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# STATE OF DELAWARE.

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## Journal of the House of Representatives

AT A SESSION OF THE

## General Assembly

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

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# OFFICERS AND MEMBERS OF THE House of Representatives.

## SPEAKER,

EMORY B. RIGGIN, Laurel, Sussex Co.

## CLERK,

GEORGE W. SPICER, Jr., Marshallton, New Castle Co.

## READING CLERK,

CHARLES W. KERN, Milford, Sussex Co.

## CHAPLAIN,

REV. H. G. G. VINCENT, Clayton, Kent Co.

## SERGEANT-AT-ARMS,

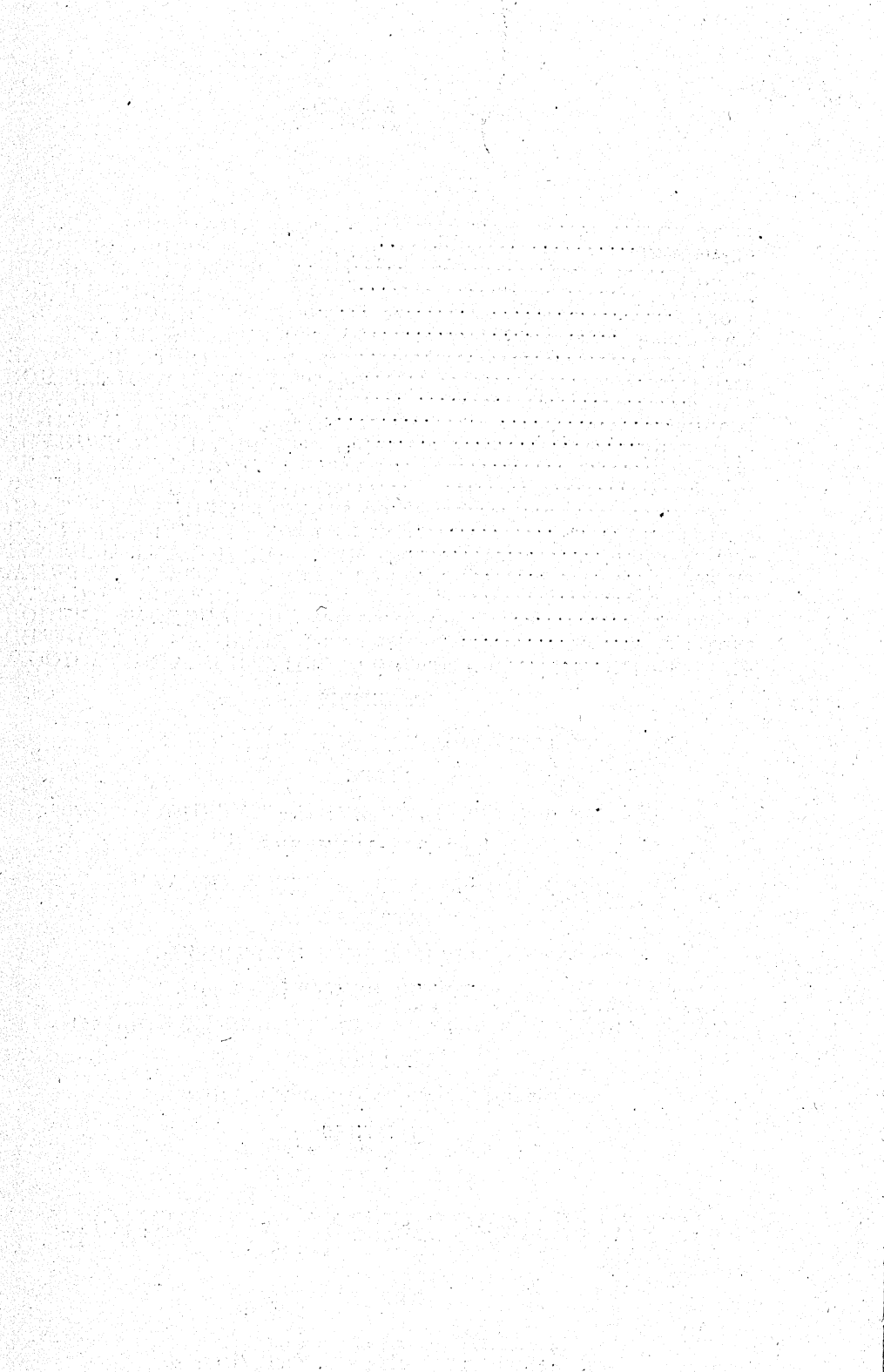
WILLIAM B. HAZEL, Kenton, Kent Co.

## PAGE.

CLARENCE M. GOLT, Dover, Kent Co.

## MEMBERS,

WOODWARD W. CHEAIRS, New Castle Co..... Delaware City  
CHARLES G. DEMPSEY, New Castle Co..... Faulkland  
ROBERT McCULLOUGH, New Castle Co..... Guyencourt  
DAVID K. DONALDSON, New Castle Co..... Christiana  
WILLIAM B. McCOY, New Castle Co..... New Castle  
JAMES T. TAYLOR, New Castle Co..... Townsend  
J. FRANK ELIASON, New Castle Co..... Mt. Pleasant  
BENJAMIN A. HAZELL, Kent Co..... Smyrna  
WILLIAM R. DAVIS, Kent Co..... Clayton  
LEANDER S. HOPKINS, Kent Co..... Frederica  
CHARLES M. ADAMS, Kent Co..... Adamsville  
JAMES A. MARTIN, Kent Co..... Milford  
JOSEPH H. HOPKINS, Kent Co..... Dover  
ROBERT H. WILSON, Kent Co..... Dover  
EMORY B. RIGGIN, Sussex Co..... Laurel  
MATT FORD SHORT, Sussex Co..... Georgetown  
ASBURY SMITH, Sussex Co..... Milford  
THOMAS JOHNSON, Sussex Co..... Cool Spring  
ELISHA C. DUKES, Sussex Co..... Millville  
ISAAC N. WHITNEY, Sussex Co..... Bridgeville  
JOHN C. THOMPSON, Sussex Co..... Harbeson



# JOURNAL

OF THE

## House of Representatives.

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First Day—Tuesday, January 5, 1897.

At a session of the General Assembly of the State of Delaware, convened and held at Dover, on Tuesday, the fifth (5) day of January in the year of our Lord one thousand eight hundred and ninety-seven, and of the independence of the United States of America, the one hundred and twenty-first.

Messrs. John T. Dickey, Charles G. Dempsey, Robert McCullough, David K. Donaldson, William B. McCoy, James B. Taylor and J. Frank Eliason, of New Castle County; and

Benjamin A. Hazell, William R. Davis, Leander S. Hopkins, Charles M. Adams, James A. Martin and Joseph H. Hopkins, of Kent County; and

Emory B. Riggin, Matt Ford Short, Asbury Smith, Thomas Johnson, Elisha C. Dukes, Isaac N. Whitney and John C. Thompson, of Sussex County, appeared and took their seats.

Robert H. Wilson, Representative-elect from East Dover Hundred, Kent County, on account of sickness, did not appear.

Representative-elect John T. Dickey, of New Castle County, called the House to order.

The names of the gentlemen who had taken their seats were called, all of whom answered to their names.

Mr. Dickey, who had called the House to order, stated that a motion to elect a Speaker pro tempore was in order.

Whereupon Mr. Short moved that Mr. Dickey be elected Speaker pro tempore,

Which motion

Prevailed.

On motion of Mr. Dempsey, George W. Spicer, Jr., was elected Clerk pro tempore.

On motion of Mr. Riggin, the returns of the election for Representatives of the several counties, were read, as follows:

By the returns of the officers of New Castle County, appointed by law Judges of Election, it appeared that on 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:

John T. Dickey, Charles G. Dempsey, Robert McCullough, David K. Donaldson, William B. McCoy, James B. Taylor and J. Frank Eliason, Esquires.

By the returns of the officers of Kent County, appointed by law Judges of the Election, it appeared that on 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:

Benjamin A. Hazell, William R. Davis, Robert H. Wilson, Leander S. Hopkins, Charles M. Adams, James A. Martin and Joseph H. Hopkins, Esquires.



By the returns of the officers of Sessex County, appointed by law Judges of the Election, it appeared that on 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:

Emory B. Riggin, Matt Ford Short, Asbury Smith, Thomas Johnson, Elisha C. Dukes, Isaac N. Whitney and John C. Thompson, Esquires.

Mr. Donaldson moved that the House proceed to elect, by ballot, a permanent Speaker,

Which motion

Prevailed.

Mr. Donaldson placed in nomination Mr. Emory B. Riggin, of Sussex County.

On motion the nominations closed.

Mr. Hazell moved that two tellers be appointed,

Which motion

Prevailed,

Whereupon Messrs. Smith and Donaldson were appointed tellers.

Upon the ballots being counted it appeared that Emory B. Riggin had received all the votes cast, being nineteen,

Whereupon Emory B. Riggin was declared to be duly elected Speaker of the House of Representatives.

Mr. Donaldson moved that a committee of two be appointed to inform Mr. Riggin of his election and to conduct him to the chair,

Which motion

Prevailed,

Whereupon Messrs. Donaldson and Short were appointed said committee.

Mr. Riggin, Speaker-elect, was conducted to the chair by Messrs. Donaldson and Short and addressed the House as follows:

Fellow Representatives:

We have met here to-day for a common purpose; that purpose I hope is to legislate for the best interest of our whole people, and I must say to you, gentlemen, that it affords me great pleasure to rise in my place to express to you my gratitude for the honor which you have this day conferred upon me in electing me Speaker of the House of Representatives of Delaware.

My mind is fully cognizant of the fact that there are great responsibilities resting upon this officer, which I shall endeavor to discharge to the best of my ability.

I am—in common with the rest of mankind—liable to err, though I can safely assure you that if I fail to measure up to your expectations it will be a mistake of the head, not of the heart.

In looking over this assembly I see before me gentlemen from different associations of life, who are representative men of different localities, men in whom their constituents have placed the utmost confidence. And will you please pardon me when I say that I trust our legislation will be marked by a careful discrimination against all projects of doubtful utility.

I hope no one doubts that we will weigh carefully all matters presented to us, rejecting the bad and holding to the good, and thus merit the respect and confidence of our entire people, who I am sure will watch with earnest eye the deliberations of this General Assembly. That we will be faithful to the trust confided to us, I have no doubt.

It is my earnest desire that the record of this session of the

General Assembly may not be blurred, but that it may be a mark and shining light to future generations.

Again thanking you, I am now ready to complete the organization, also to proceed with other business.

The Speaker and members-elect were then 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 appears by the following certificates, to wit:

I, John T. Dickey, a member of the House of Representatives of the State of Delaware, from New Castle County, do hereby certify that Emory B. Riggin, a member-elect of the House of Representatives, from Sussex County, was, previous to entering upon any other business, and taking his seat as Speaker, duly sworn by me, on the Holy Evangelists 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, Emory B. Riggin, Speaker of the House of Representatives of the State of Delaware, do hereby certify that John T. Dickey, Charles G. Dempsey, Robert McCullough, David K. Donaldson, William B. McCoy, James B. Taylor and J. Frank Eliason, of New Castle County; and Benjamin A. Hazell, William R. Davis, Leander S. Hopkins, Charles M. Adams, James A. Martin and Joseph H. Hopkins, of Kent County; and Matt Ford Short, Asbury Smith, Thomas Johnson, Elisha C. Dukes, Isaac N. Whitney and John C. Thompson, 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 said State with fidelity.

Witness our hauds, this fifth day of January, in the year of our Lord one thousand eight hundred and ninety-seven.

JOHN T. DICKEY,  
EMORY B. RIGGIN.

Mr. Dickey moved that the House proceed to election of a Clerk, by ballot,

Which motion Prevailed.

Mr. Dickey placed in nomination George W. Spicer, Jr., of New Castle County.

On motion the nominations were closed.

Mr. Short moved that two tellers be appointed,

Which motion Prevailed.

Whereupon Messrs. Short and McCullough were appointed by the Speaker as such tellers.

Upon the ballots being counted it appeared that George W. Spicer, Jr., had received nineteen votes,

Whereupon George W. Spicer, Jr., was declared to be duly elected Clerk of the House of Representatives.

Mr. George W. Spicer, Jr., Clerk-elect, being introduced, was duly qualified by the Speaker and took his seat at the Clerk's desk.

On motion of Mr. Dickey the House proceeded to the election of a Sergeant-at-Arms.

Mr. Dickey nominated W. B. Hazel, of Kent County.

On motion the nominations were closed.

Tellers were appointed, and on the ballots being counted it appeared that W. B. Hazel had received the eighteen votes cast,

Whereupon Mr. Hazel was declared duly elected Sergeant-at-Arms of the House of Representatives.

Mr. Hazel was introduced, duly qualified and entered upon his duties.

On motion of Mr. Dickey the House proceeded to the election of a Reading Clerk.

Mr. Dickey nominated C. W. Kern, of Sussex County.

No other nominations.

Mr. Dickey moved that Mr. Kern be elected by acclamation,

Which motion Prevailed.

Mr. Kern was declared duly elected, was introduced, qualified, and took his seat at the Clerk's desk.

Mr. Donaldson moved that the House proceed to elect an Enrolling Clerk,

Which motion was withdrawn temporarily.

On motion of Mr. Dickey, Rev. H. G. G. Vincent was elected Chaplain of the House by acclamation.

On motion, Messrs. Smith, Davis and Dempsey were appointed a committee to notify Rev. Vincent of the action of the House.

The Chaplain was introduced by the committee.

On motion of Mr. Hazell, Clarence M. Golt was elected page by acclamation, and being introduced, entered upon the duties of the office.

The Speaker presented the petition of Woodward W. Cheairs, of New Castle County, with sundry other papers, contesting the seat of John T. Dickey in the House,

Which, on motion of Mr. Donaldson, was read as follows:

To the Honorable, the House of Representatives of the State of Delaware:

The petition of the undersigned respectfully represents that at the general election, held in the County of New Castle, on the third day of November last past, for the purpose of choosing, among other officers, seven Representatives of the General Assembly for said county, the following persons were returned and certified to as elected to your honorable body from said county, viz: John T. Dickey, Robert McCullough, Charles G. Dempsey, David K. Donaldson, William B. McCoy, James T. Taylor, and J. Frank Eliason; that by the returns of said election computed and certified to by the Board of Canvass for said county, which met on November the fifth, last past, John T. Dickey was declared to have received 10,016 votes, and Woodward W. Cheairs was declared to have received 9,698 votes, the said John T. Dickey having a majority according to such returns and computation, over the said Woodward W. Cheairs, of 318 votes.

That the returns of said election were false and incorrect for the reasons stated in the specifications accompanying this petition which your petitioner prays may be taken to be a part of this petition;

Wherefore, in fact, the said Woodward W. Cheairs had a majority of the legal votes over the said John T. Dickey for the said office of Representative in the General Assembly, and was duly elected thereto.

Your petitioner, therefore, contesting the election of the said John T. Dickey, as Representative to the General Assembly from said county, respectfully prays that this petition and complaint may be heard and determined by your honorable body,

and such order and decision made and entered therein as may be deemed lawful, right, and just by your honorable body.

WOODWARD W. CHEAIRS.

Wilmington, Del., Dec. 2, 1896.

John T. Dickey, Esq.,

Dear Sir: You are hereby notified that I shall contest your election to the office of Representative in the General Assembly from New Castle County, at the coming regular session of that body, which will meet on the first Tuesday in January, A. D., 1897.

WOODWARD W. CHEAIRS.

STATE OF DELAWARE, }  
NEW CASTLE COUNTY, } ss.

Before me, the subscriber, a Notary Public for the State of Delaware, personally appeared Edward G. Cook, who, having been duly sworn on oath deposes and says that the foregoing notice is a true and correct copy of a notice which he served on the said John T. Dickey, personally, on the second day of December, A. D., 1896.

EDWARD G. COOK.

Sworn and subscribed to before me this second day of December, A. D., 1896.

HOWELL S. ENGLAND,

Notary Public.

Wilmington, Delaware.

John T. Dickey, Esq.,

Dear Sir: I herewith submit to you the several grounds and specifications upon which I shall contest your election as Representative in the General Assembly from New Castle County, Delaware, as returned by the Board of Canvass of said county, which met at the County Court House of said county on November 5th, A. D., 1896, to canvass the returns of the election held in said county on Tuesday, November 3rd, A. D., 1896.

First: That the returns, certificates, or statements of the result of said election, as canvassed by said Board of Canvass, were not the true and correct returns of the result of said election, but were false, in that, the number of votes returned as cast at said election for John T. Dickey for the office of Representative in the General Assembly was increased over the actual number of votes cast for the said John T. Dickey for the said office, and the number of votes returned as cast for Woodward W. Cheairs, for the said office, was decreased from the actual number of votes cast for the said Woodward W. Cheairs, for the said office, so that, on account of the false returns, certificates, or statements of the result of said election as canvassed by said Board of Canvass, the returns of the result of said election show a greater number of votes cast in said county for the said John T. Dickey, for the said office, than were cast in said county for the said Woodward W. Cheairs, for said office; whereas, the true and correct returns of the said election in said county, for the office aforesaid, will show a greater number of votes cast for the said Woodward W. Cheairs, for the said office, than were cast for the said John T. Dickey, for the said office.

Second: That the returns, certificates, or statement of the result of the said election for the office aforesaid, held in the

Third election district of the First ward,

Fourth election district of the Second ward,

Fifth election district of the Fifth ward,

Second election district of the Third ward,

Third election district of the Third ward,

Fifth election district of the Fourth ward,

Fourth election district of the Sixth ward,

Second election district of the Seventh ward,



First election district of the Eighth ward,

Fourth election district of the Eighth ward,

Sixth election district of the Eighth ward,

Third election district of the Tenth ward,

all in the City of Wilmington, and county aforesaid, as canvassed by said Board of Canvass, were not true and correct returns of the result of said election for the office aforesaid, held in the aforesaid election districts, but were false, in that, the number of votes returned as cast in said election districts at said election, for John T. Dickey, for the office aforesaid, was increased over the actual number of votes cast for the said John T. Dickey, for the said office; and the number of votes returned as cast in said election districts at the said election for Woodward W. Cheairs, for the office aforesaid, was decreased from the actual number of votes cast for the said Woodward W. Cheairs, for the said office.

