rickards, Robinson, Taylor, Thompson, Ware, Wright, and Mr. Speaker—18.

Nays—None.

So the bill, having received the constitutional majority,

Passed the House.

Ordered to the Senate for concurrence.

Mr. Taylor, Clerk of the Senate, being admitted, informed the House that the Senate had passed the Senate bill entitled,

“An act to incorporate the Worden Manufacturing Company; of Smyrna,”

And requested the concurrence of the House.

On motion of Mr. Wright, the bill was read.

Mr. Wright, on behalf of the committee on Revised Statutes, to whom was referred the bill entitled,

“An act to repeal the act entitled ‘An act authorizing the Levy Courts of the several counties in this State, to adopt measures for the destruction of hawks and owls,’ passed at Dover, March 23, 1875,”

Reported the same back to the House without amendment.

Mr. Morris moved,

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

And, pending the motion,

Mr. Messick moved to postpone the reading of the bill until Thursday next,

Which motion

Prevailed.

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

“An act to revive and extend the time for recording private acts.”

Mr. Rickards, in pursuance of previous notice, asked,

And, on motion of Mr. Morris,

Obtained leave to introduce a bill entitled,

“An act to amend Chapter 7, of the Revised Code of 1852, as amended and published in the amended code of 1874.”

Which,

On motion of Mr. Rickards, was read.

Mr. Holcomb offered a Joint Resolution, appropriating seven hundred dollars to defray the contingent expenses of the office of Secretary of State,

Which, on his motion, was read,

And, upon his further motion,

Was

Adopted.

Ordered to the Senate for concurrence.

On motion, the House adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Ware, on behalf of the special committee, to whom was referred the Joint Resolution, authorizing and directing the State Treasurer, to pay the claim of Messrs. James & Webb,

Reported the same back to the House with a recommendation that the resolution be adopted ;

And, on motion of Mr. Holcomb,

The joint resolution

Was

Adopted.

Ordered to the Senate for concurrence.

Mr. Robinson, on behalf of the committee on Enrollment, reported the following enrolled Senate Joint Resolutions, as duly and correctly enrolled, and presented the same for the signature of the Speaker of the House :

“Joint Resolution appointing a joint committee to wait upon his

Excellency the Governor, and inform him of the organization of the two Houses ;”

“Joint Resolution appointing a joint committee to prepare joint rules for the government of intercourse between the two Houses ;” and,

“Joint Resolution appointing a joint committee to take action and make report upon the report of the Adjutant-General.”

On motion of Mr. Messick,

The bill entitled “ An act to repeal Chapter 47, Vol. 15, Delaware Laws,”

Was taken up for consideration,

And, on his further motion,

Was read a third time, by paragraphs,

And

Passed the House.

Ordered to the Senate for concurrence.

Mr. Wright, in pursuance of previous notice, asked,

And, on motion of Mr. Robinson,

Obtained leave to introduce a bill entitled,

“An act to amend Section 23, of Chapter 111, of the Revised Statutes of the State of Delaware, of 1852, as amended, &c., and re-published in 1874,”

Which,

On motion of Mr. Wright, was read.

Mr. Messick moved,

That when the House adjourns it adjourns to meet to-morrow morning at 9 o'clock,

Which motion

Prevailed.

Mr. Taylor, Clerk of the Senate, being admitted, informed the House that the Senate had passed a bill entitled,

“An act transferring the home and mansion farm of George W. Horsey from School District No. 46 in Sussex county to School District No. 51 in Sussex county,”

And requested the concurrence of House.

On motion of Mr. Thompson, the Senate bill just received was read.

On motion of Mr. Wright, the bill entitled,

“An act to amend Section 23 of Chapter 111 of the Revised Statutes of the State of Delaware of 1852, as amended, &c., and republished in 1874,”

Was read a second time by its title,

And referred to the committee on Revised Statutes.

Mr. Holcomb offered a resolution,

Which was read as follows:

Resolved, That the Clerk be directed to have printed for the use of the House four hundred additional copies of the Governor's message.

