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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF DELAWARE,
AT A
SESSION OF THE GENERAL ASSEMBLY,
CONVENED AND HELD AT DOVER,
ON TUESDAY, THE FOURTH DAY OF JANUARY,
A. D. 1881,
AND THE ONE HUNDRED AND FIFTH YEAR OF THE
INDEPENDENCE OF THE UNITED STATES.

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Journal of the House of Representatives

OF THE STATE OF DELAWARE.

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

Messrs. Edward G. Bradford, Jr., Henry Swayne, David Eastburn, John Pilling, Andrew Eliason, George L. Townsend, and Henry H. Woodkeeper, of New Castle county; and

Messrs. Charles H. Register, John W. Graham, Abraham Moore, Amos C. Williams, Moses S. Van Burkalow, Alfred H. Cahall, and Reynear Williams, of Kent county; and

Messrs. William P. Jones, Peter Robinson, Philip C. Matthews, Joseph G. McNeal, Thomas N. Williams, Peter W. Tomlinson, and Amos J. Stayton, of Sussex county, appeared and took their seats.

The late Clerk, John F. Saulsbury, Esq., called the House to order.

On motion of Mr. Van Burkalow,

Mr. T. N. Williams was appointed Speaker *pro tempore*.

On motion of Mr. McNeal,

Mr. Register was appointed Clerk *pro tempore*.

On motion of Mr. Robinson,

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

By the returns of the officers of New Castle county, appointed by law judges of elections, it appeared that on the Tuesday next after the first Monday in the month of November last, at the several and respective places specified by law for holding the elections in and for said county, the following persons were chosen to represent the said county in the House of Representatives of the State of Delaware, to wit: Edward G. Bradford, Jr., Henry Swayne, David Eastburn, John Pilling, Andrew Eliason, George L. Townsend, and Henry H. Woodkeeper, Esquires.

By the returns of the officers of Kent county, appointed by law judges of elections, it appeared that on the Tuesday next after the first Monday in the month of November last, at the several and respective places specified by law for holding 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: Charles H. Register, John W. Graham, Abraham Moore, Amos C. Williams, Moses S. Van Burkalow, Alfred H. Cahall, and Reynear Williams, Esquires.

By the returns of the officers of Sussex county, appointed by law judges of elections, it appeared that on the Tuesday next after the first Monday in the month of November last, at the several and respective places specified by law for holding the elections in and for said county, the following persons were chosen to represent the said county in the House of Representatives of the State of Delaware, to wit: William P. Jones, Peter Robinson, Philip C. Matthews, Joseph G. McNeal, Thomas N. Williams, Peter W. Tomlinson, and Amos J. Stayton, Esquires.

On motion of Mr. Robinson,

The House proceeded to elect, by ballot, a Speaker.

Mr. Robinson placed in nomination Reynear Williams, of Kent county.

Mr. Pilling placed in nomination E. G. Bradford, Jr., of New Castle county.

Mr. Tomlinson moved that two tellers be appointed,

Which motion

Prevailed.

Whereupon

Messrs. Tomlinson and Pilling were appointed tellers.

Upon the ballot being counted, it appeared that Reynear Williams had received thirteen votes, E. G. Bradford, Jr., six votes, J. Pilling one vote, and Blank one vote.

Whereupon

Reynear Williams, having received a majority of all the votes cast, was declared duly elected Speaker of the House of Representatives.

Mr. Bradford moved

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

Which motion

Prevailed.

Whereupon

Messrs. Bradford and Robinson were appointed said committee.

Mr. Williams, Speaker elect, was conducted to the chair by Messrs. Bradford and Robinson, the committee appointed for that purpose, and addressed the House, as follows :

GENTLEMEN : I would be very recreant to common courtesy were I not to tender to you, as I now do, my grateful acknowledgments for the honor you have conferred upon me by electing me to preside over your deliberations. Inexperienced as I am in parliamentary proceedings, you may well imagine the embarrassing position, unsolicited on my part, in which I am placed. Relying, however, upon your patience, your indulgence, and your support, I enter upon my duties, though not without misgivings of my ability to discharge them satisfactorily, promising I will endeavor to perform them to the best of my judgment, with impartial fidelity.