Third: That the return, certificate, or statement of the result of said election for the office aforesaid, held in the Third election district of the First ward, in the City of Wilmington, in the county aforesaid, as canvassed by said Board of Canvass, was not a true and correct return of the result of said election for the office aforesaid, held in the aforesaid election districts but was false, in that, the number of votes returned as cast for John T. Dickey for the office aforesaid, was increased over the actual number of votes cast for the said John T. Dickey, for said office, and the number of votes returned as cast for Woodward W. Cheairs at the said election for the said office, in the district aforesaid, was decreased from the actual number of votes cast for the said Woodward W. Cheairs, for the said office, in the manner following, to wit: The return, certificate, or statement as canvassed by said Board of Canvass, for said election district, at said election shows the number of votes cast for John T. Dickey, for the said office, to be one hundred and thirty-five votes, while the actual number of votes cast for the said John T. Dickey, in said district at said election was one hundred and

twenty-four votes, and the return, certificate, or statement as canvassed by said Board of Canvass, for said election district, at said election, shows the number of votes cast for Woodward W. Cheairs, for said office, to be one hundred and fourteen votes, while the actual number of votes cast for the said Woodward W. Cheairs, for the said office, was one hundred and twenty-four votes.

Fourth: That the return, certificate, or statement of the result of said election for the office aforesaid, held in the Fourth election district of the Second ward, in the City of Wilmington, in the county aforesaid, as canvassed by said Board of Canvass, was not a true and correct return of the result of said election for the office aforesaid, held in the aforesaid election district, but was false, in that, the number of votes returned as cast for John T. Dickey for the office aforesaid, was increased over the actual number of votes cast for the said John T. Dickey, for said office, and the number of votes returned as cast for Woodward W. Cheairs at the said election, for the said office in the district aforesaid, was decreased from the actual number of votes cast for the said Woodward W. Cheairs, for the said office, in the manner following, to wit: The return, certificate, or statement as canvassed by said Board of Canvass, for said election district at said election, shows the number of votes cast for John T. Dickey, for the said office, to be seventy-seven votes, while the actual number of votes cast for the said John T. Dickey, in said district at said election, was fifty-seven votes, and the return, certificate, or statement as canvassed by said Board of Canvass, for said election district, at said election, shows the number of votes cast for Woodward W. Cheairs, for the said office, to be thirty-six votes, while the actual number of votes cast for the said Woodward W. Cheairs, for the said office, was fifty-six votes.

Fifth: That the return, certificate, or statement of the result of said election for the office aforesaid, held in the fifth election district of the Second ward, in the City of Wilmington, in the county aforesaid, as canvassed by said Board of Canvass, was not a true and correct return of the result of said election for the office aforesaid, held in the aforesaid election district, but was

false, in that, the number of votes returned as cast for John T. Dickey, for the office aforesaid, was increased over the actual number of votes cast for the said John T. Dickey for said office, and the number of votes returned as cast for Woodward W. Cheairs at the said election for the said office in the district aforesaid, was decreased from the actual number of votes cast for the said Woodward W. Cheairs for the said office, in the manner following, to wit: The return, certificate, or statement as canvassed by said Board of Canvass, for said election district, at said election, shows the number of votes cast for John T. Dickey for the said office to be one hundred and ninety votes, while the actual number of votes cast for the said John T. Dickey in said district at said election was one hundred and fifty-one votes, and the return, certificate, or statement as canvassed by said Board of Canvass, for said election district, at said election, shows the number of votes cast for Woodward W. Cheairs for said office to be one hundred and thirty votes, while the actual number of votes cast for the said Woodward W. Cheairs for the said office was one hundred and fifty votes.

Sixth: That the return, certificate, or statement of the result of said election for the office aforesaid, held in the Second election district of the Third ward, in the City of Wilmington, in the county aforesaid, as canvassed by said Board of Canvass, was not a true and correct return of the result of said election for the office aforesaid, held in the aforesaid election district, but was false, in that, the number of votes returned as cast for John T. Dickey for the office aforesaid, was increased over the actual number of votes cast for the said John T. Dickey for said office, and the number of votes returned as cast for Woodward W. Cheairs at the said election, for the said office, in the district aforesaid, was decreased from the actual number of votes cast for the said Woodward W. Cheairs for the said office, in the manner following, to wit: The return, certificate, or statement as canvassed by said Board of Canvass, for said election district, at said election, shows the number of votes cast for John T. Dickey for the said office to be one hundred and ninety-nine votes, while the actual number of votes cast for the said John T. Dickey in said district at said election was one hundred and

eighth-nine votes, and the return, certificate, or statement as canvassed by said Board of Canvass, for said election district, at said election, shows the number of votes cast for Woodward W. Cheairs for said office to be one hundred and seventy-eight votes, while the actual number of votes cast for the said Woodward W. Cheairs for the said office was one hundred and eighty-eight votes.

Seventh: That the return, certificate, or statement of the result of said election for the office aforesaid, held in the Third election district of the Third ward, in the City of Wilmington, in the county aforesaid, as canvassed by said Board of Canvass, was not a true and correct return of the result of said election for the office aforesaid, held in the aforesaid election district, but was false, in that, the number of votes returned as cast for John T. Dickey for the office aforesaid, was increased over the actual number of votes cast for the said John T. Dickey for said office, in the manner following, to wit: The return, certificate, or statement as canvassed by said Board of Canvass, for said election district, at said election, shows the number of votes cast for John T. Dickey for the said office to be one hundred and sixteen votes, while the actual number of votes cast for the said John T. Dickey in said district at said election was one hundred and six votes.

Eighth: That the return, certificate, or statement of the result of said election for the office aforesaid, held in the fifth election district of the Fourth ward, in the City of Wilmington, in the county aforesaid, as canvassed by said Board of Canvass, was not a true and correct return of the result of said election for the office aforesaid, held in the aforesaid election district, but was false, in that, the number of votes returned as cast for John T. Dickey for the office aforesaid, was increased over the actual number of votes cast for the said John T. Dickey for said office, in the manner following, to wit: The return, certificate, or statement, as canvassed by said Board of Canvass, for said election district, at said election, shows the number of votes cast for John T. Dickey for the said office to be two hundred and eight votes, while the actual number of votes cast for the said

John T. Dickey in said district, at said election was two hundred votes.

Ninth: That the return, certificate, or statement of the result of said election for the office aforesaid, held in the Fourth election district of the Sixth ward, in the City of Wilmington, in the county aforesaid, as canvassed by said Board of Canvass, was not a true and correct return of the result of said election for the office aforesaid, held in the aforesaid election district, but was false, in that, the number of votes cast for the said John T. Dickey for the office aforesaid, was increased over the actual number of votes cast for the said John T. Dickey for said office, in the manner following, to wit: The return, certificate, or statement as canvassed by said Board of Canvass, for said election district, at said election, shows the number of votes cast for John T. Dickey for the said office to be one hundred and seven votes, while the actual number of votes cast for the said John T. Dickey in said district at said election was eighty-four votes, and the return, certificate, or statement as canvassed by said Board of Canvass, for said election district, at said election, shows the number of votes cast for Woodward W. Cheairs for said office to be sixty-one votes, while the actual number of votes cast for the said Woodward W. Cheairs for the said office was eighty-four votes.

Tenth: That the return, certificate, or statement of the result of said election for the office aforesaid, held in the Second election district of the Seventh ward, in the City of Wilmington, in the county aforesaid, as canvassed by said Board of Canvass, was not a true and correct return of the result of said election for the office aforesaid, held in the aforesaid election district, but was false, in that, the number of votes returned as cast for John T. Dickey for the office aforesaid, was increased over the actual number of votes cast for the said John T. Dickey for said office, and the number of votes returned as cast for Woodward W. Cheairs at the said election for the said office in the district aforesaid, was decreased from the actual number of votes cast for the said Woodward W. Cheairs for the said office in the manner following, to wit: The return, certificate, or statement as canvassed by said Board of Canvass, for said election district,

at said election, shows the number of votes cast for John T. Dickey for the said office to be eighty-five votes, while the actual number of votes cast for the said John T. Dickey in said district at said election was sixty-five votes, and the return, certificate, or statement as canvassed by said Board of Canvass, for said election district at said election, shows the number of votes cast for Woodward W. Cheairs for said office to be forty-five votes, while the actual number of votes cast for the said Woodward W. Cheairs for the said office was sixty-five votes.

Eleventh: That the return, certificate, or statement of the result of said election for the office aforesaid, held in the First election district of the Eighth ward, in the City of Wilmington, in the county aforesaid, as canvassed by said Board of Canvass, was not a true and correct return of the result of said election for the office aforesaid, held in the aforesaid election district, but was false, in that, the number of votes returned as cast for John T. Dickey for the office aforesaid, was increased over the actual number of votes cast for the said John T. Dickey for said office, in the manner following, to wit: The return, certificate, or statement as canvassed by said Board of Canvass, for said election district, at said election, shows the number of votes cast for John T. Dickey for the said office to be one hundred and nineteen votes, while the actual number of votes cast for the said John T. Dickey in said district, at said election was one hundred and thirteen votes.

Twelfth: That the return, certificate, or statement of the result of said election for the office aforesaid, held in the Fourth election district of the Eighth ward, in the City of Wilmington, in the county aforesaid, as canvassed by said Board of Canvass, was not a true and correct return of the result of said election for the office aforesaid, held in the aforesaid election district, but was false, in that, the number of votes returned as cast for John T. Dickey for the office aforesaid, was increased over the actual number of votes cast for the said John T. Dickey for said office, and the number of votes returned as cast for Woodward W. Cheairs at the said election for the said office in the district aforesaid was decreased from the actual number of votes cast for the said Woodward W. Cheairs for the said office in the manner

following, to wit: The return, certificate, or statement as canvassed by said Board of Canvass, for said election district, at said election, shows the number of votes cast for John T. Dickey for the said office to be eighty-four votes, while the actual number of votes cast for the said John T. Dickey in said district at said election was seventy-four votes, and the return, certificate, or statement as canvassed by said Board of Canvass, for said election district, at said election, shows the number of votes cast for Woodward W. Cheairs for said office to be seventy-three votes, while the actual number of votes cast for the said Woodward W. Cheairs for the said office was seventy-eight votes.

Thirteenth: That the return, certificate, or statement of the result of said election for the office aforesaid, held in the Sixth election district of the Eighth ward, in the City of Wilmington, in the county aforesaid, as canvassed by said Board of Canvass, was not a true and correct return of the result of said election for the office aforesaid, held in the aforesaid election district, but was false, in that, the number of votes returned as cast for John T. Dickey for the office aforesaid, was increased over the actual number of votes cast for the said John T. Dickey for said office, and the number of votes returned as cast for Woodward W. Cheairs at the said election for the said office in the district aforesaid, was decreased from the actual number of votes cast for the said Woodward W. Cheairs for the said office in the manner following, to wit: The return, certificate, or statement as canvassed by said Board of Canvass, for said election district, at said election, shows the number of votes cast for John T. Dickey for the said office to be seventy votes, while the actual number of votes cast for the said John T. Dickey in said district at said election was fifty-one votes, and the return, certificate, or statement as canvassed by said Board of Canvass, for said election district, at said election, shows the number of votes cast for Woodward W. Cheairs for said office to be thirty-three votes, while the actual number of votes cast for the said Woodward W. Cheairs was fifty-two votes.

Fourteenth: That the return, certificate, or statement of the result of said election for the office aforesaid, held in the Third

election district of the Tenth ward, in the City of Wilmington, in the county aforesaid, as canvassed by said Board of Canvass, was not a true and correct return of the result of said election for the office aforesaid, held in the aforesaid election district, but was false, in that, the number of votes returned as cast for John T. Dickey for the office aforesaid, was increased over the actual number of votes cast for the said John T. Dickey for said office, and the number of votes returned as cast for Woodward W. Cheairs at the said election for the said office in the district aforesaid, was decreased from the actual number of votes cast for the said Woodward W. Cheairs for the said office in the manner following, to wit: The return, certificate, or statement as canvassed by said Board of Canvass, for said election district, at said election, shows the number of votes cast for John T. Dickey for the said office to be two hundred and sixty-one votes, while the actual number of votes cast for the said John T. Dickey in said district at said election was one hundred and ninety-one votes, and the return, certificate, or statement as canvassed by said Board of Canvass, for said election district, at said election, shows the number of votes cast for Woodward W. Cheairs for said office to be one hundred and eighty-six votes, while the actual number of votes cast for the said Woodward W. Cheairs for the said office was one hundred and ninety-one votes.

WOODWARD W. CHEAIRS.

By his Attorneys,

T. B. HEISEL,  
W. F. KURTZ.

STATE OF DELAWARE, }  
NEW CASTLE COUNTY, } ss.

Personally appeared before me, Sylvester D. Townsend, a Notary Public for the State of Delaware, Woodward W. Cheairs, who, being by me duly sworn according to law, deposes and says that he verily believes that the grounds of objection as set forth in the foregoing specifications are substantially true.

WOODWARD W. CHEAIRS.



Sworn to and subscribed before me this tenth day of December, A. D., 1896.

SYLVESTER D. TOWNSEND,

Notary Public.

STATE OF DELAWARE, }  
NEW CASTLE COUNTY, } ss.

Before me, the subscriber, a Notary Public for the State of Delaware, personally appeared, Howell S. England, who, having by me been duly affirmed according to law, deposes and says that the foregoing is a true and correct copy of the specifications which he left at the residence of John T. Dickey, No. 810 Van Buren street, in the city of Wilmington, on the eleventh day of December, A. D., 1896, in the presence of Dickey, a son of the said John T. Dickey.

HOWELL S. ENGLAND.

Affirmed and subscribed before me this twelfth day of December, A. D., 1896.

EDWARD G. COOK,

Notary Public.

On further motion of Mr. Donaldson the Clerk was directed to receive and file foregoing petition and accompanying papers, to be referred to the proper committee when hereafter appointed by the Speaker.

Mr. Hazel offered a resolution,

Which, on his motion, was read as follows:

Whereas, the petition of Woodward W. Cheairs, represents that he had a majority over one John T. Dickey, of the legal votes cast at an election for Representatives in the General Assembly from New Castle County, on November 3rd, last past, and that the returns of the election for said office whereby said John T. Dickey was declared to have been elected to the office of Representative, were false and incorrect; therefore,

Resolved, That a committee of seven members, the Speaker being a member thereof, be appointed by the Speaker of this House to examine into the premises and report thereon.

Resolved, That said committee shall have full power to summon witnesses, hear evidence, open ballot-boxes, inspect certificates of the returns, recount the votes, and to adopt such methods and measures and take such action as it may deem necessary to ascertain the true and correct returns of said election and determine what is lawful, fair and just in the premises, and make a report to this body on Tuesday, January 12th, A. D., 1897.

And, on further motion of Mr. Hazell,

The resolution was

Adopted.

The Speaker appointed as the committee in relation to the foregoing resolution, Messrs. Hazell, Davis, Smith, Johnson, McCoy, and Taylor.

Mr. James W. Ponder, attorney for John T. Dickey, asked, and

On motion, obtained leave to present the answer of Mr. Dickey to the petition and contest of Woodward W. Cheairs,

Which, on motion of Mr. Short,

Was read as follows:

Woodward W. Cheairs, Esq.,

Dear Sir: Saving and reserving to myself any and all right of exception and objection not herein expressly set forth to the informalities and imperfections in the paper left for me during my absence, purporting to be the grounds and specifications on which your purpose to contest my election as Representative in the General Assembly of the State of Delaware, from New Castle County, I beg to state in my reply thereto, or so much thereof as at present seems proper, as follows:

First: In reply to the first specification as stated in the said paper left at my residence, I beg to say that I, the contestee, have no accurate or sufficient knowledge with respect to the matters therein alleged by you, but that if the same should be true and correct I am advised that the same are insufficient in law to entitle you to my seat in the House of Representatives of the General Assembly of this State, in that no allegation is made that the votes cast for me were not sufficient to entitle me to a seat therein, and further I am informed and believe and therefore expressly allege and declare that the number of votes cast for me legally and properly, and which were legally and properly counted, or should so have been, entitled me to a seat in the said House of Representatives, I being one of the seven who received the highest number of votes in New Castle County at the election held in said county on November third, A. D., 1896, for the office of Representative in the said General Assembly from said county.

Second: In reply to the second allegation in said paper purporting to be specifications and grounds upon which you will contest my seat, I beg to say that I have no knowledge as to what the true and accurate returns from the districts therein named were or what they should have been, and the same objection as to insufficiency of this allegation is alleged as to that hereinbefore set out with regard to the first.

Third: Replying generally to the other specifications and allegations in said paper purporting to be grounds for your contest, I beg to say that nowhere in any of them it is alleged that I, John T. Dickey, the contestee in the contest which you propose to institute, did not receive a sufficient number of votes to entitle me to a seat in the House of Representatives in the General Assembly of the State of Delaware, from New Castle County, and that the allegations therein contained might be true, and nevertheless you, the said contestant, Woodward W. Cheairs, might not be entitled to oust me from my seat to which I have been duly certified in accordance with law, and that while denying the allegations contained in each and all of the said specifications, because I have no knowledge which satisfies me of their truth and accuracy, yet I particularly and

explicitly hereby declare that I was one of the seven persons voted for for the office of Representative in the General Assembly from New Castle County, who received the highest number of votes for said office at the general election held on the 3rd day of November, A. D., 1896, and am therefore entitled to a seat in the said House of Representatives from said county, and I expressly object and except to the allegations of the paper containing what purports to be your specifications or grounds of contest as insufficient to support a contest for my seat in the said House of Representatives of the General Assembly.

Fourth: Answering further and generally each and every allegation contained in the paper purporting to be the grounds and specifications upon which you say you will contest my election as Representative, I beg to say as you well know that the confusion incident to the counting and tabulation of the votes by the Board of Canvass for New Castle County on the fifth and sixth days of November, A. D., 1896, was such that it is impossible for me as well as for you to determine or say accurately the exact number of votes which were cast for either of us, or in fact for any one who was a candidate for the office of Representative in the General Assembly from New Castle County, and that I am firmly convinced that a proper count of the votes cast at said election for me would show that I am entitled to the seat to which my election has been properly certified, and while I greatly regret that there should be any uncertainty in your mind or in that of any one else concerning the result as declared, yet I insist that I am entitled to said seat as a Representative from New Castle County in the House of Representatives of the General Assembly of the said State and believe that a proper and legal determination of the matter will so show.

STATE OF DELAWARE, }  
NEW CASTLE COUNTY, } ss.

Personally appeared before me, Peter L. Cooper, a Notary Public for the State of Delaware, John T. Dickey, who, being by me duly sworn according to law, deposes and says that he

verily believes that the grounds of objection set forth in the foregoing specifications or document are substantially true.

JOHN T. DICKEY.

Sworn and subscribed before me this fourth day of January, A. D., 1897.

PETER L. COOPER,  
Notary Public.

On further motion of Mr. Short the Clerk was directed to receive and file the answer, to be referred with the accompanying papers concerning the case, to the committee appointed.