Which,

On motion of Mr. Holcomb,

Was

Adopted.

On motion the House adjourned until 9 o'clock to-morrow morning.

FRIDAY, *January 12*, 1877—9 o'clock A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Wright, on behalf of the committee on Revised Statutes, to whom was referred the bill entitled,

“An act to repeal Chapter 61, of the Current Volume of Delaware Laws,”

Reported the bill back to the House without amendment.

Mr. Messick, on behalf of the committee to whom was referred so much of the Governor's message as relates to the deaf, dumb, blind and insane,

Reported that no further legislation was necessary upon that subject,
And asked that the committee be discharged,

And, on motion of Mr. Robinson, the committee were discharged.

Mr. Holcomb, in pursuance of previous notice, asked,

And, on motion of Mr. Ware,

Obtained leave to introduce a bill entitled,

"An act to amend Chapter 111, of the Revised Code, in relation to sale of lands and tenements under execution process,

Which,

On motion of Mr. Holcomb, was read.

Mr. Taylor, Clerk of the Senate, being admitted, informed the House that the Senate had passed a bill entitled,

"An act relating to School Districts, Nos. 60 and 94, in New Castle county,"

And requested the concurrence of the House.

On motion of Mr. Burnite, the bill just received from the Senate, was read.

Mr. Morris moved,

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

Which motion

Prevailed.

Mr. Wright moved to take up the bill entitled,

"An act to repeal Chapter 61, of the Current Volume of Delaware Laws,"

For consideration,

Which motion

Prevailed.

Mr. Brown moved,

That the further consideration of the bill be postponed until Thursday next, the 18th, at 4 o'clock, P. M.,

Which motion

Prevailed.

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

“An act transferring the home and mansion farm of George W. Horsey, from School District, No. 46, in Sussex county, to School District, No. 51, in Sussex county,

Was read a second time by its title,

And referred to the committee on Education.

On motion the House adjourned until Monday next, at 3 o'clock, P. M.

MONDAY, *January* 15, 1877—3 o'clock, P. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

On motion of Mr. Holcomb, the bill entitled,

“An act to amend Chapter 111 of the Revised Code, in relation to sale of lands and tenements under execution process,”

Was read a second time by its title,

And referred to the committee on Revised Statutes.

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

“An act to incorporate the J. Marshall Company;”

Also, a bill entitled,

“A supplement to an act entitled ‘An act to incorporate the Delaware Fire Insurance Company.’”

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

"An act to incorporate the St. John's Reformed Church, of Wyoming, Kent county, Delaware."

On motion of Mr. Wright, the bill entitled,

"An act to amend Section 23 of Chapter 111 of the Revised Statutes of the State of Delaware of 1852, as amended, &c., and republished in 1874,"

Was read a second time by its title,

And referred to the committee on Revised Statutes.

Garrettson Saulsbury, Esq., member elect from Kent county, appeared and was qualified and took his seat.

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

"An act in relation to mortgages and the indices to the same in Kent county."

On motion the House adjourned until 10 o'clock, to-morrow morning.

TUESDAY, *January* 16, 1877—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Robinson, on behalf of the committee on Enrollment, reported the following House Joint Resolutions, as duly and correctly enrolled, viz :

"Joint Resolution appointing a joint committee to examine the accounts of the State Treasurer ; and

"Joint Resolution in relation to the Boundary Question, referred to in the Governor's message,"

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

Mr. Taylor, Clerk of the Senate, being admitted, informed the House that the Senate had passed the following bills, viz:

"An act to amend Section 33, Chapter 125, Revised Code of Delaware Laws;"

"An act to amend an act for the protection of muskrats;"

And presented the same for the concurrence of the House.

He also informed the House that the Senate had concurred in the House bill entitled,

"An act to amend an act to incorporate the Kiamensi Woolen Company, passed at Dover, October 20th, 1864."