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, T. N. Williams, a member of the House of Representatives of the State of Delaware, from Sussex county, do hereby certify that Reynear Williams, a member elect of the House of Representatives, from Kent county, was, previous to entering upon any other business and taking his seat as Speaker, duly sworn by me, on the Holy Evangel 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, Reynear Williams, Speaker of the House of Representatives of the State of Delaware, do hereby certify that Edward G. Bradford, Jr., Henry Swayne, David Eastburn, John Pilling, Andrew Eliason, George L. Townsend, and Henry H. Woodkeeper, of New Castle county; and Charles H. Register, John W. Graham, Abraham Moore, Amos C. Williams, Moses S. Van Burkalow, and Alfred H. Cahall, of Kent county; and William P. Jones, Peter Robinson, Philip C. Matthews, Joseph G. McNeal, Thomas N. Williams, Peter W. Tomlinson, and Amos J. Stayton, of Sussex county, members elect of the House of Representatives, were, previous to their 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 hands this fourth day of January, in the year of our Lord one thousand eight hundred and eighty-one.

T. N. WILLIAMS,
REYNEAR WILLIAMS.

Mr. Register moved

That the House proceed to the election of Clerk, by ballot,

Which motion *Prevailed.*

On motion of Mr. Tomlinson,

David T. Marvel, of Sussex County, was placed in nomination.

Mr. Bradford nominated George A. Elliott.

Mr. Register moved

That two tellers be appointed,

Which motion *Prevailed.*

Whereupon

Messrs. Bradford and Van Burkalow were appointed tellers.

Upon the ballot being counted, it appeared that David T. Marvel had received fourteen votes and George A. Elliott seven votes.

Whereupon

David T. Marvel, having received a majority of the votes cast, was declared duly elected Clerk of the House of Representatives.

Mr. Tomlinson moved

That a committee of two be appointed to inform Mr. Marvel of his election.

Which motion *Prevailed.*

Whereupon

Messrs. Tomlinson and Townsend were appointed said committee.

David T. Marvel, Clerk elect, being introduced, was duly qualified and took his seat at the Clerk's table.

On motion of Mr. Robinson,

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

Mr. Cahall placed in nomination T. A. Joseph.

Mr. Townsend placed in nomination Edward Willey.

Mr. Bradford moved

That two tellers be appointed,

Which motion *Prevailed.*

Whereupon

Messrs. Bradford and Van Burkalow were appointed tellers.

Upon the ballot being counted, it appeared that T. A. Joseph had received fourteen votes and Edward Willey seven votes.

Whereupon

T. A. Joseph, having received a majority of the votes cast, was declared duly elected Sergeant-at-Arms of the House of Representatives.

Mr. Robinson moved

That a committee of two be appointed to inform Mr. Joseph of his election,

Which motion *Prevailed.*

Whereupon

Messrs. Robinson and Pilling were appointed said committee.

T. A. Joseph, Sergeant-at-Arms elect, being introduced, was duly qualified and entered upon his duties.

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

Mr. T. N. Williams offered a resolution,
Which,

On his motion, was read, as follows:

Resolved, That Rev. Cyrus Huntington be invited to act as Chaplain of the House during the present session.

And on his further motion,

The resolution was

Adopted.

Mr. Tomlinson moved

That a committee of two be appointed to notify Rev. Cyrus Huntington of his election as Chaplain,

Which motion

Prevailed.

Whereupon

Messrs. Tomlinson and Eliason were appointed said committee.

Mr. T. N. Williams moved

That John Benn be elected Messenger by acclamation,

Which motion

Prevailed.

Whereupon

John Benn, Messenger elect, was introduced and entered upon his duties.

On motion of Mr. Pilling,

The Clerk was directed to inform the Senate that the House was duly organized and ready to proceed to business.

Mr. T. N. Williams offered a resolution,

Which,

On his motion, was read, as follows:

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

And, on his further motion,

The resolution was

Adopted.

Mr. Tomlinson offered a resolution,

Which,

On his motion, was read, as follows :

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

And, on his further motion,

The resolution was

Adopted.