Mr. Doherty, Clerk of the Senate, being admitted, informed the House that the Senate had duly organized by electing Mr. Hezekiah Harrington, Speaker and Mr. Simon P. Doherty, Clerk, and was ready to proceed to business.

Mr. Hazel 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 further motion of Mr. Hazell

The resolution was Adopted.

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

Which motion Prevailed.

Mr. Short offered a joint resolution entitled

"Joint resolution informing the Governor that the two

Houses of the General Assembly were organized and ready to receive any communication he may see proper to make,

Which, on his motion, was read,

And, on his further motion

The joint resolution was

Adopted.

Ordered to the Senate for concurrence.

The Speaker named Messrs. Short, Dickey and Hazel as committee on part of the House.

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

“Joint resolution informing the Governor that the two Houses of the General Assembly were organized and ready to receive any communication he may see proper to make,”

And that the Speaker had named Messrs. Fenimore and Pyle as committee on part of the Senate.

Mr. Short, on behalf of the committee to notify the Governor, reported that they had awaited on His Excellency and that he would communicate with this body in a few minutes.

Hon. J. Harvey Whiteman, Secretary of State, being admitted, presented to the House a written communication from His Excellency, the Governor. He also informed the House that he had delivered to the Senate sundry other documents with the request that that body deliver the same to the House.

On motion of Mr. Short, the Governor's message was read.

## GOVERNOR'S MESSAGE.

STATE OF DELAWARE,

Executive Department,

DOVER, January 5th, 1897.

Gentlemen of the Senate and House of Representatives:

It is my privilege to extend to you a cordial welcome to this, the seat of our government, and to wish you success in your participation in the control of the affairs of our citizens upon which you have just entered. You are fully sensible of the individual responsibility that rests upon you as one of the co-ordinate branches of our system of government. By the Constitution under which you are assembled the whole legislative power of this State is vested in you, with no one to concur in your acts and no limitations upon your capacity to enact laws, except those prohibitions contained in the Constitution which created you, and the Constitution of the United States and the Acts of Congress, made within the limits of its authority. With the knowledge of this grave responsibility, I doubt not that it will be your constant aim to leave behind you a work that will deserve from a confiding constituency the welcome plaudit: "Well done!"

The perpetuity of popular self government is contingent upon the faithfulness and disinterestedness of those in authority, whether as legislators, judges, or executors. The destinies of our people are largely in your hands. The honor and respect of our sister States are in your keeping. In a word, you are fiduciaries of the highest degree. The demands of private individuals, which have for their real object the promotion of private interest at the expense of the general public, will doubtless be one of the barriers that you will be called upon to surmount. To decline to grant a selfish request is no grievance to him who makes it, but an acquiescence in such demands is oft-times a public inquiry that is far reaching and disastrous in its conse-

quences. I, therefore, caution you that you be not deceived by the adroitness and cunning of experienced agents whose interest in the general welfare of the whole people is not commensurate with the duty incumbent upon you.

Although it is not for the executive to participate in the enactment of laws, nor his wish to interfere with you in the discharge of your exclusive functions, yet the Constitution enjoins upon him the duty of giving to you information of affairs concerning the State, and of recommending to your consideration such measures as he shall deem expedient. With this brief introduction I shall at once enter upon the fulfillment of this obligation.

To intermeddle with the affairs of your organization would be reprehensible, and nothing is farther from my intention, but being possessed of a knowledge—acquired by experience and observation—of the importance of great care and accuracy in the enrollment of bills, the irksomeness entailed upon your body, most especially upon your committees on enrollment, and the onerous duties imposed upon the Secretary of State in his publication of the laws, consequent upon the employment of an incompetent person for the performance of this most important part of your work, I am induced with reluctance to direct your attention to this matter.

## FINANCIAL.

It is my privilege to report the finances of the State to be in the same wholesome condition that has characterized our State's credit for many years. By a prudent economy and faithful attention on the part of those who have the management of our finances the lowest rates of interest have been secured and maintained.

The following statement will exhibit the State's liabilities and assets respectively:



## LIABILITIES.

Outstanding Bonds bearing 4 per cent. interest, ..	\$ 195,000.00
Outstanding Bonds bearing $3\frac{1}{2}$ per cent. interest, ..	35,000.00
Outstanding Bonds bearing 3 per cent. interest, ..	250,000.00
School Fund Bonds bearing 6 per cent. interest, ..	156,750.00
Certificate of Indebtedness to Delaware College, bearing 6 per cent. interest, .....	83,000.00
Total liabilities .....	\$ 719,750.00

## ASSETS.

The assets belonging to the General Fund are as follows:

Mortgage of Junction & Breakwater Railroad Co., balance of debt at 3 per cent, .....	\$ 185,000.00
Mortgage of Breakwater & Frankford Railroad Co., principal at 3 per cent., .....	200,000.00
1275 shares of Farmers' Bank stock at \$65, .....	82,875.00
20 shares of National Bank of Delaware stock at \$500, .....	10,000.00
Total investment General Fund, .....	\$ 477,875.00

The investments for the benefit of the School Fund are as follows:

5,000 shares of Farmers' Bank stock, (on which \$36 per share has been paid in) at \$36, .....	\$ 180,000.00
37 shares of National Bank of Delaware stock at \$500, .....	18,500.00
2,439 shares of Farmers' Bank stock at \$65, .....	158,535.00
114 shares of National Bank of Delaware stock at \$70, .....	7,980.00
254 shares of Union National Bank stock at \$78, ..	19,812.00
1 bond of State of Delaware (School Fund Bond) at 6 per cent. ....	156,750.00

Sussex County Bond at 6 per cent.,.....	5,000.00
Total investments School Fund,.....	\$ 546,577.00
Add General Fund investments,.....	477,875.00
Total assets, .....	\$1,024,452.00
Deduct liabilities Jan. 1st, 1896,....	719,750.00
Amount of investment assets in excess of liabilities, .....	\$ 304,702.00

I would call your attention to the fact that within the last few years the State property has been increased by the following real estate:

State Hospital at Farnhurst,.....	\$ 75,000.00
Addition thereto, now nearing completion.....	35,000.00
Troop B Armory at Wilmington purchased by proceedings under foreclosure of mortgage, ..	10,000.00
State Library Addition to State House,.....	10,000.00
Total extraordinary expenditures on account of real estate,.....	\$ 130,000.00

The State Treasurer's Report for 1896, which cannot be completed until after the preparation of this message, will, I am informed by him, show that the estimated receipts for 1897 will fall short by a considerable sum of the estimated expenditures for the same year. The reasons for this will be given in full in said report, and I would recommend a careful consideration of the same by your honorable bodies, so that ample provision may be made for all the necessary expenses of the State government.

From the foregoing statement you will observe that the aggregate indebtedness of the State, which bears interest at the rate of four per centum per annum is one hundred and ninety-five thousand dollars. Of this amount bonds aggregating seventy-five thousand dollars are due July 1st, A. D., 1901, but

redeemable at the option of the State on any interest day after January 1st, A. D., 1893, and the remaining one hundred and thirty thousand dollars are due June 1st, A. D., 1907, but redeemable at the option of the State on any interest day after December 1st, A. D., 1895. The entire four per centum per annum bonded indebtedness of the State is, therefore, redeemable at the option of the State, on the next interest day. The high standard of the State's credit, in financial circles has already brought forth applications from enterprising capitalists who are desirous of negotiating for the extinguishment of these obligations at a lower rate of interest; and while these bonds are redeemable at the option of the State, there is no authority upon which the State Treasurer can issue new bonds in liquidation of this debt.

I recommend, therefore, that you investigate this subject and that you authorize the execution and sale of bonds at a lower rate of interest, and the retirement of the one hundred and ninety-five thousand dollars bonded indebtedness at as early a date as practicable. The feasibility of this scheme is manifested by the eagerness with which investors sought to secure the State bonds when the last loan was negotiated, a matter which will be subsequently commented upon.

#### DELAWARE STATE HOSPITAL AT FARNHURST.

By Chapter 182, Vol. 20, Laws of Delaware, the General Assembly, at its last session, authorized the sale of bonds to the amount of thirty-five thousand dollars by the State Treasurer, said bonds to be known as "Delaware State Hospital Improvement Bonds," and to bear interest at the rate of three and a-half per centum per annum, payable semi-annually; the sale of such bonds having for its object the procurement of means for the erection and equipment of additional buildings to the Delaware State Hospital at Farnhurst. Pursuant to this authority, the State Treasurer advertised for sealed bids for such bonds with most gratifying results. Bids were obtained, among others, from capitalists in Boston, New York and Philadelphia, besides numerous home bidders. The eagerness with which the repre-

sentatives of financial houses from without the State sought to obtain these bonds, and the premiums offered for them, is a most gratifying illustration of the faith that obtains beyond our borders relative to the State's financial integrity.

It is further gratifying, however, to state that, notwithstanding sharp competition, one of our State institutions was the successful competitor. The Security Trust and Safe Deposit Company, a corporation of the State of Delaware, being the highest and best bidder, secured the entire issue at a price paid of thirty-six thousand five hundred and sixty-eight dollars; being a premium of one thousand five hundred and sixty-eight dollars.

Immediately after the sale of these bonds, the State Board of Trustees of the Delaware State Hospital at Farnhurst made preparations for the erection and equipment of suitable buildings. There is now nearing completion a building one hundred and eighty-six feet in length, running at right angles with the old building and connected with it by covered passageways twenty-five feet in length. The building contains accommodations for ninety patients in cases of emergency, but seventy-five patients may be said to be the comfortable limit of its capacity. It is equipped with all modern appliances, including the rain or spray bath, which has been adopted by the New York Commissioners of Lunacy, in place of bath tubs. It is lighted by electricity, thoroughly heated and well ventilated. The building has been plastered throughout with adamant, the floors are deadened, and it is well supplied with means of escape in case of fire. The contracts for the erection and equipment of the building were given to the lowest bidders. It is also a pleasure to inform you that the contracts in all cases (except the construction of fire escapes) were secured by contractors who reside in our own State. The building will doubtless be ready for occupancy about the first of February next.

### FREE SCHOOLS.

The importance of an efficient Free School System is incapable of excessive emphasis. There is no subject that more directly and to a greater degree affects the interest of the whole

people. The moral, physical and intellectual standard of the inhabitants of a community are, in a great measure, indicative of the degree of efficiency of the Free School System of that community. No expenditure of public moneys can possibly be made wherein so great a number of our citizens are the direct beneficiaries as in the appropriation of public moneys for free education, and nothing can be done for the rising generation that will better prepare them for much usefulness to the State as good citizens, and render them capable of greater possibilities in the private pursuits of life than is done by means of the Free Schools. The pronounced policy of this State has been to foster this institution by preserving inviolate, for the maintenance of free education, a portion of the public fund derived from specific sources, and its aim has been to awaken a greater interest by imposing the duty of management of our Free Schools upon local districts, and charging them with the liability of local taxation.

But money set apart for the support of the Free School System, as in all other cases, is productive of good results only when there is a judicious expenditure of such funds. Money exacted from the people in the name of taxation is justified only by the public necessities, and the application of that money to the satisfaction of the public needs should be the object of the law, consequently wherever the law, as it now exists, is incapable of accomplishing that object, it should receive relief at your hands. It is a matter of common knowledge that in some parts of our State our Free Schools are not kept open to the extent that the aid received from the State alone will justify. I, therefore, recommend that the amount of dividend received by a school district be made to depend upon the number of days the schools are kept open, by making a per diem distribution of the school fund according to the number of teachers employed, thereby creating a greater incentive to improved school facilities.

The anomalous provision of our statute, which exempts schools controlled by an incorporated Board of Education from the supervision of the Superintendents of Free Schools should be repealed without delay. There are the same reasons for the

supervision of the Superintendents in such cases as in any other. Experience has proved that under the present law the progress of the schools controlled by incorporated Boards of Education have not kept pace with those over which the Superintendents have jurisdiction. I, therefore, recommend an amendment to our statutes pertaining to Free Schools, that will bring all of the Free Schools in the State (except those of the City of Wilmington, which are under the supervision of a Superintendent of its own selection), within the invigorating influence of the Superintendents of Free Schools.

One of the most productive features of our general system of free education is the comparatively recent introduction of the Teachers' Institute. Through this particular instrumentality the teacher has acquired a more comprehensive view of duty, and has been impelled to a laudable emulation, the result of which is a corresponding proficiency in the pupils of our Free Schools. The instructors in the art of teaching and methods of discipline are the most experienced and thorough that can be obtained. The attendance upon the sessions of the Institute has been such as to indicate an appreciation of them by the public at large. I, therefore, recommend that you give additional financial aid to the Superintendents of Free Schools, to be applied to the promotion of Institute work, and I am fully satisfied that in doing so it will prove to be money wisely expended.

A still more thorough preparation and training of our teachers before they enter upon the responsible duties of teaching might profitably engage your attention, and with this object in view, I suggest that you inaugurate a movement looking toward the establishment of a State Normal School. The feasibility of this project, owing to the peculiar conditions that prevail in this State, most probably consists in a co-operation between the State and the Board of Public Education of Wilmington.

#### DELAWARE COLLEGE.

By reason of the bounty of its support the Board of Trustees of Delaware College have made tuition in that institution

free to all students from the State, the College thus completing and rounding out our system of public instruction. It places within reach of the young men of the State a thorough collegiate training with no other cost than that of living and the expense of necessary books and a few inconsiderable fees to cover expenses incurred. Its work is laid out upon broad lines, and the culture of liberal learning and the practical usefulness of the applied sciences are equally emphasized in its scheme of education. While in pursuance of the special aims of its organization as a State College, stress is laid upon those departments which build up good citizenship and useful manhood, the refining graces and amenities of the older learning are given the place so wisely provided in the foundation of the "Land Grant" Colleges.

For the accomplishment of its educational ends the College offers six four years' courses, leading to degrees, named in the order of their establishment, viz:

- I. The Classical Course, leading to the degree B. A.
- II. The Latin-Scientific Course, leading to the degree B. A.
- III. The Course in Civil Engineering, leading to the degree B. C. E.
- IV. The Course in Mechanical Engineering, leading to the degree B. M. E.
- V. The Course in Electrical Engineering, leading to the degree B. E. E.
- VI. The Course in Agriculture and Science, leading to the degree B. S.

In addition to these courses the College offers a two years' course in Agriculture for the benefit of young men who desire instruction in the science of agriculture, but who feel that they can not spend the time in the College required for the comple-

tion of the four years' course. Besides, a short winter course in agriculture, covering the months of January, February and March, is conducted by the College. The instruction in this course is made thoroughly practical and its advantages are offered not only to those who enter it as regular students, but to all who care to avail themselves of the lectures and demonstrations of any of the subjects of the course. The work is so arranged that those actually engaged in farming, stock raising, dairying, or any other branch of husbandry can attend such lectures as pertain to the subjects in which they are especially interested.

The College possesses valuable libraries covering every department of its activity by means of a splendid collection of well selected books of reference and standard works of literature, science and history. There is on file in the reading room and in the several departmental libraries an extensive list of the leading journals, reviews, magazines, periodicals, &c., both American and foreign. The College has an equipment of machinery and apparatus to illustrate completely all the lines of technical and scientific education offered. The laboratories are all furnished with the necessary apparatus and appliances for high-grade collegiate work. The several engineering departments possess a fine collection of field instruments, testing machines and measuring apparatus. The workshop is equipped with all the iron and wood working tools and electrical machinery required for giving thorough scientific and practical instruction in the various branches of modern engineering. Instruction in military science and tactics is given by an officer of the regular army, detailed for the purpose by the War Department. The teaching staff consists of nine full professors, one assistant professor, and two instructors. In addition to the staff regularly engaged in the work of the College, the professor of veterinary science gives instructions in the subjects of his department during the winter term.

The location of the College is ideally suitable for an institution of learning. The surrounding country is fertile and beautiful, the climate is mild and salubrious. The town of Newark is noted for its healthfulness. The community is moral and



cultured, and the quiet, refined atmosphere of the place invites the mind to study and contemplation. The town is in close railroad, telegraphic and telephonic communication with all parts of the country. The College buildings are commodious, well lighted and well ventilated. The grounds are ample for out-door exercises.

## THE AGRICULTURAL EXPERIMENT STATION.

Each State and Territory in the Union has at least one Agricultural Experiment Station. They are organized under an act of Congress which defines duties, provides support from the national treasury and places matters of direct management in the hands of the trustees of the several "Land Grant" Colleges. The approval of lines of work and of expenditures is vested in the honorable Secretary of the United States Department of Agriculture.

These stations are bureaus of information. They have been equipped with libraries, as sources of the knowledge now in existence, and with laboratories, plant-houses and experimental fields for the use of trained men who work systematically in acquiring additional information. All of these resources are for the reasonable use of practical farmers. If the desired information is of personal interest only, replies are made by personal letters. If a matter of general interest is investigated, publicity is given to the results by the circulation of printed bulletins. Each station must prepare annually a full and detailed report of its operations and must submit it to the Secretary of the Treasury, to the Secretary of Agriculture and to the Chief Executive of its State. A citizen can secure a copy of the bulletins or the reports of any of these stations, upon written application to the proper official.

In this State, legislative assent to the provisions of the Congressional enactment was granted, and the responsibilities of management were accepted by the Trustees of Delaware College. Facilities for work have been secured, and four men, each representing a special line of research, have been engaged.

These men have no duties in the College class rooms; their time is devoted exclusively to the station.

The seventh annual report has been published as a printed volume of two hundred and fifty pages. It includes all studies made during the year 1895. Quarterly bulletins have placed the more recent work before the public. From these documents it appears that efforts are made to introduce lines of agricultural work at present new and strange in our State; that attention is drawn to points of mismanagement in dairying and that methods are demonstrated for combating the insects and fungi which losses in the fruit industry, and for holding in check contagious diseases of live stock.

In illustration of the first line of thought the sorghum sugar industry may be cited. The preliminary stages of its introduction are well advanced and seeds of plants, as rich in sugar as is the tropical cane and beet, are now propagated. This is done in anticipation of the day when the withdrawal of bounties and subsidies from a thoroughly established interest in Continental Europe will permit of the development of a sugar industry in especially favored sections of Delaware.

Forcing winter luxuries under glass is now a profitable horticultural pursuit in the neighborhood of large cities, and may well be considered locally in this State. The cranberry interest of New Jersey, the celery interest of Michigan, the tobacco interest of Connecticut, the essential oil interest and the evaporation of small fruits, extensively and profitably developed in New York State, should all receive consideration from our land-owners and capitalists. Information upon any of these lines and opportunities to examine into details can be secured at the Experiment Station.