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

"An act in relation to Silver Run Marsh Company, of New Castle county."

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

"An act to amend Section 33, Chapter 125, of Revised Code of Delaware Laws,"

Was read.

Mr. Holcomb, in pursuance of previous notice, asked,

And, on motion of Mr. Ware,

Obtained leave to introduce a bill entitled,

"An act entitled 'An act to incorporate the J. Marshall Company,'"

Which,

On motion of Mr. Holcomb, was read.

Mr. Wright, in pursuance of previous notice, asked,

And, on motion of Mr. Burnite,

Obtained leave to introduce a bill entitled,

"An act in relation to mortgages and the indices to the same in Kent county,"

Which,

On motion of Mr. Wright, was read.

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

"An act to amend Chapter 421, Volume 14, Laws of Delaware, entitled 'An act to amend Chapter 55 Revised Statutes of the State of Delaware, for the protection of fish, oysters, and game.'"

Mr. Holcomb, in pursuance of previous notice, asked,

And, on motion of Mr. Ware,

Obtained leave to introduce a bill entitled,

"A supplement to an act entitled 'An act to incorporate the Delaware Fire Insurance Company,'"

Which,

On motion of Mr. Holcomb, was read.

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

"An act to issue a certificate of indebtedness to Delaware College in lieu of the bonds now held by the State Treasurer."

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

"An act to amend an act for the protection of Muskrats,"

Was read.

Mr. Taylor, Clerk of the Senate, being admitted, informed the House that the Senate had adopted

"A Joint Resolution in relation to the Adjutant-General,"

And presented the same for concurrence of the House.

He also informed the House that the Senate had passed a bill entitled,

"An act to amend an act entitled 'An act to incorporate the Casho Machine Company,' passed at Dover, January 28, 1873,"

And presented the same for the concurrence of the House.

On motion of Mr. Wright, the Senate Joint Resolution in relation to the Adjutant-General was read.

Mr. Messick moved to concur in the Senate Joint Resolution just read.

Mr. Burnite moved to amend the motion to concur in the adoption of the resolution, by referring the resolution to the special joint committee on the report of the Adjutant-General,

Which motion

Prevailed.

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

“An act to amend an act to incorporate the Casho Machine Company, passed at Dover, January 28, 1873,”

Was read.

The Speaker appointed Mr. Holcomb on the committee on Enrollment in lieu of Mr. Killgore, who is unable to take his seat on account of sickness.

On motion of Mr. Holcomb,

The House proceeded by a *viva voce* vote to choose a United States Senator to represent this State in Congress for the constitutional term commencing on the 4th of March next,

Which vote was as follows:

John E. Bartholomew voted for Eli Saulsbury.

Thomas Bird voted for Eli Saulsbury.

Jacob G. Brown voted for Eli Saulsbury.

Wilbur H. Burnite voted for Eli Saulsbury.

Edwin R. Cochran voted for Eli Saulsbury.

Cornelius J. Hall voted for Eli Saulsbury.

Thomas Holcomb voted for Eli Saulsbury.

Miles Messick voted for Eli Saulsbury.

William W. Morris voted for Eli Saulsbury.

David L. Mustard voted for Eli Saulsbury.

James Nicholson voted for Eli Saulsbury.

Peter Robinson voted for Eli Saulsbury.

Garrettson Saulsbury voted for Eli Saulsbury.

Thomas K. Taylor voted for Eli Saulsbury.

John L. Thompson voted for Eli Saulsbury.

James W. Ware voted for Eli Saulsbury.

Andrew J. Wright voted for Eli Saulsbury.

Hugh Martin (Speaker) voted for Eli Saulsbury.

Eli Saulsbury having received eighteen votes, being all the votes cast, was declared the choice of the House for United States Senator to represent this State in Congress for the constitutional term commencing on the 4th of March next.

On motion the House adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Hall presented two claims of Messrs. Scott & Lofland, publishers of the Peninsular News and Advertiser,

Which, on his motion, were read,

And referred to the Committee on Claims.