On motion of Mr. Register,

The Sergeant-at-Arms was directed to hoist the American flag over the State House during the sessions of the General Assembly.

Mr. Robinson offered a resolution,

Which,

On his motion, was read, as follows :

Resolved, That the Clerk be requested to furnish each member of the House with a copy of the Revised Code, and a copy of the Laws of the last session of the General Assembly.

And, on his further motion,

The resolution was

Adopted.

Mr. Townsend moved

That the Clerk be instructed to furnish each member of the House with a copy of the 15th Volume of the Laws of Delaware,

Which motion

Prevailed.

Mr. Downing, Clerk of the Senate, being admitted, informed the House that the Senate had adopted a joint resolution appointing a committee of two on the part of the Senate and three on the part of the House to wait upon his Excellency, the Governor, and inform

him that both Houses were organized and ready to receive any communication he may have to make, and requested the concurrence of the House, also that Messrs. Harrington and Conaway were appointed said committee on the part of the Senate,

And presented the same to the House.

On motion of Mr. Robinson,

The joint resolution from the Senate was read,

And, on his further motion,

Was

Concurred in.

Whereupon

Messrs. Robinson, Van Burkalow and Townsend were appointed said committee on the part of the House.

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

Mr. Robinson, on behalf of the joint committee to wait upon his Excellency, the Governor, reported that the committee had waited upon his Excellency, and that he would send a communication through Mr. Wolcott, Secretary of State, in five minutes.

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

On motion of Mr. Robinson,

The message from the Governor was read, as follows :

Gentlemen of the Senate and House of Representatives :

The people, who compose your constituency, are not only in the enjoyment of peace and health, but, owing to the liberal returns which nature has yielded to their persistent toil, and the practice of economy in all their domestic affairs, are also approaching that degree of material prosperity which was lost by reason of the enforcement of a policy by the Federal Government, violative, in many respects, of every principle of economic science. Though the accomplishment of this result has been attended with a long and painful experience, and though adversity has left its victims in every community, yet the circumstances under which you assemble, at the seat of gov-

ernment to-day, furnish occasion for expressions of heartfelt gratitude and thankfulness to Him who is the author of all good, as well as for congratulation and joy.

The fact that the eye is everywhere greeted with the signs of returning prosperity and health in all kinds of business, notwithstanding the artificial impediments which have been thrown across the path of progress and advancement, demonstrates the existence of an unexhausted vitality and energy in the people, and a consequent capacity on their part to grapple successfully with all the trials and difficulties, within the compass of human effort, which may be developed in the future. If, as individuals, we will profit by the teachings of the past—if we will coin into maxims of wisdom the experience of the last ten years and embody them in our daily practice—if we will conserve our energies in the monuments of human skill and industry, and not waste nor expend them in foolish extravagances and schemes of reckless speculation which vanish with the effort to grasp their promised fruits, we shall lay the foundation for a still more permanent and enduring prosperity. Nature lavishes her bounties in vain upon an improvident people, as all history attests. While her generous gifts are transformed into the commodities of trade and commerce, as well as the ordinary comforts and conveniences of life, by individual effort in every sphere of activity, yet it is the gradual increase, produced by the exercise of frugality, that forms individual competencies, and the accumulated wealth or capital which, in obedience to the law of natural affinity, should go hand in hand with labor in working out the great problem of subjecting the earth and the fullness thereof to the legitimate dominion of man, its natural sovereign.

GENERAL LEGISLATION.

Since, then, the well-being of States and communities depends in a great degree upon the awakened energies and determined will of the people, too much, therefore, ought not to be expected from legislative bodies, especially those possessing only local influence; for it should be remembered that the subjects which fall within the scope of legislative power and authority, beyond the protection of life, liberty and property against violence, crime and fraud, are restricted to a very small proportion of the rights and duties of the people. Under our system of government it is their sacred and inalienable right to pursue their own happiness and to manage their own interests as they may elect, so far as is consistent with the public good. And to interfere by legal enactment with such a right is an assumption by the government of paternal powers which inevitably leads to confusion or inac-

tivity in all the business and industrial departments of society. The great danger, therefore, which besets legislation, lies not in the possibility of too little but of too much legislation. We want no better illustration of the correctness of this proposition than the fact that some of the greatest triumphs of modern legislation are to be found in the repeal of former laws, the inexpediency of which had been demonstrated by their disastrous effects upon the community for which they were made. Happily we have avoided either extreme in this State by our system of biennial sessions and the simplicity of our people.