Certain destructive insects and fungi are so generally distributed and so irregular in their attacks that their control may, for the present, be left to the individual. Whoever has the energy and foresight to use standard methods against the curculio and the peach rot, for instance, should enjoy the re-

sulting benefits. With the peach yellows and the San Jose scale, a different standpoint must be taken. As to the yellows, a very large area of Delaware is still exempt; legislation to protect that area and to give relief to affected districts has been enacted by our General Assembly, but has not proved acceptable. The recommendation is therefore made that attention should be given to more recent legislation elsewhere, that of Connecticut being particularly suggested. As to the scale insect, at present, it is limited to less than twenty distinct points in Delaware, and probably less than one thousand trees are now affected. A vigorous policy of extermination seems therefore to be both expedient and relatively inexpensive. California experience with this pest may be duplicated upon this peninsula if proper precautions are not observed in season.

Early in 1895, a loathsome and highly contagious disease caused the death of a farmer whose horses were suffering from some unusual trouble. The Experiment Station was asked to investigate. A diagnosis of glanders was made and the immediate destruction of the affected animals was urged. The widow consented, and two horses and a mule were at once killed. Under Chapter 630, Vol. 17, Laws of Delaware, an application for State idemnity was made in proper form. It was granted and payment was made upon the warrant of the Governor. The attention of the General Assembly is called to the said chapter, with the recommendation that more explicit provisions be made for emergency cases of this nature.

The extremely infectious and deadly disease known as anthrax has affected four sections of this State during recent years. Long continued and elaborate tests of the Pasteur system of protective vaccination have been made at the Station, and facilities have been secured for the preparation of the necessary vaccines. The reliability of the vaccinations has been thoroughly demonstrated and the desirability of having a supply of the virus available at all times has become apparent.

Under the congressional enactment, Experiment Stations may demonstrate the advisability of a course, but cannot use

National funds in the practical application of the method. It rests therefore with the General Assembly to provide ways and means for continuing this work. It is recommended that an amendment be made to Chapter 639, Vol. 19, Laws of Delaware, giving the Chief Executive authority to meet questions of this kind as they may arise.

The activity displayed in neighboring States in combating bovine tuberculosis demands that notice shall be taken of that disease at this time. Radical legislation does not seem desirable or necessary; possibly the entire question can be left for solution with individual citizens. The conservative course in dealing with tuberculosis adopted by the Danish government is worthy of passing mention. The State provides the services of the veterinarian, pays for the tuberculin used in the test, and does not demand the immediate slaughter of condemned animals, provided a guarantee is given that innocent parties shall not be victimized by fraudulent sales. The said cows are used, under restrictions, as breeders, and ruinous losses to the herds-men and to the general government are avoided. Not one calf in ten thousand is a consumptive at birth.

### PRISON REFORM.

The wisdom of establishing a State Workhouse for convicts has engaged the attention of many earnest, thoughtful and benevolent persons. This subject has been agitated for several years. With the crowded condition of our county jails, and the impracticability of separation and classification of convicts, many youthful prisoners are liberated, at the expiration of their term of imprisonment, more hardened in crime and more resolute in idleness than when they were incarcerated, and consequently are unfitted for the responsible duties of citizenship. The great number of certificates given by reputable physicians of the failing health of prisoners has not failed to make its impress upon me. I urge that you diligently investigate the State's resources and ascertain the practicability of a satisfactory solution of this problem.

## DIVISION LINE.

By Joint Resolution passed by the General Assembly, being Chapter 834, Vol. 19, Laws of Delaware, as amended by Chapter 147, Vol. 20, Laws of Delaware, commissioners were appointed to run and mark the division line between the Counties of Kent and Sussex from a fork in the Mispillion Creek, at the junction of the Tan-trough branch and Beaver Dam branch to the line dividing the States of Maryland and Delaware. Pursuant to the authority conferred, the commissioners entered upon their duties and have completed the work. The report of their proceedings, together with a plot, showing the courses and distances of said dividing line by them established and location of the stones set is herewith submitted for your approval. In my judgment, the work has been satisfactorily and accurately performed. I, therefore, recommend the acceptance and approval of the report, and the payment to the commissioners and surveyor of such compensation as you may determine and allow.

## STATE LIBRARY.

The General Assembly, at its last session, appropriated a sum not exceeding ten thousand dollars for the erection of an addition to the State House for library purposes, and appointed commissioners on the part of the State, whose duty it was to have such addition erected. In conformity to that authority, the commissioners have completed the construction of an addition to the old Library forty feet long and thirty-five feet wide. The room communicates with the old Library, and has an estimated capacity of thirty-four thousand volumes. There are now in the State Library about twenty-nine thousand volumes. The Library will not be complete, however, until an office is provided for the State Librarian, and a reading room for those who desire to consult the many valuable volumes.

## STATE HOUSE.

The apartments provided in the State House for the different State officers are wholly inadequate to the necessities of the

respective offices. An inspection of the apartments now occupied by the State Treasurer and State Auditor, particularly, will reveal to you the necessity of enlarged accommodations. It would seem that the rooms formerly used for the State Library could now be utilized to the full relief of all the State officers.

### STATE MILITIA.

The report of the Adjutant General, herewith submitted to your honorable bodies is replete with valuable information respecting the National Guard.

By a discreet provision of our organic law, the military is kept, in all cases and at all times, in strict subordination to the civil power. The organization and maintenance of such military force as may be necessary to preserve the supremacy of the civil authority is the part of wisdom. The mere knowledge of the existence of a military force capable of rendering immediate service has the effect of overwhelming insurrection and mob violence in its incipency. It is, therefore, an important auxiliary to the adequacy of the civil power.

The State of Delaware, being the first to enter into the compact of States, should be the last to forget the obligations assumed in consideration of the benefits accruing from a perfect union. By the Constitution of the United States there is guaranteed to the State of Delaware a Republican form of government, and protection against invasion and domestic violence. We should be prepared in good faith, at all times, to extend a helping hand to the Federal Union. I, therefore, recommend that you give the subject of increased financial aid to the National Guard of Delaware your most serious consideration.

### DETECTIVES.

I desire to direct your attention to the manner in which our detectives are compensated. It is manifestly unfair that the City of Wilmington alone should be charged with the payment of officers who are so freely called upon to render service in all

parts of the State, and who always so cheerfully respond to such calls. By statute these detectives are required to serve all requisitions, regardless of the place where the offence is committed. A crime committed in the City of Wilmington, is just as much a crime against the peace and dignity of the State, as though it were committed in any other part of the State. The expense, therefore, of bringing the offender to the bar of justice should be paid by the State. I suggest that you so amend Chapter 47, Volume 19, Laws of Delaware, that these officers may be compensated out of State funds.

### EXPRESS COMPANIES.

Complaint has been freely made against Express Companies doing business in this State, charging them with the violation of the statute prohibiting a discrimination of charges for the transportation of packages. I recommend that you investigate the charges and report the result of your inquiry to the Attorney-General.

### TENNESSEE CENTENNIAL.

The people of Tennessee will celebrate the one hundredth anniversary of the admission of their State into the Union, by holding at Nashville, the capital, for a period of six months, from the first day of May, A. D., 1897, a Centennial and International Exposition. This State has been invited by the Commissioner General to participate in this celebration. My object in making mention of this is that it may receive whatever attention your judgments may dictate.

### REPORTS.

In addition to the reports heretofore commented upon, I herewith submit the report of the State Board of Health, together with a list of reprieves, pardons and remissions, and my reasons for granting the same.

### ELECTIONS.

A matter still remains to which I must call your attention,

and I have reserved it until the last, not because it is less important, but because it is more important than all others with which I have dealt in this message. The subject is one which I could not ignore if I would, and which would press itself upon your attention without suggestion from me.

I refer to the matter of bribery and corruption in the conduct of our elections. It doubtless has existed in some degree for many years, and has been practiced by members of all parties in the heat of political contests. But the comparatively limited extent to which it had obtained tended to prevent its awakening the public conscience as it should have done, and though always condemned by thoughtful and patriotic citizens, it has been winked at by heated partisanship. It has, however, of late assumed such alarming proportions as to challenge public attention and demand drastic treatment at the hands of the Legislature.

Owing to the smallness of our State, not only in territory but in population, a distinct danger threatens us in these times of overgrown fortunes, when the corrupt hand of ambitious wealth is extended to seize upon the great political places which have heretofore been supposed to belong to those whose good citizenship, worth and attainments have commended them to the electorate of the State. Thoughtful and patriotic men all over the State are awakening to the danger which those conditions make to our beloved Commonwealth, and a demand which cannot be ignored will meet you at the threshold of the high duties you are entering upon, a demand that you should throw, as far as possible, the safeguards of legislation around the exercise of the elective franchise. A corrupt and purchased electorate is as bad and as dangerous to the community as an intimidated or coerced one. By it, self-government is poisoned at its fountain, and a proud and self-respecting citizenship, so essential to free government, made impossible.

No one doubts the immorality of these practices, or that their continuance will sap the robust manhood of any community in which they are permitted to exist. To stamp out this immorality, the law of our State should lend its strongest sanc-



tions. The briber and bribed are alike unworthy to exercise the high privilege of citizenship in a free State, and the law should create and enforce a public opinion, which in its turn will support the law, in making those guilty of either giving or receiving a bribe as a consideration for a vote, live under the stigma of having committed a crime as heinous as any denounced in our Statute Book.

No law which would have the effect of punishing the bribe-taker, and allowing the bribe-giver to go scathless, would be adequate for the grave condition it is required to meet, or respond to the just demands made by the aroused conscience of the people of our State. No time should be lost in listening to wordy crimination or recrimination between the members of opposing parties. That would only please those who are willing that these abhorrent practices should continue.

If in the days when the disease was less aggravated, there were those who either did not see, or closed their eyes to its dangerous character, surely now that its ravages have extended to such frightful extent as to threaten all wholesome political life, men of all parties who love their State and recognize a common peril, must, and we believe will, unite in eradicating it.

A thorough consideration of the reforms in our ballot law suggested by the experience of its practical operation, is a duty not likely to escape your attention. If the present law passed to secure a perfectly secret ballot, and thus minimize the opportunity for bribery, has in practice measurably failed in accomplishing that admirable purpose, amendments of the law should be so framed as to cure its defects in that regard. Especially if it is found that a part of the machinery of the ballot law itself, has been made an instrumentality of fraud and corruption, should that part be done away with.

Amendments to the law, denouncing falsification of returns made by election officers, or others, to the boards of canvass, may be found necessary on examination of its provisions. No effort should be spared to make swift and sure the punishment of those who can gain their own consent to destroy the record of

the people's will. The integrity of the certificates of the votes cast by the electors, must be maintained at all hazards and at any cost. If that is endangered or made doubtful, then indeed a free self-governing people ceases to exist.

The confidence which has hitherto been reposed, in the honesty and self-respecting character of those who guard and keep the ballot box and the returns, between the time of signing the certificates, and the reading of the same in the board of canvass, must not be destroyed or impaired. If any, however few, have betrayed or violated it, law should not be wanting for their condign punishment.

Bespeaking for this important subject your earnest and patriotic attention, I leave it in your hands, with full confidence that you will respond to the urgent and obvious call of duty that it makes upon you.

WILLIAM T. WATSON.

Mr. Hazell moved that the Governor's message and accompanying documents be referred to a committee of three,

Which motion

Prevailed.

Whereupon the Speaker appointed Messrs. Hazell, Taylor and Whitney on said committee.

Mr. Whitney 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.

The resolution was amended to "five hundred copies" and

As amended by further motion, was

Adopted.

On motion the House adjourned until 3 o'clock.

Same Day—3 o'clock, P. M.

House met pursuant to adjournment.

Mr. Adams offered a resolution,

Which, on his motion, was read as follows:

Resolved, That the motion appointing a special committee of seven to report on the Dickey-Cheairs contest, be reconsidered and that the committee be discharged and the question be referred to the regular Committee on Elections, to be hereafter appointed,

And further on his motion,

The resolution was

Adopted.

Mr. Short offered a resolution,

Which, on his motion, was read as follows:

Resolved, That the Clerk of the House be requested to furnish each member and officer of this House a copy of the Revised Code and the 19th volume of Delaware Laws, and a copy of the acts passed at the last General Assembly,

And further on his motion,

The resolution was

Adopted.

Mr. Donaldson renewed his motion to proceed to the election of an Enrolling Clerk,

And, on his further motion, Mr. James R. Marshall of New Castle County was nominated and elected by acclamation.

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

the House that the Senate had adopted and requested the concurrence of the House in a joint resolution entitled

“Joint resolution in relation to adjourning both Houses,”

And presented the same to the House.

On motion of Mr. Davis the Senate joint resolution in relation to adjournment was read,

And further on his motion,

The resolution was

Concurred in.

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

Mr. Hazell offered a resolution,

Which, on his motion, was read as follows:

Resolved, That the Clerk be directed to procure for each member and officer of this House two copies of the daily papers, each member to make his own selection,

And, on his further motion

The resolution was

Adopted.

On motion the House adjourned to meet Monday next, January 11th, at 10 o'clock, A. M.

Monday, January 11, 1897.

House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Adams, Davis, Dempsey, Dickey, Donaldson, Dukes, Eliason, Hazell, J. H. Hopkins, L. S. Hopkins, Johnson, Martin, McCoy, Short, Smith, Taylor, Thompson, Whitney and Mr. Speaker.

Journal read and approved.

Mr. Dempsey offered a resolution,

Which, on his motion, was read as follows:

Resolved, That a committee of three be appointed, the Speaker to be chairman, to draft rules for government of the House,

And, on his further motion

The resolution was

Adopted.

Whereupon the Speaker appointed Messrs. Dempsey and Smith on said committee.

Mr. Davis introduced a joint resolution entitled

“Joint resolution appointing a committee to draft rules governing the two Houses,”

Which, on his motion was read,

And, on his further motion, was

Adopted.

Ordered to the Senate for concurrence.

Mr. Donaldson offered a resolution,

Which, on his motion was read as follows:

Resolved, That his Excellency, the Governor, our Senators and Representatives in Congress, the Chancellor, the Chief Justice, the Judges, the Attorney General, the Secretary of State, former members of the Senate and House of Representatives, ladies who may be present during the sessions of the House, and ex-members of the Legislature have the privileges of the seats on the floor,

And further on his motion

The resolution was Adopted.

Mr. Taylor offered a resolution,

Which, on his motion was read as follows:

Resolved, That the Clerk be instructed to furnish wrappers and stamps and stationery for the use of the House,

And further on his motion

The resolution was Adopted.

Mr. McCoy offered a joint resolution entitled

"Joint resolution appointing committee to make arrangements for the inauguration of the Governor,"

Which, on his motion was read,

And, on his further motion, was Adopted.

Ordered to the Senate for concurrence.

Whereupon the Speaker named as committee on part of the House, in relation to the foregoing joint resolution, Messrs. McCoy, Eliason and Martin.

Mr. Dickey gave notice that on to-morrow, or some future day, he would ask leave to introduce sundry bills entitled as follows:

"An act to incorporate the Delaware Manufacturing Company."

"An act regulating assignments for the benefit of creditors."

"An act to amend Chapter 39, Vol. 19, Laws of Delaware."

"An act to amend Chapter 26, Vol. 19, Laws of Delaware."

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

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Same Day—3 o'clock, P. M.

House met pursuant to adjournment.

The Speaker presented the report of the Commissioners named in the act of the General Assembly entitled

"An act providing for an addition to the State Library Building,"

Which, on motion, was read as follows:

## REPORT OF COMMISSIONERS

Named in the act of the General Assembly, entitled "An act providing for an addition to the State Library Building," being Chapter 2, Volume 20, Laws of Delaware, passed at Dover, May 8th, 1895.

To the Senate and House of Representatives of the State of Delaware:

It is made the duty of the Commissioners, named in the act of the General Assembly, entitled "An act providing for an addition to the State Library Building," passed at Dover, May 8th, 1895, "to make a full report of all their proceedings to the next General Assembly," and in pursuance thereof, the following is respectfully submitted as such report:

The Commissioners met at the State House in Dover on Tuesday, May 21st, 1895, and effected an organization, by electing John Pyle, Chairman, and John W. Jolls, Secretary. Frank R. Carswell, of Wilmington, was employed as architect to prepare plans and specifications, and to supervise the work of construction, his compensation not to exceed three per centum of actual expenditures, and actual traveling expenses between Wilmington and Dover.

The Commissioners met at the State House in Dover on Tuesday, June 4th, 1895, and carefully examined the plans and specifications, submitted by Architect Carswell, and directed that preliminary estimates be obtained of the probable cost of both building and shelving, the same to be submitted to a meeting of the Commissioners, to be held in Wilmington on Tuesday, June 11th, 1895.

At the meeting in Wilmington on Tuesday, June 11th, 1895 the Commissioners received the report of Architect Carswell, which report was that the building could be erected, and the shelving provided, within the limits of the appropriation, and in accord with the plans and specifications previously submitted. The plans and specifications were approved and it was decided



to advertise for proposals for the erection of the building, said proposals to be opened at Dover, Tuesday, June 25th, 1895.

The Commissioners met at the State House in Dover, on Tuesday, June 25th, 1895, and received the following proposals:

Mr. R. A. Black, of Dover.....	\$7,149.67
Mr. Lon. W. Clifton, of Dover.....	7,960.00
Mr. Wm. E. James, of Wilmington.....	5,543.00
Mr. Wm. H. Foulk, of Wilmington.....	6,400.00
Mr. Frank A. Webb, of Wilmington.....	7,847.00
A. S. Reed & Bro. Co., of Wilmington.....	7,154.00
Mr. David McCloskey, of Wilmington.....	6,372.00
Messrs. Blackwell & Cassidy, of Wilmington.....	5,939.00
Mr. N. Smith Barkley, of Wilmington.....	6,468.00
Mr. Philemma Chander, of Wilmington.....	6,031.00
Mr. Edgar Zielian, of Wilmington.....	5,888.00
Mr. William Fisher, of Dover.....	5,400.00

The Commissioners awarded the contract for the erection of the building to Mr. William Fisher, of Dover, at the sum of fifty-four hundred dollars (\$5400).

The Commissioners met at the State House in Dover on Tuesday, July 2nd, 1895 and received from Contractor William Fisher, a bond with Caleb S. Pennewill as surety, in the sum of two thousand dollars, and a contract was in due form signed and executed by the Commissioners and William Fisher for the erection of the building. The Commissioners of the Town of Dover remonstrated against the proposed addition being erected directly in the rear of the old building and in line with the north side thereof, as it would encroach upon the public highway. There being no provision of law by which the highway could be appropriated, it was decided that if the Commissioners of the Town of Dover persisted in this protest that the building be located on line with the south side of the old building, and Architect Carswell was directed to alter his plans accordingly. This change of plan involved an expense of three hundred and twenty-five dollars (\$325.00) and a supplemental

contract was entered into with Contractor Fisher, covering that amount.