Mr. Cochran, on behalf of the special committee to whom was referred the Senate Joint Resolution in relation to authorizing the Adjutant-General to consult the authorities at Washington in relation to certain monies,

Reported the same back to the House with an amendment.

On motion of Mr. Cochran, the amendment was read.

Mr. Cochran moved the adoption of the amendment.

Mr. Morris moved,

That the Joint Resolution with the amendment be recommitted to the committee,

Which motion was

Lost.

The question recurring upon the adoption of the amendment,

The amendment was

Adopted.

Mr. Cochran moved to concur in the Senate Joint Resolution, with an amendment.

Mr. Wright moved to indefinitely postpone the joint resolution.

Mr. Morris moved to postpone the joint resolution until Tuesday next,

Which motion was *Lost.*

The question recurring on the indefinite postponement of the joint resolution,

It was decided in the negative,

And the motion to indefinitely postpone the resolution,

Was *Lost.*

The question then recurring on the motion to concur in the Senate Joint Resolution with an amendment,

Mr. Morris moved to refer the joint resolution to the committee on Claims,

Which motion was *Lost.*

Mr. Wright moved,

That the further consideration of the Joint Resolution be postponed until to-morrow afternoon at 4 o'clock,

And, upon the question "Shall the further consideration of the Joint Resolution be postponed until to-morrow afternoon at 4 o'clock?"

Mr. Wright called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Holcomb, Morris, Mustard, Rickards, Robinson, Thompson, Wright, and Mr. Speaker—8.

Nays—Messrs. Bartholomew, Bird, Brown, Burnite, Cochran, Hall, Messick, Nicholson, Saulsbury, Taylor, and Ware—11.

So the question was decided in the negative,

And the motion to postpone the further consideration of the Joint Resolution until to-morrow afternoon at 4 o'clock,

Was *Lost.*

Mr. Wright moved that the House do now adjourn,

And, upon the question "Shall the House now adjourn?"

Mr. Wright called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Holcomb, Morris, Mustard, Rickards, Thompson, Wright, and Mr. Speaker—7.

Nays—Messrs. Bartholomew, Bird, Brown, Burnite, Cochran, Hall, Messick, Nicholson, Robinson, Saulsbury, Taylor, and Ware—12.

The question was decided in the negative,

And the motion to adjourn was *Lost.*

The question again recurring on the motion to concur in the Joint Resolution,

Mr. Morris moved that the House do now adjourn,

Which motion was *Lost.*

The question then being on the motion to concur in the Joint Resolution with an amendment,

Mr. Holcomb called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bartholomew, Bird, Brown, Burnite, Cochran, Hall, Messick, Nicholson, Rickards, Robinson, Saulsbury, Taylor, Thompson—13.

Nays—Messrs. Holcomb, Morris, Mustard, Ware, Wright, and Mr. Speaker—6.

And the resolution, as amended, was *Concurred in.*

Ordered that the Senate be informed thereof.

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

“An act to amend Chapter 91 of the Revised Statutes of the State of Delaware,”

Also, a bill entitled,

“An act to incorporate the Newark Grange Co-operative Store Company.”

Mr. Brown, in pursuance of previous notice, asked,

And, on motion of Mr. Wright,

Obtained leave to introduce a bill entitled,

“An act to incorporate the Saint John’s Reformed Church, of Wyoming, Kent county, Delaware.”

Mr. Taylor, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the House Joint Resolution authorizing and directing the State Treasurer to pay a certain claim.

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

“An act to repeal Chapter 47, Volume 15, Delaware Laws,”

“An act to repeal Chapter 557, Vol. 14, of the Laws of Delaware.”

He also informed the House that the Senate had non-concurred in the House bill entitled,

“An act to repeal the act entitled ‘A supplement to the act entitled ‘An act for the protection of Fishermen,’ passed at Dover, March 29, 1871,’ ”

He also informed the House that the Senate had adopted a preamble and joint resolution for the publication and payment of equity cases,

And presented the same for the concurrence of the House.