I do not mean by these remarks to convey the idea that the voice of the people should be disregarded when clearly expressed, for that should be the potential force in governments and in politics, and when their will is made known, it will be your duty, as their representatives, to mould and shape it into such laws and measures as will best advance the public weal. The unreasonable expectations and demands, however, of a few restless and dissatisfied persons, which are to be found in some localities, should not be allowed to draw you aside from the plain and well-defined path of public duty. And those schemes put forward in response to such groundless expectations or demands by artful and crafty men under the guise of reform, without regard to the utility of the end proposed, should be received and acted upon with great caution, for experience proves that laws which originate in such motives are detrimental to the liberties and resources of the people.

With these views in reference to general legislation and its bearing upon the welfare and prosperity of the people, I will now proceed, as briefly as possible, consistent with clearness, to give such information of affairs concerning the State, and to recommend to your consideration such measures as I shall deem expedient.

FINANCES.

The first subject to which I deem it my duty to invite your attention is the finances of the State, for a detailed statement of which I herewith transmit for your consideration the report of the State Treasurer, which, together with the last Auditor's report, contains all the facts and information which are essential to a comprehensive and intelligent understanding of this subject.

LIABILITIES.

The State debt, as shown by such report, amounted, in January, 1879, to nine hundred and seventy-five thousand dollars, (\$975,000), classified as follows:

Residue of bonds issued to pay bounties and for volunteers, which will mature in 1885.....	\$547,000 00
Residue of bonds loaned to the Junction and Breakwater Railroad Company, which are secured by first mortgage on said road, and which will mature in 1890..	230,000 00
Bonds loaned to the Breakwater and Frankford Railroad Company, which are secured by first mortgage on said road, and which will mature in 1898.....	176,000 00
Balance in hand, received from the New Castle and Wilmington Railroad Company, and held by the State, belonging to School Fund.....	22,000 00
Total amount of State debt January 1, 1879.....	\$975,000 00
From which deduct bonds redeemed and cancelled since January, 1879, including call for bonds made for January 1, 1881.....	\$106,000 00
Total of present indebtedness.....	\$869,000 00

ASSETS.

The semi-annual interest-bearing investments, exclusive of those for the benefit of Free Schools, are as follows, viz:

Mortgage on Junction and Breakwater Railroad Company.....	\$400,000 00
Mortgage on Breakwater and Frankford Railroad Company.....	200,000 00
1275 shares of Farmers' Bank Stock, @ \$50.00.....	63,750 00
20 shares of National Bank of Delaware Stock, @ \$465.00.....	9,300 00
	\$673,050 00

The aggregate investments for School Fund, which includes the uninvested sum received from the New Castle and Wilmington Railroad Company..... \$448,999 00

Add to this the amount due the State from all sources, and cash in excess of the amount required to pay interest and bonds, included in the call issued for January, 1881..... 74,991 69

\$523,990 69

Total amount of assets..... \$1,197,040 69

From the foregoing statement it appears that the total assets of the State are in excess of the liabilities three hundred and twenty-eight thousand and forty dollars and sixty-nine cents.

RECEIPTS AND EXPENDITURES.

It appears, by the report of the State Treasurer, that the total amount of the receipts for the year 1880, present and anticipated, belonging to the General Fund, is one hundred and eighty-seven thousand seven hundred and forty-seven dollars and twenty-one cents, inclusive of the interest on mortgage of the Breakwater and Frankford Railroad Company, in arrear at the time of the adoption of the joint resolution by the General Assembly at its last session, which authorized the temporary suspension of the authority vested in the State Treasurer to collect said mortgage upon the receipt of a moiety of the semi-annual payments of interest on same as they shall fall due, and the other moiety of interest now in arrear under said resolution. This sum, being thirty-five thousand eight hundred and eighty-six dollars and sixty-six cents, cannot be regarded at present as available funds, as there is no assurance from the company when it will be paid.