The Commissioners met at the State House in Dover on Tuesday, August 6th, 1895, and approved the work then in progress and directed Architect Carswell to procure proposals for the shelving and fittings.

The Commissioners met at the State House in Dover on Tuesday, September 3rd, 1895, and Tuesday, September 10th, 1895, and at the latter meeting received the following proposals for the shelving and fittings:

Library Bureau of Philadelphia .....	\$3,950.00
Messrs. Stiffel & Freeman, of Philadelphia.....	4,400.00
Messrs. Stiffel & Freeman, of Philadelphia.....	4,100.00
Messrs. Stiffel & Freeman, of Philadelphia.....	3,650.00
Messrs. A. B. & W. T. Westervelt, of New York....	3,050.00
Messrs. A. B. & W. T. Westervelt, of New York....	3,300.00

The contract was awarded to Messrs. A. B. & W. T. Westervelt, of New York for the sum of thirty-three hundred dollars (\$3300.00).

The Commissioners met at the State House in Dover on Tuesday, October 1st, 1895, and in addition to inspecting and approving the work of Contractor Fisher, the form of contract with Messrs. A. B. & W. T. Westervelt for shelving and fittings was approved.

The Commissioners met at the State House in Dover on Friday, October 4th, 1895 and the contract with Messrs. A. B. & W. T. Westervelt for shelving and fittings was duly signed and executed.

The Commissioners met at the State House in Dover on Tuesday, November 5th, 1895 and inspected and approved the work then in progress. It was deemed wise and prudent to effect an insurance against fire on the new building and accordingly a policy for four thousand dollars (\$4,000) was obtained

from the American Fire Insurance Company, of Philadelphia, for five years, the premium thereon being ninety-six dollars (\$96) which, with eight dollars (\$8) for a building permit, is a total of one hundred and four dollars (\$104) paid for fire insurance.

The Commissioners met at the State House at Dover on Wednesday, December 4th, 1895, also on Tuesday, January 7th, 1896. At the latter meeting Contractor Fisher was paid in full for all balance due him on his contract, including the supplemental contract resulting from the change of location, and a further sum of forty-three dollars (\$43) for extra work authorized.

The Commissioners met at the State House in Dover on Tuesday, January 21st, 1896 and awarded a contract for two steam radiators and the proper connections to the present heating system of the State House, to H. A. Miller, of Wilmington for the sum of sixty-four dollars (\$64.00).

The Commissioners met at the State House in Dover on Monday, February 3rd, 1896 and awarded a contract for gas fixtures to George P. Jarrell, of Dover, for the sum of sixty-six dollars and fifty cents (\$66.50).

The Commissioners met at the State House in Dover on Tuesday, March 3rd, 1896. The shelving and Library fittings were complete, and they were approved and accepted and the contractors, Messrs. A. B. & W. T. Westervelt were paid in full. It was decided to fit up the second story in accordance with Architect Carswell's plans, the expenditure not to exceed one hundred and fifty-five dollars (\$155.00).

The Commissioners met at the State House in Dover on Tuesday, April 7th, 1896 and authorized the State Librarian, Peter C. Gruell, to remove the books into the new Library room, and also approved Architect Carswell's estimate of one hundred and fifty dollars (\$150) for finishing the second story room.

The Commissioners met at the State House in Dover on Tuesday, April 21st, 1896 and closed its labors, and made settlements for all outstanding claims. The following is a summary of expenditures, the details of which appear in the accompanying Exhibit A, certified by the State Auditor:

Architect's services .....	\$ 345.51
Printing proposals .....	28.77
Insurance .....	104.00
Shelving and Library fittings.....	3300.00
Building contract .....	\$5400.00
Building, supplemental contract.....	325.00
Building, extra work.....	43.00
Building, finishing second story.....	152.00
Building, gas fixtures .....	66.50
Building, steam radiators .....	64.00
Building, cleaning .....	10.00
	<hr/>
	6060.50
Commissioners, actual expenses .....	151.80
	<hr/>
Total .....	\$9990.58

There is a balance in the State Treasury unappropriated of \$9.42.

All of which is respectfully submitted.

JOHN PYLE,  
W. T. RECORDS,  
JOHN W. JOLLS,  
HENRY H. McMULLEN,  
Commissioners.

#### EXHIBIT "A."

Statement of the expenditures made by the Commissioners appointed in the act entitled "An act providing for an addition to the State Library Building," passed at Dover, May 8th, 1895.

Aug. 6th, 1895, Frank R. Carswell, architect.	\$ 100.00
Oct. 1st, 1895, Frank R. Carswell, architect.	50.00
Jan. 7th, 1896, Frank R. Carswell, architect.	50.00
Apr. 7th, 1896, Frank R. Carswell, architect.	100.00
Apr. 21st, 1896, Frank R. Carswell, architect	45.51
	<hr/> \$ 345.51
Aug. 6th, 1895, William Fisher, contractor for building .....	\$ 500.00
Sep. 1st, 1895, William Fisher, contractor for building .....	1700.00
Oct. 1st, 1895, William Fisher, contractor for building .....	500.00
Nov. 5th, 1895, William Fisher, contractor for building .....	1500.00
Dec. 4th, 1895, William Fisher, contractor for building .....	1000.00
Jan. 7th, 1896, William Fisher, contractor for building .....	568.00
Apr. 21st, 1896, William Fisher, contractor for building .....	152.00
	<hr/> \$5920.00
Sep. 10th, 1895, Journal Printing Co., adv. proposals .....	\$ 6.75
Sep. 10th, 1895, Every Evening Printing Co., adv. proposals .....	7.27
Sep. 10th, 1895, New Publishing Co., adv. proposals .....	6.75
Dec. 4th, 1895, The Delawarean, adv. pro- posals .....	3.00
Dec. 4th, 1895, The Dover Index, adv. pro- posals .....	2.00
Jan. 7th, 1896, The State Sentinel, adv. pro- posals .....	3.00
	<hr/> \$ 28.77
Nov. 5th, 1895, Morris & Dawson Fire Ins. to Oct. 5th, 1900 .....	\$ 104.00
Mch. 3rd, 1896, A. B. & W. T. Westervelt, book shelv- ing and fittings .....	3300.00
Apr. 7th, 1896, George P. Jarrell, gas fixtures .....	66.50

Apr. 21st, 1896, Henry A. Miller, radiators and steam connections .....	64.00
Richard B. Cooper, cleaning up.....	10.00
John Pyle, traveling and incidental expenses..	\$149.80
P. L. Garrett, type-writing report.....	2.00 151.80
Total .....	<u>\$9990.58</u>

Examined and approved,

B. L. LEWIS,  
State Auditor.

JOHN PYLE,  
W. T. RECORDS,  
JOHN W. JOLLS,  
HENRY H. McMULLEN.

On further motion the report was referred to Committee on Miscellaneous Business.

Mr. Dempsey, on behalf of the committee appointed to draft rules for the Government of the House, begged leave to report as follows:

We, your committee appointed to draft rules for the government of the House, would most respectfully recommend the adoption of the rules governing the last House, except in Rule 2, where the word Senate appears, it be stricken out and the word House inserted.

We also further recommend that the Committee on Elections be increased to five members, all of which we submit.

C. G. DEMPSEY,  
A. SMITH,  
E. B. RIGGIN.

## RULES OF THE HOUSE.

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 other business, the Clerk shall call the names of the members in alphabetical order, and shall read the journal of the preceding day, which may 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 any subject, or 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 motion to receive 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 special committee shall report within five days of actual session of the House from the time of its 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 appropriate to them shall be referred, viz:

A Committee on Rules.

A Committee on Ways and Means.

A Committee on Elections, to consist of five members.

A Committee on Judiciary, to consist of five members.

A Committee on Federal Relations.

A Committee on Crimes and Punishments.

A Committee on Accounts.

A Committee on Claims.

A Committee on Constitutional Reform.

A Committee on Agriculture.

A Committee on Municipal Corporations, to consist of five members.

A Committee on Vital Statistics.

A Committee on Roads and Vacant Lands.

A Committee on Fish, Oysters and Game.

A Committee on Printing, to consist of three members.

A Committee on Revised Statutes.

A Committee on Private Corporations.

A Committee on Divorces.

A Committee on Education.

A Committee on Temperance, to consist of three members.

A Committee on Enrolled Bills, to consist of eight members.

A Committee on Appropriations, to consist of five members.

A Committee on Miscellaneous Business, to consist of three members.

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 report of a committee, and one day's notice 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 the 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 pass between him and the chair.

Rule 11. Before any petition or memorial address to the 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, except as to style or form, shall receive three several readings, no two of which shall be on the same day, except by a 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 (Sundays excepted), at ten o'clock in the morning and three o'clock in the afternoon.

Rule 23. No member shall absent himself from the House more than one day, without first having obtained leave.

Rule 24. The Speaker shall, equally with other members of the House, have the right to vote upon all bills, resolutions, questions and proceedings; provided, that upon calls for the yeas and nays, the Speaker's name be last called.

Rule 25. The rules of parliamentary practice, comprised in Cushing's Manual, shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the House; and where the rules of parliamentary practice comprised in Cushing's Manual are not applicable, the rules of parliamentary practice comprised in Jefferson's Manual shall govern the House in all cases to which they are applicable, in so far as said rules so comprised in Jefferson's Manual are not inconsistent with the standing rules and orders of the House.

Rule 26. The daily order of business shall be as follows:

I. Reading of the Journal.

II. Communications from the Speaker.

III. Reports from standing committees, in regular order as they are enumerated in Rule 5.

IV. Reports from special committees in the order of appointment.

V. Petitions and memorials.

VI. Introduction of new business.

VII. Second reading of bills.

## VIII. Business on the calendar.

## IX. Miscellaneous business.

The Clerk shall keep a calendar of business on which reports from committees, bills and resolutions which lie over, and other matters undisposed of, indicating the subject of each item, shall be placed in the order in which they are presented, a printed copy of which calendar shall be furnished to each member at the opening of every morning session.

At eleven o'clock each day of the session, unless there be an order of the day, or as soon thereafter as the order of the day shall be disposed of, the business on the calendar shall be taken up and disposed of in the order which it stand thereon, and a vote of two-thirds of the members present shall be required to take up any matter out of its order on the calendar or to make any matter the order of the day for a particular time.

Mr. Hazell moved to amend Rule 24 by placing the word "bills" after the word "all" and before the word "resolutions,"

Which motion

Prevailed.

On motion of Mr. Smith the rules were adopted as reported and amended.

Mr. Dickey gave notice that on to-morrow, or some future day, he would ask leave to introduce sundry bills entitled as follows:

"An act to amend Chapter 727, Volume 19, Laws of Delaware."

"An act in relation to municipal elections to be held in Wilmington."

The Speaker announced the standing committees of the House as follows:

## HOUSE STANDING COMMITTEES.

Rules—J. H. Hopkins, Donaldson, Speaker.

Ways and Means—Martin, Johnson, Taylor.

Elections—Hazell, Johnson, McCoy, Dempsey, Smith.

Judiciary—Adams, Wilson, Dickey, McCullough, Dukes.

Federal Relations—Dukes, L. S. Hopkins, Dickey.

Crimes and Punishments—Davis, Short, McCullough.

Accounts—Johnson, Hazell, Donaldson.

Claims—McCoy, Adams, Thompson.

Constitutional Reform—Thompson, McCoy, J. H. Hopkins.

Agriculture—Taylor, Adams, Donaldson.

Municipal Corporations—Dickey, Hazell, Eliason, Smith, Davis.

Vital Statistics—Donaldson, Wilson, Whitney.

Roads and Vacant Lands—Whitney, Dempsey, Martin.

Fish, Oysters and Game—Eliason, L. S. Hopkins, Thompson.

Printing—Short, J. H. Hopkins, Dempsey.

Revised Statutes—Hazell, Wilson, Dukes.

Private Corporations—Smith, Davis, Taylor.

Divorce—McCullough, Eliason, Short.

Temperance—Wilson, Dempsey, Dukes.

Education—L. S. Hopkins, Smith, McCoy.

Enrolled Bills—Dempsey, McCullough, J. H. Hopkins, Martin, Davis, Thompson, Whitney, Short.

Appropriations—Whitney, Smith, Adams, Johnson, Taylor.

Miscellaneous Business—L. S. Hopkins, Eliason, Martin.

Mr. Davis, on behalf of the Joint Committee appointed to draft rules governing intercourse between the two Houses, begged leave to report as follows:

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

## JOINT RULES GOVERNING INTERCOURSE BETWEEN THE TWO HOUSES.

Rule 1. In every case of amendment to a bill, or any other matter agreed to in one House and dissented to in the other, if either House shall request a conference, and appoint a committee for that purpose, the other House shall also appoint a committee to confer. Such 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.

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

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

Rule 6. After examination and report, each bill or joint resolution shall be signed in the respective Houses 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 joint resolution shall be lost.

Rule 10. In all cases where a conference takes place, the committee shall be composed of members who voted in the majority on the point or points of difference, but the committee shall not have power or control over any part of the bill, resolution or order, except such parts on which difference exists between the two Houses.

Signed

JOHN PYLE,  
SAMUEL ALRICHS,  
Committee on part of the Senate.

WM. R. DAVIS,  
ELISHA C. DUKES,  
DAVID K. DONALDSON,  
Committee on part of the House.

On motion the Joint Rules were adopted.

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

“Joint resolution governing the intercourse between the two Houses,”

And returned the same to the House.

Also that the Senate had adopted and requested the concurrence of the House in a joint resolution entitled

“Joint resolution in regard to canvassing the vote for Governor,”

And presented the same to the House.

Mr. Hazell offered a resolution,

Which, on his motion, was read as follows:

Resolved, That the Committee on Privileges and Elections in all cases of contested election at this session, be and it is hereby authorized to subpoena witnesses, hear evidence and to adopt such methods and measures which it may deem necessary to ascertain and determine what is just, right, and lawful in the premises,

And, on his further motion

The resolution was

Adopted.

Mr. Davis offered a resolution concerning the assigned claims of E. L. Jones & Co. against the State of Delaware,

Which, on his motion was read,

And on his further motion



The resolution was

Adopted.

Mr. McCullough offered a resolution,

Which, on his motion, was read as follows:

Whereas in order to preserve the harmony and good feeling of the members of the House, it is desirable that unseemly and improper statements concerning brother members should not be permitted to be made by any one to members of the House and especially by persons who seek the action of the House in matters of self-interest,

And whereas the dignity of this House requires and demands that all its proceedings should be conducted in accordance with well established precedents and according to the practice of legislative and deliberative bodies to the end that hasty and ill-considered measures shall not be too quickly adopted, or something thereafter to be regretted accomplished,

Therefore, resolved that this House will proceed in its deliberations and in its committees with due and proper regard to the rights of those interested and in accordance with precedent, and will not hastily by outside solicitations be rushed into breaches of legislative decorum or violation of the rules and customs of this branch of the Legislature, and that simple courtesy to brother members demands that such should be the course adopted.

And, on his further motion

The resolution was

Adopted.

On motion of Mr. Donaldson the Senate joint resolution entitled

“Joint resolution in regard to canvassing the vote for Governor,”

Was read,

And, on his further motion

The joint resolution was

Concurred in.

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

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

“An act to incorporate the Peninsula Press Company of Wilmington, Delaware.”

On motion, House adjourned until January 12th, 11 o'clock, A. M.

Tuesday, January 12, 1897—11 o'clock, A. M.

House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Adams, Davis, Dempsey, Dickey, Donaldson, Dukes, Eliason, Hazell, J. H. Hopkins, L. S. Hopkins, Johnson, Martin, McCoy, McCullough,, Short, Smith, Taylor, Thompson, Whitney, Mr. Speaker.

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

“Joint resolution relating to the State Library Building,”

And presented the same to the House.

Mr. Dickey offered a resolution,

Which, on his motion, was read as follows:

Resolved, That the Committee on Elections be and they are hereby directed to open each ballot box and count every ballot in every election precinct in New Castle County and report to the House the exact number of votes cast for each candidate for the Legislature in said county, before incurring any costs in summoning of witnesses in the case whatever.

Mr. Hazell moved to amend the resolution by placing the words “If they deem it necessary,” after the word directed and before the words “to open,”

And moved the adoption of the amendment.

Mr. Short called for the yeas and nays, which being taken were as follows:

Yeas—Messrs. Adams, Davis, Dukes, Hazell, Johnson, Martin, McCoy, Smith, Whitney, Mr. Speaker—10.

Nays—Messrs. Dempsey, Dickey, Donaldson, Eliason, J. H. Hopkins, L. S. Hopkins, McCullough, Short, Taylor, Thompson—10.

The vote being a tie the Speaker declared the amendment lost.

Mr. Dickey moved the adoption of the original resolution.

Mr. Short called for the yeas and nays, which being taken, were as follows:

Yeas—Messrs. Adams, Dempsey, Dickey, Donaldson, Eliason, J. H. Hopkins, L. S. Hopkins, Martin, McCullough, Short, Taylor, Thompson—12.

Nays—Messrs. Davis, Dukes, Hazell, Johnson, McCoy, Smith, Whitney, Mr. Speaker—8.

So the resolution was declared Adopted.

Mr. Donaldson offered a resolution,

Which, on his motion, was read as follows:

Resolved, That the Clerk be directed to procure stationery for the use of the reporters of the newspapers,

And, on his further motion

The resolution was Adopted.

Mr. Donaldson, securing the floor on a question of personal

privilege, begged leave to decline the appointments he had received on the various committees from the Speaker.

On motion of Mr. Hazell the Clerk was directed to inform the Senate that the House was now ready to meet in joint session for the purpose of canvassing the vote for Governor.

### JOINT MEETING.

Hall of the House of Representatives,

January 12th, 1897—11 o'clock, A. M.

The two Houses being convened in joint meeting,

On motion of Mr. Pyle of the Senate,

The resolution convening the Houses was read by the Clerk of the Senate, as follows:

“JOINT RESOLUTION CONVENING THE TWO HOUSES TO OPEN AND PUBLISH THE RETURNS OF THE VOTE FOR GOVERNOR AT THE LAST GENERAL ELECTION.”

Resolved, By the Senate and House of Representatives of the State of Delaware in General Assembly met,

That the members of the Senate and members of the House of Representatives assemble in the hall of the House of Representatives at 11 o'clock, A. M., on Tuesday, the 12th inst, to be present at the opening and publishing, according to the Constitution of this State, of the returns of election held in the several counties of the State, on the Tuesday next after the first Monday in November last, for Governor, and that two tellers be appointed to wit:

One on the part of the Senate and one on the part of the

House of Representatives, to make a list of the votes cast, as the same shall be published from said returns:

Adopted at Dover, January 11, 1897.