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

“An act to amend an act entitled, ‘An act to incorporate the town of Middletown.’ ”

Mr. Ware presented the claim of Geo. O’Byrne & Co.,

Which, on his motion,

Was read and referred to the committee on Claims.

Mr. Brown asked, and obtained leave of absence for one day.

Mr. Brown, on behalf of the special committee to whom was referred so much of the Governor’s message, as relates to tramps,

Asked, and obtained further time to report.

On motion of Mr. Rickards, the bill entitled,

“An act to amend Chapter 7, of the Revised Code of 1852, as published in the amended code of 1874,”

Was read a second time by its title,
And referred to the committee on Revised Statutes.

On motion the House adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, *January 17, 1877*—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Mr. Cochran, on behalf of the Committee on Education, asked, and obtained leave for further time to report.

Mr. Cochran, on behalf of the committee to whom was referred the petition of Wm. B. Hollis and others, reported an additional rule,

Which was read as follows :

Additional Rule.

Upon the introduction of a bill to repeal, amend, or supplement a Statute, the member introducing the same shall make a clear and concise statement of the substance and character of such bill and statute.

Which,

On motion of Mr. Cochran,

Was

Adopted.

Mr. Wright presented the claim of Peter L. Cooper, late Sheriff of Kent county,

Which, on his motion, was read,

And referred to the Committee on Claims.

Mr. Burnite presented the claim of Wm. D. Fowler, late Prothonotary of Kent county,

Which, on his motion, was read,

And referred to the Committee on Claims.

The Speaker presented the petition of the members of the bar in Sussex county in relation to an appropriation for the State Library,

Which was read.

On motion of Mr. Cochran, the bill entitled,

“An act relating to School Districts, Nos. 60 and 94, in New Castle county,”

Was read a second time by its title,

And referred to the committee on Education.

Mr. Holcomb presented the remonstrance of S. M. Reynolds and others against the passage of the bill entitled,

“An act relating to School Districts Nos. 60 and 94, in New Castle county,”

Which, on his motion, was read,

And referred to the committee on Education.

Mr. Wright presented the petition of the members of the bar of Kent county in relation to an appropriation for the State Library,

Which was read.

On motion of Mr. Holcomb;

The petitions of the members of the bar of Kent and Sussex counties in relation to an appropriation for the State Library were referred to the committee on Revised Statutes.

Mr. Cochran, in pursuance of previous notice, asked,

And, on motion of Mr. Robinson,

Obtained leave to introduce a bill entitled,

“An act to amend an act entitled, ‘An act to incorporate the town of Middletown,’ ”

Which,

On motion of Mr. Cochran, was read.

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

"An act to amend and renew the Charter of the Farmers' Mutual Fire Insurance Company, of Mill Creek hundred ;

Also,

"An act to amend Chapter 111 of the Revised Code."

On motion of Mr. Holcomb, the bill entitled,

"An act to incorporate the J. Marshall Company,"

Was read a second time by its title,

And referred to the committee on Corporations.

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

"An act to amend an act entitled, 'An act to incorporate the Casho-Machine Company, passed at Dover, January 28, 1873,'"

Was read a second time by its title,

And referred to the committee on Corporations.

On motion of Mr. Holcomb, the bill entitled,

"A supplement to an act entitled 'An act to incorporate the Delaware Fire Insurance Company.'"

Was read a second time, by its title,

And referred to the committee on Corporations.

Mr. Ware, in pursuance of previous notice, asked,

And, on motion of Mr. Holcomb,

Obtained leave to introduce a bill entitled,

"An act to revive and extend the time for recording private acts,"

Which,

On motion of Mr. Ware, was read.

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

"An act to amend Section 33, Chapter 125, of the Revised Code of Delaware Laws,"

Was read a second time by its title,

And referred to the committee on Revised Statutes.

Mr. Holcomb, in pursuance of previous notice, asked,