The total amount of disbursements from the General Fund for the same period is one hundred and fifty thousand four hundred and nine dollars and sixty-two cents, including the amount set apart by the State Treasurer for redemption of bonds and payment of interest due January 1, 1881. This will show a balance in the Treasury of one thousand four hundred and fifty dollars and ninety-three cents, arising from the receipts of the year ending January 1, 1881, admitting that all the taxes and interest due the State January 1, except the item above mentioned, have been promptly paid. Before dismissing the further consideration of this subject, I desire to express my appreciation of the judicious manner in which the finances of the State have been managed, and my confidence in a continuation of such management.

CONVERSION OF STATE BONDS.

The outstanding bonds issued to pay bounties and for volunteers, being four hundred and forty-one thousand dollars, as before stated, mature on the first day of January, 1885. It is manifest that the annual surplus will not be sufficient to extinguish that part of the debt represented by said bonds at maturity. It will therefore be the duty of the General Assembly, either at this or its next session, to make provision for such an emergency. As a means of doing so, I recommend the conversion of such a portion of the bonded debt, just men-

tioned, into semi-annual interest-bearing bonds, at the rate of four per centum per annum, payable in twenty years, but redeemable only at the pleasure of the State after the expiration of ten years from date, as will enable the State Treasurer to pay off the residue of such bonds at maturity without the imposition of further burdens upon the resources of the people. And as an economical measure, purely, I also most earnestly recommend the conversion, in like manner, of the remainder of the Internal Improvement Bonds which mature in 1890 and 1898, none of which to be negotiated at less than their par value.

It requires no argument to demonstrate the feasibility of this scheme. The established credit of the State in financial circles, together with the fact that capital is seeking investment at a lower rate of interest than six per cent., in first-class securities, in my judgment, insures its success. Already the State Treasurer has had applications from capitalists outside of the State to negotiate our debt at a lower rate of interest, provided he should be authorized so to do. I have no doubt, however, that such bonds can be negotiated entirely within our own State.

ARREARS OF NATIONAL BANKS.

By the report of the State Treasurer it appears that The National Bank of Wilmington, The National Bank of Delaware, The Union National Bank of Wilmington, and The National Bank of Brandywine, have refused to pay the tax assessed on the shares of their capital stock under an act of the General Assembly, entitled "An act Taxing the Shares of Banks," passed at Dover, April 8, 1869, upon the theory that such law is in conflict with the United States statutes, which impose certain limitations upon the taxing power of the State. I shall not enter into any discussion of the question raised between the State and these delinquent National Banks. It is enough to say that, having refused to pay the taxes thus assessed, and the whole matter having been referred to you by the State Treasurer, it will be your duty, in asserting the authority vested in you over this matter, to instruct him to proceed to collect the taxes due from them in accordance with the opinion of the Attorney General, which accompanies the report of the State Treasurer.

RAILROAD ARREARS.

I herewith transmit the annual report of the Breakwater and Frankford Railroad Company, containing its receipts and expenses for the year 1879, made in pursuance of a joint resolution adopted by the General Assembly at its last session, for your consideration. It will

be seen by the report submitted that the gross receipts of the company for the year 1879 amounted to \$19,441.92, and the gross expenses for the same year amounted to \$19,683.55, in which was included only one moiety of the semi-annual payments of interest on the mortgage held by the State against the company, which shows that the expenses of the company, exclusive of the other moiety of interest for that year, were in excess of the receipts \$241.63; but it appears by the report of the State Treasurer that the company has been prompt in paying the sum of three thousand dollars semi-annually, in accordance with the provisions of said resolution, on account of the interest due upon said mortgage. While such is the case, it would not be advisable to force the payment of the mortgage held by the State because of the continuing default in the payment of interest which accrued prior to January, 1879. I therefore suggest the propriety of suspending the authority vested in the State Treasurer to collect the mortgage by due process of law for a period of two years longer.