On motion of Mr. Taylor, of the House, Mr. Harrington, Speaker of the Senate, appointed Mr. Fenimore, of the Senate, and Mr. Donaldson, of the House of Representatives, as tellers.

Mr. Harrington, Speaker of the Senate, thereupon opened and published the official returns of the election in the several counties of this State for Governor, from which it appeared that on the Tuesday next after the first Monday in November last, A. D., 1896, there were given

FOR EBE W. TUNNELL:

In New Castle County .....	9,600 votes
In Kent County .....	2,008 votes
In Sussex County .....	3,899 votes
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Total .....	15,507

FOR JOHN H. HOFFECKER:

In New Castle County .....	5,629 votes
In Kent County .....	1,759 votes
In Sussex County .....	3,626 votes
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Total .....	11,014

FOR JOHN C. HIGGINS.

In New Castle County .....	6,219 votes
In Kent County .....	73 votes
In Sussex County .....	862 votes
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Total .....	7,154

## FOR DANIEL GREEN:

In New Castle County .....	348 votes
In Kent County .....	83 votes
In Sussex County .....	117 votes
Total .....	<u>548</u>

## FOR LOUIS N. SLAUGHTER:

In New Castle County .....	769 votes
In Kent County .....	64 votes
In Sussex County .....	22 votes
Total .....	<u>855</u>

## FOR PETER J. FORD:

In New Castle County .....	2 votes
In Kent County .....	no votes
In Sussex County .....	no votes
Total .....	<u>2</u>

## FOR HUMPHREY LYNCH:

In New Castle County .....	1 vote
In Kent County .....	no votes
In Sussex County .....	no votes
Total .....	<u>1</u>

## TOTAL VOTE FOR GOVERNOR:

For Ebe W. Tunnell .....	15,507
For John H. Hoffecker .....	11,014
For John C. Higgins .....	7,154
For Daniel Green .....	548
For L. N. Slaughter .....	855

For Peter J. Ford .....	2
For Humphrey Lynch .....	1

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Ebe W. Tunnell's plurality..... 4,493

Ebe W. Tunnell, having received a plurality of 4,493 votes, was declared by the Speaker of the Senate to have been duly elected Governor of the State of Delaware, on Tuesday next after the first Monday in November last, for the Constitutional term of four years from the third Tuesday in January instant.

The Speaker of the Senate, and the Speaker of the House of Representatives then signed two certificates of election of Governor, which were attested by the Clerks of the respective Houses.

On motion of Mr. Donaldson, of the House, the certificates as signed and attested, were read as follows:

#### STATE OF DELAWARE, ss.

Be it known that the General Assembly, having met at Dover, Hezekiah Harrington, Speaker of the Senate, on the 12th day of January in the year of our Lord one thousand eight hundred and ninety-seven (1897) did open and publish in the presence of the members of the Senate and of the House of Representatives, according to the Constitution of the said State, the returns of the election held in the several counties of the said State, on the Tuesday next after the first Monday in November last, for Governor, and by said returns, it appears that Ebe W. Tunnell was on the Tuesday next after the first Monday in November last, duly chosen Governor of the State of Delaware, according to the Constitution and laws of the State, to hold the said office of Governor during four years from the third Tuesday of January



inst, agreeably to the Constitution.

HEZ. HARRINGTON,  
Speaker of the Senate.

EMORY B. RIGGIN,  
Speaker of the House of Representatives.

Attest:

SIMON P. DOHERTY,  
Clerk of the Senate.

GEO W. SPICER, JR.,  
Clerk of the House of Representatives.

On motion of Mr. Taylor, of the House,

The Journals of the two Houses were read by their respective Clerks and compared.

On motion of Mr. Pyle, of the Senate,

The two Houses separated, and the members of the Senate returned to their chamber.

On motion of Mr. Donaldson, the Clerk was instructed to have 200 copies of the Rules and 200 copies of the standing committees printed.

Mr. Dempsey moved that the Special Committee appointed to draft rules for government of intercourse between the two Houses, be discharged,

Which motion

Prevailed.

The Speaker presented a communication from the Board of

Trade, of Dallas, Texas, concerning a National Bankrupt Bill.

The Clerk was directed to file same.

On motion the House adjourned, to meet Wednesday at 11 o'clock, A. M.

Wednesday, January 13, 1897—11 o'clock, A. M.

House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Adams, Davis, Dempsey, Dickey, Donaldson, Eliason, Hazell, J. H. Hopkins, L. S. Hopkins, Johnson, Martin, McCoy, McCullough, Short, Smith, Taylor, Thompson, Whitney, Mr. Speaker.

Journal read and approved.

The Speaker presented a series of resolutions adopted at a convention of the Episcopal Diocese of Delaware, in regard to prison reform, which were read.

The Speaker referred the communication from the Board of Trade of Dallas, Texas, to Committee on Federal Relations,

Calling for reports from standing committees. None offered.

Mr. McCoy, Chairman of Special Joint Committee, appointed to arrange for inauguration of Governor, presented report of that committee,

Which, on motion, was received and read as follows:

#### REPORT OF THE INAUGURAL COMMITTEE.

The Joint Committee appointed to arrange for the inauguration of the Governor-elect, beg leave to report that a sum of three hundred and fifty dollars (\$350) be appropriated for the expenses incurred for said inauguration.

We beg leave to suggest the following Committee on Arrangements:

John H. Jones, E. L. Clark, Ridgely Harrington, Caleb Pennewell, R. R. Kenney, George M. Jones, James H. Hughes, George Millington, Wilson T. Cavender, Dr. J. Linn Pratt, R. L. Holliday, Harry Richardson, General Garrett J. Hart, Lewis E. Eliason, Colonel Evan G. Boyd, George H. Eccles, James B. Toman, Thomas F. Kane, Ferris Giles, E. R. Cochran, Jr., Simon P. Doherty, George Carter, Andrew S. Eliason, William G. Janvier, Frank R. Poole, William Ross, R. T. Cann, Jr., John C. Stuckert, Delaware Clark, John M. Clayton, Colonel A. D. Chaytor, Wm. H. Boyce, Edward Hern, Woodward Martin, Dr. W. F. Hoey, Charles Clifton, Hugh Colbreth, Thomas C. Frame, Jr., William Saulsbury, W. W. Richardson, William Pennewell, Dr. C. C. Coler, H. C. Hevron, Frank Smith, W. D. Denney, Arley Megee, H. M. Wilkinson, Henry Ridgely, Jr., G. G. Massey, Dupont Walker, Watson Harrington, Colonel G. Parke Postles, Colonel C. M. Stephenson, Colonel E. P. Stacy, John D. Hawkins, Henry E. Cain, Captain Thomas A. Kane, and Samuel Adams, Jr.

JOHN PYLE,  
JOHN M. C. MOORE,  
Senate.

WILLIAM B. McCOY,  
J. FRANK ELIASON,  
JAMES A. MARTIN,  
House.

On Mr. McCoy's further motion

The report was Adopted.

Mr. Doherty, Clerk of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in the following Senate bill (No. 4,) entitled

"An act to enable the Governor to appoint an additional

Notary Public for Wilmington hundred, New Castle County."

On motion of Mr. Donaldson, the bill (S. B. No. 4) entitled

"An act to enable the Governor to appoint an additional Notary Public for Wilmington hundred, New Castle County,"

Was read a first time,

And further on his motion, Rule 12 was suspended as to this bill.

And it was read a second time, by title,

And referred to the Committee on Judiciary.

On motion of Mr. Dickey the rule was suspended in order to introduce and have read a first time the bill (H. B. No. 1) entitled

"An act to protect the health of the citizens of Wilmington,"

And further on his motion, Rule 12 was suspended as to this bill.

And it was read a second time, by title,

And referred to the Committee on Municipal Corporations.

Mr. Doherty, Clerk of the Senate, being admitted, informed the House that the Senate had adopted and requested the concurrence of the House in sundry joint resolutions entitled

"Joint resolution appointing a Joint Committee to settle with the State Treasurer."

"Joint resolution in relation to Enrolling Clerk."

"Joint resolution adjourning both Houses,"

And presented the same to the House.

Mr. McCoy offered a joint resolution entitled

“Joint resolution appropriating three hundred and fifty (\$350) dollars for the expenses of the Inauguration Committee,”

Which, on his motion, was read,

And, on his further motion

The joint resolution was Adopted.

Ordered to the Senate for concurrence.

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

“An act to divorce Carrie Bolte from her husband, William T. Bolte, a vinculo matrimonii.”

Mr. Davis offered a resolution,

Which, on his motion, was read as follows:

Resolved, That a committee of three be appointed to procure a room for the Clerk of the House.

And, on his further motion

The resolution was Adopted.

The Speaker named as the committee, Messrs. Davis, Short, and Donaldson.

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

“An act to enable the Commissioners of School District No. 48, in Kent County, to borrow money for building purposes.”

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

Same Day—3 o'clock, P. M.

House met pursuant to adjournment.

Mr. Dempsey offered a resolution,

Which, on his motion, was read as follows:

Resolved, That during the counting of the ballots in the case of Cheairs vs. Dickey, the contestant and contestee be represented by counsel and a clerk and that said clerks count and tabulate said ballot as counted.

Mr. Dempsey moved the adoption of the resolution.

Mr. Short called for yeas and nays.

Yeas and nays were ordered, which, being taken, were as follows:

Yeas—Messrs. Adams, Dempsey, Dickey, Donaldson, J. H. Hopkins, McCullough, Short, Taylor, Thompson—9.

Nays—Messrs. Davis, Hazell, L. S. Hopkins, Johnson, Martin, McCoy, Smith, Whitney, Mr. Speaker—9.

Before the announcement of the vote Mr. Hazell asked, and obtained leave to change his vote from nay, to yea,

And the vote on the resolution was, yeas, 10; nays, 8.

And the resolution was declared Adopted.

Mr. Donaldson offered a joint resolution entitled

“Joint resolution adjourning both Houses of General Assembly,”

Which, on his motion, was read,

And, on his further motion, was

Adopted.

Ordered to the Senate for concurrence.

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

“Joint resolution appropriating three hundred and fifty dollars for the expenses of the Inauguration Committee,”

And returned the joint resolution to the House.

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

“Joint resolution concerning the inauguration ceremonies,”

And presented the same to the House.

On motion of Mr. Dickey, the Senate joint resolution entitled

“Joint resolution concerning the inauguration ceremonies,”

Was read,

And, on his further motion, was

Concurred in.

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

Mr. Adams, on behalf of the Committee on Judiciary, to whom had been referred the bill (S. B. No. 4) entitled

“An act to enable the Governor to appoint an additional Notary Public for Wilmington hundred, New Castle County,”

Reported the same back favorably to the House with the recommendation that the bill pass.



On motion of Mr. Dickey, the bill

Was taken up for consideration,

And read a third time, by paragraphs, in order to pass the House.

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

The question was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

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

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

"Joint resolution adjourning both Houses,"

And returned the same to the House.

On motion of Mr. Johnson, the Senate joint resolution entitled

"Joint resolution adjourning both Houses,"

Was read,

And, on his further motion

The joint resolution was

Concurred in.

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

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

“Act in relation to life insurance.”

Mr. Dickey, on behalf of the Committee on Municipal Corporations, to whom had been referred the bill (H. B. No. 1) entitled

“An act to protect the health of Wilmington,”

Reported the same back to the House favorably with recommendation that the bill pass.

Mr. Dickey moved that Rule 12 be suspended in order that the bill be read a third time, by paragraphs, in order to pass the House,

On which question the yeas and nays were called for.

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

Yeas—Messrs. Dempsey, Dickey, Donaldson, J. H. Hopkins, Martin, McCoy, McCullough, Short, Taylor, Thompson—10.

Nays—Messrs. Adams, Davis, Hazell, L. S. Hopkins, Johnson, Smith, Whitney, Mr. Speaker—8.

The motion not having received the required two-thirds majority,

Was declared

Lost.

On motion the House adjourned until Friday, 11 o'clock, A. M.

Friday, January 15, 1897—11 o'clock, A. M.

House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Adams, Davis, Dempsey, Dickey, Donaldson, Dukes, Eliason, Hazell, J. H. Hopkins, L. S. Hopkins, Johnson, Martin, McCoy McCullough, Short, Smith, Taylor, Thompson, Whitney, Mr. Speaker.

Journal read and approved.

Mr. L. S. Hopkins presented a memorial from Pomono Grange, Sons of Husbandry, in relation to election of United States Senator,

Which, on motion was received and read.

Mr. Hazell moved that the vote by which the bill (S. B. No. 4) entitled

“An act to enable the Governor to appoint an additional Notary Public for Wilmington hundred.”

Be reconsidered,

Which motion

Prevailed.

Mr. Donaldson moved that the bill be referred back to the committee,

Which motion

Prevailed.

On motion of Mr. Dickey, the bill (H. B. No. 1) entitled

"An act for the benefit of the health of Wilmington, Del.,"

Was taken up for consideration,

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

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

The question was decided in the affirmative,

And the bill having received the required majority,

Passed the House.

Ordered to the Senate for concurrence.

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

"An act entitled 'An act in relation to taxing express companies in respect to doing a banking business.'"

Mr. Hazell offered a resolution,

Which, on his motion, was read as follows:

Resolved, That the Speaker of this House he and is hereby authorized, empowered and directed to issue subpoenas which shall be attested by the Clerk, directed to William R. Flinn, present Sheriff of New Castle County, and Paul Gillis, late Sheriff of New Castle County, commanding them to deliver all returns, certificates, ballot boxes, keys and papers and documents pertaining to an election held in New Castle County on the 3rd day of November, A. D., 1896, to this body forthwith, whereupon the Speaker shall refer said returns, certificates, ballot boxes, keys, papers and documents to the Committee of Elections of this House for investigation and examination.

Mr. Hazell moved the adoption of the resolution,

On which question the yeas and nays were ordered, which, on being taken, were as follows:

Yeas—Messrs. Adams, Davis, Dempsey, Dickey, Donaldson, Dukes, Eliason, Hazell, J. H. Hopkins, L. S. Hopkins, Johnson, Martin, McCoy, McCullough, Short, Smith, Taylor, Thompson, Whitney, and Mr. Speaker—20.

Nays—None.

And the resolution was declared

Adopted.

Mr. Donaldson moved that the House do now adjourn until Monday next at 5 o'clock, P. M.

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

Yeas—Messrs. Adams, Dempsey, Dickey, Donaldson, Dukes, McCoy, McCullough, Short, Taylor, Thompson—10.

Nays—Messrs. Davis, Eliason, Hazell, J. H. Hopkins, L. S. Hopkins, Johnson, Martin, Smith, Whitney, Mr. Speaker—10.

The vote being a tie, the motion was declared

Lost.

Mr. McCullough, in pursuance of previous notice, and

On motion of Mr. Taylor,

Obtained leave to introduce a bill (H. B. No. 2) entitled

“An act in relation to life insurance,”

Which, on motion of Mr. McCullough,

Was read.

Mr. W. R. Davis 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 amend an act entitled 'An act to incorporate the Chester and Wilmington Electric Railway Company.' " Chapter 38, Volume 20, Delaware Laws.

Mr. McCoy 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 making Saturdays throughout the year, from and after the first day of June in the year 1895, half holidays in the City of Wilmington for banking and trust company purposes.' "

Mr. Hazell moved that the House do now adjourn until Monday next at 11 o'clock, A. M.,

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

Yeas—Messrs. Davis, Dukes, Eliason, Hazell, J. H. Hopkins, L. S. Hopkins, Johnson, Martin, McCoy, Smith, Whitney, and Mr. Speaker—12.

Nays—Messrs. Adams, Dempsey, Dickey, Donaldson, McCullough, Short, Taylor, Thompson—8.

And the motion

Prevailed.

And the House adjourned, to meet Monday next at 11 o'clock A. M.

Monday, January 18, 1897—11 o'clock, A. M.

House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Adams; Davis, Dempsey, Dickey, Donaldson, Eliason, Hazell, L. S. Hopkins, Johnson, Martin, McCoy, McCullough, Short, Smith, Taylor, Thompson, Whitney, Mr. Speaker.

Journal read and approved.

Sheriff Paul Gillis, of New Castle County, being present in answer to subpoena from the House, presented to the Speaker the tally sheets from New Castle County that were used at the last general election in said county,

Which the Speaker received and turned over to the chairman of the Committee on Elections.

Committee reports.

Mr. Hazel, on behalf of the Committee on Elections, presented the report of the investigation made by the committee in the contested election case of John T. Dickey vs. Woodward W. Cheairs, of New Castle County, as follows:

To the House of Representatives of the State of Delaware:

Your Committee on Elections to whom was referred the contest of Woodward W. Cheairs against John T. Dickey for a seat in this body from New Castle County, respectfully submit the following report:

Pursuant to the instructions of this House, we have carefully

examined all of the ballots contained in the ballot boxes of all the Election Districts in New Castle County, and we have counted and tabulated all the votes contained in said boxes and cast for William B. McCoy, James T. Taylor, David K. Donaldson, Woodward W. Cheairs, Robert McCullough, Charles G. Dempsey and John T. Dickey, and find as follows:

That William B. McCoy received ten thousand three hundred and fifty-seven votes; that James T. Taylor received ten thousand and forty-nine votes; that David K. Donaldson received nine thousand five hundred and thirteen votes; that Woodward W. Cheairs received nine thousand five hundred and six votes; that Robert McCullough received nine thousand five hundred and five votes; that Charles G. Dempsey received nine thousand four hundred and eighty-three votes; that John T. Dickey received nine thousand four hundred and fifty-seven votes.

From the foregoing count we find that Woodward W. Cheairs received nine thousand five hundred and six votes (9,506) and John T. Dickey received nine thousand four hundred and fifty-seven votes (9,457), showing that the said Woodward W. Cheairs received forty-nine (49) votes more than the said John T. Dickey, and that the said Woodward W. Cheairs is lawfully, justly and rightfully entitled to the seat in this House, now held by the said John T. Dickey.

B. A. HAZELL,  
THOMAS JOHNSON,  
WILLIAM B. McCOY,  
A. SMITH,

Committee on Elections.

After reading of the report Mr. Hazell offered the following resolution,

Which, on his motion, was read as follows:

Resolved, That Woodward W. Cheairs was elected to the office of Representative in the General Assembly of the State



of Delaware from New Castle County at the election held on the third day of November, A. D., 1896, and John T. Dickey is hereby ousted from his seat in this House and Woodward W. Cheairs is hereby declared elected and entitled to said seat, and the Speaker is hereby directed to administer the oath of office to said Woodward W. Cheairs as such Representative.