FARMERS' BANK.

I herewith submit the several reports of the State Directors of The Farmers' Bank of the State of Delaware and the branches thereof, made under an act of the General Assembly, entitled "An act requiring the Directors of the Farmers' Bank of the State of Delaware and its Branches on the part of the State to make an annual report," passed at Dover, March 14, 1879. It appears by such reports that a part of the branches of said Farmers' Bank have been unsuccessful in their business operations, and, therefore, unprofitable. It will therefore be your duty to adopt such measures, with reference to this matter, as the difficulty may suggest.

PUBLIC OFFICES.

The compensation of our county officers is made up of fees prescribed by statute, which, in many instances, are never paid by the parties liable therefor. This method of remunerating public servants is unjust to them, because they are compelled to render a considerable gratuitous service—and to the public, because the people are necessarily ignorant of the compensation which they actually receive. This has become a source, to some extent, of complaint and dissatisfaction. The policy of making offices salaried has obtained in many States with a marked degree of public approbation, and in my judgment may be adopted in this State with the same result. I therefore recommend the passage of a law authorizing the payment of such officers, so far as practicable, by annual salaries, payable monthly, commensurate

with the labor performed, in lieu of the fees pertaining to such offices, the fees now by law taxable by such officers to be by them taxed and received as heretofore and paid to the State Treasurer. Such law to take effect as the terms of the present incumbents expire.

FREE SCHOOLS.

There is no subject in which the people have a greater interest than that of Free Schools. They have an interest as individuals, for therein is laid the foundation, to some extent, of the future usefulness of their offspring. And they have an interest, as citizens of the State, because it is through their agency the rising generation is better qualified for the duties and responsibilities incident to citizenship. Hence the Legislature, more than a half century ago, provided a permanent fund to supplement individual effort in supplying the proper facilities for the acquisition of the rudimentary branches of education. But without the hearty co-operation of parents and those who have an immediate interest in the welfare of the young, no system of public education can be made productive of the beneficial results of which it is capable. The efficiency of any system of improvement, moral, intellectual, or material, though established and aided by government, depends, in a great degree, upon private exertion. Public donations many times have failed in the accomplishment of the end proposed, through the neglect or slothfulness of those for whose benefit they were intended. Governments cannot do the work of nature. In the future, therefore, we should mainly rely upon the liberality, care and interest awakened in the minds of the people, by appeals to that sentiment of duty which springs out of the relations of parent and child, the strongest and tenderest, perhaps, which resides in the human breast, for richer and more satisfactory results from this field of public and private labor. I do not mean by this to say that the State should turn its back upon this institution and no nothing more towards its support, but that the people in every district should rise to the level of their opportunity and utilize all the possible advantages which Free Schools afford. If the fund already dedicated to the support of this important and cherished institution is not equal to the demand upon the State in that behalf, it should be made so; and if the people, through any lack of interest, or through any other cause, have failed to do their duty in the matter, the proper remedy should be speedily applied.

Owing to the largely increased number of school districts, by subdivision, the amount of money annually distributed to each district by the State has been correspondingly lessened, and the resources therein for raising money for school purposes have been sensibly diminished,

to which, I have no doubt, may be attributed, to a certain extent, the fact that the schools have been closed so long in some of the rural districts during the year. As a remedy for this difficulty, I recommend the consolidation of those districts in which the resources and number of scholars are so limited as to render it inconvenient to support schools therein for a longer period than they are, or the reconstruction of such districts upon the basis of the original lines as far as it may be practicable. With these modifications I can see no good reason why the children in each district should not have the advantages of a school during eight or nine months in every year. I therefore recommend that a sufficient amount of money be levied and collected to keep the schools in operation in each district for that length of time during each year, the collection of the taxes to be confined to the county collectors, as they can do it with less cost and confusion to taxables.

I herewith transmit, for your consideration, the report of the State Superintendent of Free Schools, which contains much valuable information concerning, not only the present condition of the schools, but the origin and growth of the system of public education in this State.

SCHOOL BOOKS.