Mr. Dempsey moved to lay the motion on the table,

And called for the yeas and nays.

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

Yeas—Messrs. Adams, Dempsey, Donaldson, L. S. Hopkins, McCullough, Short, Taylor, Thompson—8.

Nays—Messrs. Eliason, Davis, Hazell, Johnson, Martin, McCoy, Smith, Whitney, Mr. Speaker—9.

And the question was decided in the negative,

And the motion was declared

Lost.

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

“Joint resolution convening the two Houses for the purpose of attending the inauguration of the Governor,”

And presented the same to the House.

Mr. Adams moved that the House do now adjourn until 3 o'clock P. M.,

On which motion the yeas and nays were called for.

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

Yeas—Messrs. Adams, Dempsey, Dickey, Donaldson, McCullough, Short, Taylor, Thompson—8.

Nays—Messrs. Davis, Eliason, Hazell, L. S. Hopkins, Johnson, Martin, McCoy, Smith, Whitney, Mr. Speaker—10.

And the motion was declared

Lost.

Mr. Dempsey presented the minority report of the committee on contested elections,

Which, on his motion, was read as follows:

To the House of Representatives of the State of Delaware:

In reporting to the House the conditions which have prevailed during the so-called counting and tabulation of the vote in the contest of Woodward W. Cheairs against John T. Dickey, the sitting member, it is first to be said that the committee has entirely disregarded and absolutely violated the resolution passed by this House, which was as follows:

“Resolved, That the Committee on Elections be and are hereby directed to open each ballot box and count every ballot in every election precinct in New Castle County and report to the House the exact number of votes cast for each candidate for the Legislature in said county before incurring any costs in summoning of witnesses in the case whatever.”

Notwithstanding the clear wording of the resolution the committee determined at the outset that they would count no votes except for the Democratic candidates, although the votes for these candidates were found on at least three of the tickets as printed on the official ballot, but the committee proceeded to count only the votes for those candidates wherever found and did not even count the votes of Mr. J. Frank Eliason, one of the sitting members from New Castle County. There is nothing therefore, which appears or can appear by the report of the committee made to this House that any one in New Castle County except seven Democrats received any votes for seats in

this House.. This is in direct conflict with the wording and intention of the resolution which directed the committee to count the ballots and report "The exact number of votes cast for each candidate for the Legislature in said county." Numerous irregularities are hereinafter pointed out for the benefit of the House. One of the most glaring of the unfair rulings of the committee toward the contestee was that he was not allowed to name anyone to be associated to the persons named by the contestant or by the committee to take charge of, guard and preserve intact the ballot boxes during the extended count. Protest after protest was entered as is hereinafter shown, but no heed was paid to them by the committee, which had no hesitation in disregarding the terms of the resolution. A number of ballot boxes had the appearance of having been tampered with. Counsel for Mr. Dickey protested again and again about the ballots in these boxes being counted, but the committee refused to change their course in any way and proceeded to count the votes in the boxes. Votes that were blurred and mutilated, on which Mr. Dickey's name was scratched, were counted, although counsel for Mr. Dickey previously protested against such a proceeding. In the East District of the Seventh ward an outside ballot box covering was gone and the inner box tied up with ropes. The ballots of this box were also counted as if the box had been properly sealed according to law. When the Second District of the Tenth ward was being counted on Saturday afternoon last, there was not a quorum of the committee present, but notwithstanding this fact, which counsel for Mr. Dickey brought to their notice, the count was proceeded with and ballots counted as if there had been a quorum present. At five minutes past eight on Sunday night at the beginning of the count of the Fourth District of the Tenth ward, the manner of counting the ballots was changed. They were then counted, not by reading each name, as had been the rule from the beginning of the count, but were placed in bunches and were then counted in bulk. The counsel for Mr. Dickey protested against any change in the manner of counting. The count as it was then being made was following the provisions of our statute in this State providing for the counting of the ballots by the election officers. Notwithstanding the impropriety of such a pro-

ceeding and despite the protest of counsel, the committee proceeded in their own way, and counsel for Mr. Dickey and his representatives refused to be present any longer at the investigation, since which time the vote has been counted without any representative for Mr. Dickey. The committee accorded the counsel of Mr. Dickey but scant countesy, and their proceedings from beginning to end seemed to be unfair and biased. I am informed during my absence that one or more ballot boxes were opened and found to contain no votes. The number of ballots in one single district where no ballots were found in the boxes was much greater than the difference between the vote of Mr. Cheairs and Mr. Dickey, thus rendering it absolutely impossible to arrive at any fair and equitable decision as to whether Mr. Dickey or Mr. Cheairs received the greater number of votes cast in New Castle County.

There is also now lodged in the hands of the Speaker a request by the contestee that a large number of witnesses be subpoenaed to be examined in the cast, and therefore, no final report can be made. It is also the opinion of several lawyers who have been consulted that the ballot boxes were not properly in the custody of the person or persons who were in possession of them at the time the delivery was made to the House, which delivery was only made by implication, the cause being presented to the Speaker, who turned them over to the chairman of the committee.

It is therefore recommended that before any final action shall be taken in the case that a fuller and fairer investigation in accordance with the original resolution of the House shall be made, and the whole matter be fully reported at some future meeting of the House.

C. G. DEMPSEY.

Mr. Donaldson offered a resolution,

Which, on his motion, was read as follows:

Resolved, That the Committee on Elections be instructed to proceed with their investigation in the Cheairs vs. Dickey con-

test, summoning any witnesses for either party when subpoenas may be requested.

Mr. Donaldson moved the adoption of the resolution as read.

The Speaker decided that the resolution was not in order.

Mr. Donaldson appealed from the Speaker's decision to the House, and called for the yeas and nays.

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

Yeas—Messrs. Davis, Eliason, Hazell, L. S. Hopkins, Johnson, Martin, McCoy, Smith, Whitney—9.

Nays—Messrs. Adams, Dempsey, Donaldson, McCullough, Taylor, Thompson—6.

The majority voting in the affirmative,

The Speaker's decision was declared sustained.

Mr. Dempsey moved that the House do now adjourn until 3 o'clock, P. M.,

On which motion the yeas and nays were called for.

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

Yeas—Messrs. Adams, Dempsey, Dickey, Donaldson, McCullough, Taylor, Thompson—7.

Nays—Messrs. Davis, Eliason, Hazell, L. S. Hopkins, Johnson, McCoy, Martin, Smith, Whitney, Mr. Speaker—10.

And the motion was declared **Lost.**

Mr. Donaldson moved that the report and resolution from the Committee on Elections be laid on the table.

The Speaker decided that the motion was not in order.

Mr. Donaldson appealed from the Speaker's decision to the House and called for the yeas and nays.

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

Yeas—Messrs. Davis, Eliason, Hazell, Johnson, Martin, McCoy, Smith, Whitney—8.

Nays—Messrs. Adams, Dempsey, Donaldson, McCullough, Short, Taylor, Thompson—7.

And the Speaker's decision was declared sustained.

The Speaker decided that the previous question was in order, and that the resolution of Mr. Hazell was now before the House, and the House would proceed to vote on it.

The yeas and nays were called for.

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

Yeas—Messrs. Davis, Eliason, Hazell, L. S. Hopkins, Johnson, Martin, McCoy, Smith, Taylor, Whitney, Mr. Speaker—11.

Nays—Messrs. Adams, Dempsey, Donaldson, McCullough, Short, Thompson—6.

The resolution was declared Adopted.

Mr. Taylor moved to reconsider the vote on the foregoing resolution.

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

The yeas and nays were called for on the motion to lay on the table.

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

Yeas—Messrs. Davis, Eliason, Hazell, Johnson, Martin, McCoy, Smith, Whitney, Mr. Speaker—9.

Nays—Messrs. Dempsey, Donaldson, McCullough, Short, Taylor, Thompson—6.

The majority being in the affirmative,

The motion

Prevailed.

On motion of Mr. Hazell, the Speaker administered the oath to Woodward W. Cheairs, who had been declared by the House entitled to the seat occupied by John T. Dickey.

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

Same Day—3 o'clock, P. M.

House met pursuant to adjournment.

On motion of the Speaker, the Senate joint resolution entitled

“Joint resolution convening the two Houses for the purpose of attending the inauguration of the Governor,”

Was taken up for consideration, and read.

Mr. Whitney moved that the joint resolution as read be concurred in,

Which motion Prevailed.

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

Mr. Donaldson offered a resolution,

Which, on his motion, was read as follows:

Resolved, That a committee consisting of Mr. Speaker and Messrs. Taylor and Whitney be hereby authorized to select and employ an attorney for such legal assistance as the House may find to be necessary.

Mr. Hazell moved that the resolution be laid over for one day,

Which motion Prevailed.

Robert H. Wilson, Representative-elect from East Dover hundred, Kent County, appeared and was sworn in by the Speaker, and took his seat.

Mr. Hazell offered a resolution,

Which, on his motion, was read as follows:

Resolved, That this House hereby authorizes and directs the Chairman of the Committee on Elections to deliver up the possession of the ballot boxes and keys from New Castle County to William R. Flinn, Sheriff of said county.

On Mr. Hazell's further motion

The resolution was Adopted.

Mr. Short offered a resolution,



Which, on his motion, was read as follows:

Whereas many complaints of unfair, discriminating and excessive freight charges on the fruit, grain and produce of our farms in Delaware, as compared with the charges for even longer hauls, of similar freight from other points, are made by our farmers,

And whereas so much feeling against such a condition of things exists that Legislative investigation at least is demanded in order that relief, if possible, may be afforded to our overburdened people,

Therefore, be it resolved that a committee of eleven members of this House, as follows: David K. Donaldson, Charles G. Dempsey, James T. Taylor and Robert McCullough, of New Castle County; Charles M. Adams, James A. Martin and Robert H. Wilson, of Kent County; Matt Ford Short, John C. Thompson, Isaac N. Whitney and Elisha C. Dukes, of Sussex County; and the Speaker as ex-officio member, be and they are hereby authorized and directed to investigate fully and exhaustively the matter of the freight rates of the railroads within the State, whether such freight shall be shipped into, out of, or through this State, and to compare the rates and conditions carefully with the rates charged on like freight elsewhere, and further to investigate what influence, effect or connection, if any, the free passage given to many persons has with the establishment and maintenance of high rates of freight charges, and how best the whole subject may be dealt with, and said committee is directed to report by bill or otherwise at the present session, with full power and authority to summon and call for persons and papers and to issue and have issued appropriate process, when necessary, to aid in their investigations, and to add to the membership of said committee and fill any vacancies which may occur therein.

And, on Mr. Short's further motion

The resolution was

Adopted.

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

"An act to divorce William B. Lowery from his wife, Mary Lowery, a vinculo matrimonii."

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

"An act to divorce Maggie M. Bryant from her husband, Harvey H. Bryant, a vinculo matrimonii."

On motion of Mr. Speaker, the Senate joint resolution entitled

"Joint resolution in relation to the State Library Building,"

Was read,

And, on his further motion

The joint resolution was

Concurred in.

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

The Speaker named as committee on part of the House in relation to foregoing joint resolution, Messrs. Eliason, Davis, and Whitney.

Mr. Davis, in pursuance of previous notice, asked, and,

On motion of Mr. Johnson,

Obtained leave to introduce a bill (H. B. No. 3) entitled

"An act to amend an act entitled 'An act to amend an act to incorporate the Chester and Wilmington Electric Railway Company.'" Chapter 88, Volume 20, Delaware Laws,

Which, on his further motion,

Was read a first time.

On motion of Mr. Davis, the Senate joint resolution entitled

“Joint resolution appointing a Joint Committee to settle with the State Treasurer and State Auditor,”

Was read,

And, on Mr. Davis' further motion

The joint resolution was

Concurred in.

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

On motion of Mr. Johnson, the Senate joint resolution entitled

“Joint resolution in relation to an Enrolling Clerk,”

Was read.

Mr. Donaldson moved that the joint resolution be non-concurred in,

Which motion

Prevailed.

And the joint resolution was declared

Non-concurred in.

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

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

“An act to divorce Lena M. Cole from her husband, George F. Cole.”

Mr. Davis, in pursuance of previous notice, and,

On motion of Mr. Hazell,

Obtained leave to present a bill (H. B. No. 4, entitled

“An act to enable the Commissioners of School District No. 48 in Kent County, to borrow money for building purposes.”

Which, on motion of Mr. Davis

Was read a first time.

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

“An act to divorce Isaac H. Wright from his wife, Laura L. Wright.”

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

“An act in relation to the Board of Education of Marshallton.”

Mr. Doherty, Clerk of the Senate, being admitted, informed the House that the Senate had passed the following House bill (No. 1,) entitled

“An act to protect the health of the citizens of Wilmington.”

With an amendment.

And returned the same to the House.

On motion of Mr. Dempsey, the Senate amendment to (H. B. No. 1) entitled

“An act to protect the health of the citizens of Wilmington,”

Was read as follows:

Amend the bill by adding to Section 3 the following:

Provided, however, that no costs or charges shall be laid or levied upon owners of abutting property for the construction of said sewer, unless it shall be actually used for drainage purposes by said owners, and provided further that the Jessup and Moore Paper Co., and the Ford Morocco Co., shall each pay the sum of four thousand dollars toward the construction of the said sewer, which said sum of eight thousand dollars shall be paid within 30 days after the work of the construction of said sewer shall be commenced, and provided further that the total cost of the construction of said sewer shall not exceed the sum of thirty-two thousand dollars.

In the Senate, January 17, 1897.

SIMON P. DOHERTY,

Clerk of Senate.

Extract from Journal for concurrence.

On the question, "Shall the amendment be concurred in?"

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

Yeas—Messrs. Davis, Dempsey, Cheairs, Donaldson, Dukes, Eliason, Hazel, J. H. Hopkins, L. S. Hopkins, Johnson, Martin, McCoy, McCullough, Short, Smith, Taylor, Thompson, Whitney, Mr. Speaker—19.

Nays—None.

And the amendment having received the constitutional majority

Was declared

Concurred in.

Ordered that the Senate be informed thereof.

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

the House that the Senate had passed a bill (S. B. No. 5) entitled

“An act to confirm the sale of certain real estate in the City of Wilmington,”

And requested the concurrence of the House.

Mr. Donaldson offered a resolution,

Which, on his motion, was read as follows:

Resolved, That the Clerk be authorized to furnish each member of the House a copy of Volume 17 and 18, Laws of Delaware, and a stencil,

And, on his further motion,

The resolution was

Adopted.

On motion the House adjourned until Tuesday at 11 o'clock, A. M.

Tuesday, January 19, 1897—11 o'clock, A. M.

House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Adams, Davis, Dempsey, Cheairs, Donaldson, Dukes, Hazell, J. H. Hopkins, L. S. Hopkins, Johnson, Martin, McCoy, McCullough, Short, Smith, Taylor, Thompson, Whitney, Mr. Speaker.

Journal read and approved.

Mr. McCoy moved that the resolution in regard to the House employing an attorney,

Be taken up for consideration,

And, on his motion the resolution was read,

And, on his further motion

The resolution was

Adopted.

On motion of Mr. Davis, the House proceeded by viva voce vote to indicate its choice for a United States Senator to represent this State in Congress for the constitutional term which commenced from the third day of March, A. D., 1895.

On motion the Clerk proceeded to call the roll. The members answered to their names and voted as follows:

Mr. Adams voted for Richard R. Kenney.

Mr. Davis voted for Richard R. Kenney.

Mr. Dempsey voted for Richard R. Kenney.

Mr. Cheairs voted for Richard R. Kenney.

Mr. Donaldson voted for Richard R. Kenney.

Mr. Dukes voted for Richard R. Kenney.

Mr. Hazell voted for Richard R. Kenney.

Mr. J. H. Hopkins voted for Richard R. Kenney.

Mr. L. S. Hopkins voted for Richard R. Kenney.

Mr. Johnson voted for Richard R. Kenney.

Mr. Martin voted for Richard R. Kenney.

Mr. McCoy voted for Richard R. Kenney.

Mr. McCullough voted for Richard R. Kenney.

Mr. Short voted for Richard R. Kenney.

Mr. Smith voted for Richard R. Kenney.

Mr. Taylor voted for Richard R. Kenney.

Mr. Thompson voted for Richard R. Kenney.

Mr. Whitney voted for Richard R. Kenney.

Mr. Speaker voted for Richard R. Kenney.

Mr. Richard R. Kenney received nineteen (19) votes,

And was declared to be the choice of the House to be United States Senator to represent this State in Congress for the term which commenced on the third day of March, A. D., 1895.



On motion of Mr. Hazell, the Clerk was directed to inform the Senate that the House was now ready to receive them for the purpose of attending the inauguration of the Governor-elect.

### JOINT MEETING.

Joint meeting for the purpose of attending the inauguration of Ebe W. Tunnell, Governor-elect.

The hour having arrived for the joint meeting in pursuance to joint resolution, the members of the two Houses, preceded by their Speakers and accompanied by their clerks and Sergeants-at-Arms, and attended by the members of the Constitutional Convention, proceeded to the Kent County Court House.

The General Assembly being thus convened, the Governor-elect, attended by the joint committee of the two Houses and by Hon. William T. Watson, Hon. J. Harvey Whiteman, Hon. John R. Nicholson, Hon. Ignatus C. Grubb, Hon. Charles C. Stockley, Hon. John B. Pennington, Hon. Richard R. Kenney, General Theodore F. Armstrong, General Garrett J. Hart, Colonel I. Pusey Wickersham, Colonel A. D. Chaytor, Colonel Howard Simpson, and others were ushered upon the platform and the inaugural ceremonies were conducted as follows:

Prayer was offered by Rev. Joseph Brown Turner.

On motion of Mr. Pierce, of the Senate, the joint resolution convening the two Houses, was read by the Clerk of the Senate, as follows:

"Resolved, By the Senate and House of Representatives of the State of Delaware, in General Assembly met, that the two Houses convene in joint session in the hall of the House of Representatives, at 11 o'clock, A. M., on Tuesday, January 19th, 1897, for the purpose of attending the Governor-elect while the oaths of office are administered to him."

Hon. John R. Nicholson, Chancellor of the State of Dela-

ware then administered the following oaths of office to the Governor-elect:

I, Ebe W. Tunnell, do solemnly swear on the Holy Evangelists of the Almighty God, that I will support the Constitution of the United States of America, so help me God.

I, Ebe W. Tunnell, do solemnly swear on the Holy Evangelists of Almighty God, that I will support the Constitution of the State of Delaware, so help me God.

I, Ebe W. Tunnell, do solemnly swear on the Holy Evangelists of Almighty God, that I will perform the duties of the office of Governor of the State of Delaware with fidelity, so help me God.

His Excellency, the Governor, then delivered the following:

#### INAUGURAL ADDRESS.

Gentlemen of the Senate and House of Representatives, of the Constitutional Convention, and Fellow-Citizens:

In further supplementing the will of the citizens of my native State, I may be permitted to say that I am not unmindful of the duties and responsibilities of the office of Governor which I have assumed, as well as of the honor and distinction conferred upon me; and in grateful recognition of the confidence thus reposed, it will be my earnest purpose to perform my official acts and obligations with the utmost fidelity, ever impressed with the fact that I am the servant of the people, chosen by them to administer a public trust, in their behalf and for their best welfare.

Upon the organization of the present General Assembly, His Excellency, my immediate predecessor, in accordance with custom, and under constitutional requirement, sent to each House thereof his biennial message; excellent in substance and replete with information of affairs concerning the State; and therein recommended to your consideration, gentlemen of the General

Assembly, such measures as he deemed necessary and expedient. In view of my recent illness and of the message now before you, I do not deem it wise for myself nor a public necessity, that I should at this time, at least, reiterate matters of information concerning State affairs, nor to make any further recommendations in addition to those which have been so recently made. I have considered the recommendations made by my predecessor, and I doubt not you will give them that thoughtful consideration which they deserve.

I will, from time to time, transmit special messages to your honorable bodies, if I shall deem it expedient to do so. The fact that we now have a Constitutional Convention which may effect some very important changes in our organic law, makes it uncertain what may be required of you before your public services as legislators shall have ended.

As members of a co-ordinate branch of our government, possessed of extended powers and authority, I doubt not you have entered upon your duties, fully determined to do that which in your judgment is for the benefit, advantage and prosperity of our people.

It is needless for me to remind you that you hold positions of honor and trust, with no light responsibilities. It should be your constant aim to avoid all useless and extravagant expenditures of public monies and to guard well against all hurtful and vicious legislation. And I advise that you refrain from what is purely partisan legislation, if such should be pressed upon you. Special legislation, in no way creditable or beneficial to the State, should not receive favorable consideration by you.

The success of the administration upon which we have just entered will in no small degree depend upon you. While successful administration of public affairs is measured by the capacity, honesty, faithfulness, and firmness of those entrusted with authority, I desire to impress upon the public generally that honest and faithful co-operation and support on the part of

the people themselves, individually and collectively, are equally essential to the accomplishment of the highest public good.

The objects and necessities of government should never be lost sight of. Through and by the instrumentality of a well ordered and disciplined government we have attained our highest civilization. The enjoyment of "life, liberty and pursuit of happiness" are among the purposes and guaranties of its establishment; and properly to administer the same should be our chief aim as citizens. It should at all times be attended with as few restraints upon the natural and moral rights of the individual, and with as little cost and expense to the people, as are consistent with the objects of its creation, maintenance and preservation.

With our free and independent form of government, lodged as it rightfully is with the people, it is all the more important that we should constantly and steadfastly keep in mind and ever before us not only the great benefits and advantages of popular self-government, but not less the dangers and perils which surround it. I have an abiding faith in the honesty and patriotism of our people and in the foundation and structure of the form of government established by our forefathers for themselves, for us, and for future generations, modified from time to time, as changed conditions may require; yet we need all the more constantly, without indifference or relaxation of purpose, to guard against the insidious approaches and dangerous influences of those evils which menace our government, and especially that of ambitious, corrupting wealth, whether individual or corporate, which threatens by its illicit use and influence the destruction of the self-respect, manhood, independence, and patriotism of the individual citizen, upon whom as the unit of the State depends the perpetuity of our institutions.

In popular government, destroy the independence of the individual and the purity and freedom of the ballot by means of debauchery and corruptions, and you destroy the character and worth of the citizen and ultimately the State. As is too well known to our people, this most deadly evil to popular self-gov-

ernment has fastened itself upon our body politic and must be eradicated. All good people are of one accord in this sentiment, and I cannot therefore too earnestly urge upon you, gentlemen of the General Assembly, and of the Constitutional Convention, to make such provisions in our laws, as well as in our Constitution, as will effectually destroy this monster evil and forever hereafter eliminate it from our political life.

We have come to a point marking an interesting period in the history of our State, and we find ourselves at this time confronted with duties and responsibilities of unusual moment and public importance. They are fraught with possibilities of the gravest public character, and call for the best, most enlightened, deliberate and conscientious thought and consideration on the part of those charged with them.

At intervals of time, for a generation or more past, constitutional reform has agitated the minds of our people, until now, when gentlemen of ability, public experience, character and integrity, representing the people in their original sovereign capacity, chosen by them for that purpose, and in conformity with constitutional and legislative provisions, have assembled in Constitutional Convention to consider and determine what, if any, changes are needed, and shall be made in our fundamental law. As has recently been well said by one of our distinguished judges, "A Constitutional Convention may prove for many long years a boon or a bane to the people who have summoned it, according as it acts, with or without thorough, impartial and conscientious investigation and deliberation regarding the subjects of its action."

Permit me to say, gentlemen, the personnel of your Convention leaves no doubt in the minds of our people as to your sincere and patriotic purposes; and in passing, I desire on behalf of the people to congratulate you upon the progress which you have made in your work and wish for you a continuance of the harmony and good fellowship which have thus far characterized your sessions, trusting you may be able to frame the very best organic law for our people.

I have ventured saying this much, gentlemen of the Convention, for the purpose of encouragement to you, and further to arouse public interest in your deliberations and acts, because of the gravity of your duties and the result of your labors, upon our State and her people, without intending in any way to intermeddle with you in the discharge of your public services, which I fully recognize are entirely separate and distinct from the executive and other departments of our State government, as it now exists.

Offices are incident to government. They are created and exist of necessity for the benefit and convenience of the public. Nothing better facilitates good government than honest, capable and efficient public servants; and in the appointments which I may be required to make, under the Constitution or otherwise, I shall insist upon honesty, competency and fitness in the applicant.

It will be expected that I shall for the most part, at least, appoint men to office who are in full sympathy and accord with the adherents of the political party to which I belong; yet in my appointments I shall at all times keep in mind the efficiency and necessities of the public service.

If I may be called upon to fill vacancies, or to make appointments in our judiciary, I shall be governed by my personal knowledge, information and belief respecting the ability, integrity, legal attainments and fitness of the person or persons who may be urged therefor, independent of political considerations.

My fellow-citizens, conscious of our obligations toward each other and the Commonwealth, acknowledging with reverence and gratitude the Divine Ruler of the Universe, to whom we are indebted for the manifold blessings which we enjoy, and for His watchful care over our individual and political existence, let us exercise greater activity for the safety, honor and welfare of our State, that her past lustre may not be dimmed, but may continue and grow brighter with increasing years, and "that all

things may be so ordered and settled by our endeavors, upon the best and surest foundations, that peace and happiness, truth and justice, religion and piety, may be established among us for all generations."

On the conclusion of the address of the Governor, Mr. Donaldson, of the House of Representatives, moved that the Journals of the two Houses be read and compared,

Which motion

Prevailed,

Whereupon the two Journals were read by the respective Clerks, compared and approved.

A benediction was then pronounced by Rev. Joseph Brown Turner.

On motion of Mr. Donaldson, of the House of Representatives, the two Houses separated, and the members of the Senate returned to their chamber and resumed business.

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

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Same Day—3 o'clock, P. M.

House met pursuant to adjournment.

Mr. McCoy, on behalf of the Committee on Claims, to whom had been referred the assigned claims of E. L. Jones Co.,

Reported the matter back favorably with recommendation that the amount claimed be allowed.

Mr. Hazell moved that 1000 copies of Governor Tunnell's inaugural address be printed.

Mr. Donaldson moved to amend to 500 copies.

The amendment was

Adopted.

And the motion as amended

Prevailed.

Speaker Riggin, on behalf of the Special Committee appointed to employ counsel, announced that the committee had engaged Mr. Edward R. Cochran, Jr., of New Castle County, to act in that capacity.

On motion the House adjourned until Wednesday, 11 o'clock A. M.



Wednesday, January 20, 1897—11 o'clock, A. M.

House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Adams, Cheairs, Davis, Dempsey, Donaldson, Dukes, Eliason, Hazell, J. H. Hopkins, L. S. Hopkins, Johnson, Martin, McCoy, McCullough, Short, Smith, Taylor, Whitney, Mr. Speaker.

Journal read and approved.

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

“An act amending the charter of the Town of Frankford.”

Mr. W. R. Davis 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 Clayton public schools.”

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

“An act divorcing John Passwaters from his wife, Elizabeth Passwaters, a vinculo matrimonii.”

Mr. W. R. Davis 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 Town of Clayton.”

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

"An act to divorce Hannah C. Pulley from Emerson E. Pulley."

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

"An act to divorce Annie M. Roach from Rufus A. Roach."

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

"An act to divorce James A. Boyde from his wife, Sarah E. Boyde."

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

"An act divorcing William J. Pierce and Mary E. Pierce from the bonds of matrimony."

On motion of Mr. Davis, the bill (H. B. No. 4) entitled

"An act to enable the Commissioners of School District No. 48, in Kent County, to borrow money for building purposes,

Was read a second time, by its title,

And, on his further motion was

Referred to the Committee on Education.

On motion of Mr. McCullough, the bill (H. B. No. 2) entitled

"An act in relation to life insurance,"

Was read a second time, by its title,

And, on his further motion was

Referred to the Committee on Crimes and Punishments.

On motion of Mr. Davis, the bill (H. B. No. 3) entitled

“An act to amend the act entitled ‘An act to incorporate the Chester and Wilmington Electric Railway Company,’ Chapter 38, Volume 20, Delaware Laws,”

Was read a second time, by its title,

And, on his further motion was

Referred to the Committee on Private Corporations.

Mr. Donaldson offered joint resolution entitled

“Joint resolution in regard to an Enrolling Clerk,”

Which, on his motion, was read,

And, on his further motion

The joint resolution was

Adopted.

Ordered to the Senate for concurrence.

On motion of Mr. Hazell, the Clerk was instructed to inform the Senate that the House was now ready to receive the Senate in joint meeting in the hall of the House of Representatives, for the purpose of voting for United States Senator, in obedience to the act of Congress, entitled

“An act to regulate the time and manner of holding the elections for Senators in Congress.” Passed July 25, A. D., 1866.

The time fixed for the joint meeting having arrived, the Senate, preceded by their Speaker and attended by their Clerks and Sergeant-at-Arms, gathered in the hall of the House of Representatives and took the seats prepared for them.

## JOINT MEETING.

The two Houses being convened in joint session, Mr. Donaldson, of the House of Representatives, moved that the Journals of the two Houses, so far as they relate to the election of a United States Senator, be read and compared,

Which motion

Prevailed,

And it appeared that in the Senate the Hon. Richard R. Kenney had received a majority of all the votes cast for United States Senator, to represent this State in the Congress of the United States for the Constitutional term which commenced from the third day of March, A. D., 1895.

And it appeared that in the House of Representatives the Hon. Richard R. Kenney had received a majority of all the votes cast for United States Senator to represent this State in the Congress of the United States for the Constitutional term which commenced from the third day of March, A. D., 1895.

Whereupon, it appearing that Hon. Richard R. Kenney had received a majority of the votes cast in each house for United States Senator,

The Speaker of the Senate thereupon declared that the Hon. Richard R. Kenney, having received a majority of the votes cast for United States Senator, was duly and regularly elected United States Senator, to represent the State of Delaware in the Congress of the United States, for the Constitutional term which commenced from the third day of March, A. D., 1895.

Whereupon a certificate was made out and signed by the Speakers of the two Houses and attested by their respective Clerks and addressed to the Governor of the State,

Which, on motion, was read as follows, to wit:

To His Excellency, Ebe W. Tunnell, Governor of the State of Delaware.

State of Delaware, ss.

Be it known that the Legislature of the State of Delaware did, on the nineteenth day of January in the the year of our Lord one thousand eight hundred and ninety-seven, at an election in due manner held according to the form of the act of Congress in such case, made and provided, elect Richard R. Kenney to be a Senator from said State, in the the Senate of the United States for the Constitutional term from the third day of March in the year of our Lord, one thousand eight hundred and ninety-five.

Given under our hands the twentieth day of January in the year of our Lord, one thousand eight hundred and ninety-seven.

HEZ. HARRINGTON,  
Speaker of the Senate.

EMORY B. RIGGIN,  
Speaker of the House of Representatives.

Attest:

SIMON P. DOHERTY,  
Clerk of the Senate.

GEO. W. SPICER, JR.,  
Clerk of the House of Representatives.

On motion of Mr. McCoy, of the House of Representatives, the certificate of election of United States Senator was entered on the Journal of each House.

Mr. Donaldson, of the House of Representatives, moved that the Journals of the two Houses be read and compared,

Which motion Prevailed.

There being no objection, the Journals of both Houses were approved as read.

On motion of Mr. Fenimore, of the Senate, the two Houses separated and the Senate returned to its chamber.

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

Same Day—3 o'clock, P. M.

House met pursuant to adjournment.

Mr. Hazell offered joint resolution entitled

“Joint resolution appointing Auditor of Accounts,”

Which, on his motion, was read,

And, on his further motion

The joint resolution was Adopted.

Ordered to the Senate for concurrence.

Mr. Hazell offered joint resolution entitled

“Joint resolution appointing a State Treasurer,”

Which, on his motion, was read,

And, on his further motion

The joint resolution was Adopted.

Ordered to the Senate for concurrence.

Mr. Doherty, Clerk of the Senate, being admitted, informed the House that the Senate had passed sundry bills and requested the concurrence of the House, as follows, entitled

(S. B. No. 9)

"An act to supplement Chapter 477, Volume 15, of the Laws of Delaware, entitled 'An act in respect to chattel mortgages.'"

(S. B. No. 6)

"An act to enable the Governor to appoint two additional Notaries Public for Wilmington hundred, New Castle County."

(S. B. No. 8)

"An act to further confirm an act to provide a sinking fund for payment of debt of City of Wilmington,"

And presented the same to the House.

On motion of Mr. Donaldson, the bill (S. B. No. 9) entitled

"An act to supplement Chapter 477, Volume 15, of the Laws of Delaware, entitled 'An act in respect to chattel mortgages,'"

Was read a first time.

And further, Mr. Donaldson moved for suspension of Rule 12, in order that the bill (S. B. No. 9) be read second time, by title, and be referred to committee.

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

Yeas—Messrs. Adams, Davis, Dempsey, Cheairs, Donaldson, Dukes, Eliason, Hazell, J. H. Hopkins, L. S. Hopkins, Johnson, Martin, McCoy, McCullough, Short, Smith, Taylor, Whitney, and Mr. Speaker—19.

Nays—None.

The yeas being in the required majority, the rule was declared suspended, and the bill

Was read a second time, by its title, and

Referred to the Committee on Revised Statutes.

Mr. Donaldson offered a joint resolution entitled

“Joint resolution appropriating eight hundred dollars to the contingent expenses of the office of Secretary of State,”

Which, on his motion, was read,

And, on his further motion

The joint resolution was **Adopted.**

Ordered to the Senate for concurrence.

On motion of Mr. Hazell, the bill (S. B. No. 8) entitled

“An act to further confirm an act to provide a sinking fund for the payment of the debt of the City of Wilmington,”

Was read a first time.

Mr. Hazell asked for and obtained suspension of Rule 12, in order that the bill be read a second time, by title.

The bill was read a second time, by title, and

Referred to the Committee on Revised Statutes.

On motion of Mr. Donaldson, the bill (S. B. No. 6) entitled

“An act to enable the Governor to appoint two additional Notaries Publics for Wilmington-hundred, New Castle County,”

Was read a first time.



Mr. Donaldson moved to reconsider the vote by which the Senate joint resolution entitled

“Joint resolution in relation to Enrolling Clerk,”

Was Non-concurred in.

Which motion Prevailed.

And, on his further motion

The joint resolution entitled

“Joint resolution in relation to Enrolling Clerk,”

Was Concurred in.

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

Mr. Hazell moved to reconsider the vote by which the House joint resolution entitled

“Joint resolution appointing a State Treasurer,”

Was Adopted.

Which motion Prevailed.

Mr. Hazell offered a joint resolution entitled

“Joint resolution appointing a State Treasurer,”

Which, on his motion, was read,

And, on his further motion,

Was Adopted.

Ordered to the Senate for concurrence.

On motion of Mr. McCoy, the House joint resolution entitled

"Joint resolution in regard to the assigned claims of E. L. Jones & Co.,"

Was taken up for consideration,

And, on his motion, was read,

And, on his further motion, was Adopted.

Ordered to the Senate for concurrence.

Mr. McCullough, in pursuance of previous notice, and

On motion of Mr. Taylor,

Obtained leave to introduce a bill (H. B. No. 5) entitled

"An act in relation to the Board of Public Education of Marshallton,"

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

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

"Joint resolution appropriating eight hundred dollars to the contingent expenses of the office of Secretary of State,"

And returned the same to the House.

Mr. McCoy offered a joint resolution entitled

"Joint resolution adjourning both Houses,"

Which, on his motion, was read,

And, on his further motion, was Adopted.

Ordered to the Senate for concurrence.

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

"An act to divorce William Pleasanton and Emma Pleasanton from the bonds of matrimony."

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

"An act to divorce William A. Bennum from Mary E. Bennum."

Mr. Hazell, on behalf of the Committee on Revised Statutes, to whom had been referred the bill (S. B. No. 8) entitled

"An act to further confirm an act to provide a sinking fund for the payment of the debt of the City of Wilmington,"

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

Mr. Hazell moved that the rule be suspended in order that the bill (S. B. No. 8) entitled

"An act to further confirm an act to provide a sinking fund for the payment of the debt of the City of Wilmington,"

Be read a third time, by paragraphs, in order to pass the House.

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

Yeas—Messrs. Adams, Davis, Dempsey, Cheairs, Donaldson, Dukes, Eliason, Hazell, J. H. Hopkins, L. S. Hopkins, Johnson, Martin, McCoy, McCullough, Short, Smith, Taylor, Whitney and Mr. Speaker—19.

Nays—Dempsey and Short—2.

The yeas being in the required majority, the rule was declared suspended,

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

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

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

Yeas—Messrs. Davis, Cheairs, Donaldson, Dukes, Eliason, Hazell, J. H. Hopkins, Johnson, Martin, McCoy, McCullough, Smith, Taylor, Whitney, and Mr. Speaker—15.

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the House.

Ordered to the Senate for concurrence.

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

"Joint resolution appointing a State Auditor;"

Also

"Joint resolution appointing a State Treasurer,"

And returned the same to the House.

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