As the necessary supply of school books forms a material element of the cost of education, it is highly proper that they should be obtained with as little expense as possible to the purchaser. Since the introduction of the new system of books into our schools, considerable complaint, on the part of parents and guardians, has been made with reference to their price and quality. The grievance of which they complain appears to have its existence in the large profits realized by middle-men in the sale of such books. In order to avoid this difficulty, I recommend that the Librarian be authorized to purchase the books used in public schools, directly of the publisher, and deposit them with the School Commissioners of each school district as they are wanted, whose duty it shall be to distribute the same among the patrons of the school at their cost price and forward the money to the Librarian.

FERTILIZERS.

As agriculture is the leading and most prominent industrial interest in this State, and as chemical manures enter very extensively into the growth and production of almost every crop, the value or quality of which can only be ascertained by actual experiment, or by a careful analysis made by a reliable chemist, I recommend the passage of a law amendatory of the existing law upon the subject, making it the duty

of the State Chemist to analyze, free of charge, a sample of each fertilizer sent to him by any farmer or other person using the same, and to prepare a certificate, setting forth the commercial value thereof, and declaring it a misdemeanor in any manufacturer or vendor of such manures who shall, in the sale of the same, misrepresent their intrinsic value.

FRUIT CULTURE.

The insect, which has become one of the most prolific sources of disaster to some of the most remunerative products of our soil, especially that of large and small fruits, is a matter which demands serious attention. In view of its importance to the public, I recommend that you take into consideration the advisability of procuring the service of an experienced Entomologist to give to the people such information as may enable them to devise some means by which to protect such crops against the ravages of this foe.

ROADS AND HIGHWAYS.

Good roads are among the public improvements necessary to the conveniences and comforts of modern country life, while bad roads are great drawbacks to the progress and development of any community, inasmuch as they afford a very imperfect means of communication between different localities and neighborhoods. One of the most attractive features of any section of the country is a well-established system of roads, and is one among the first objects to engage the attention and admiration of strangers. The importance of this subject, therefore, demands our earnest consideration. With proper management, owing to the even surface of our land and the character of our soil, the advantages of such an improvement can be obtained at a very trifling cost, in a comparative sense. The great difficulty in the matter of maintaining our public roads is, that they are not properly constructed and worked. They should be made and repaired according to the modern methods of working roads; and when they are thus made they can afterwards be kept in good condition without the expenditure of much money. This plan, I have no doubt, would be attended with considerable expense in the first place, but the annual saving thereafter would be more than equivalent to the first cost. I therefore recommend the enactment of a law authorizing the Levy Court of each county, at its option, to issue bonds for the purpose of raising funds to carry into effect the improvement herein proposed, and the creation of a sinking fund for the liquidation of such bonds at maturity.

ELECTIONS.

The open and unblushing bribery and intimidation which are alleged to have been practised at the recent elections, in this State, and many other States of the Union, have excited serious apprehension, in the minds of thoughtful and prudent men, as to the perpetuity of representative government in this country. These fears are not without foundation, for, of all the vices peculiar to governments based upon the popular will, none perhaps is more fatal to their permanence and stability than corruption and intimidation in elections. Such offences strike at the very root of liberty, inasmuch as they destroy the freedom and purity of the elective franchise—qualities which alone constitute the value and importance of this fundamental right. While results obtained by such corrupt and pernicious methods may represent the majority of votes cast, yet they do not represent the preponderance of the true sentiment of the public mind, and are therefore destructive of one of the great principles of republican government. Elections, under such circumstances, instead of being a contest between honest men for the supremacy of principles, degenerate into a mere farce, and become a reproach to the institutions of political freedom. Men of high character, especially those of limited means, though richly endowed with moral and intellectual qualifications, are practically precluded from entering the political arena as competitors with their fellows for positions of trust and honor, because they cannot afford to make the sacrifice. Besides, of what avail would it be to engage in a contest upon the merits of the questions involved, if a few desperate partizans are allowed to captivate the will of the weak and to enslave the conscience of the timid, by exciting their cupidity and fears to such extent as to change or bias the verdict of the popular will?

The ballot box, being the medium established for the ascertainment and expression of public opinion upon issues of a political nature, should be guarded, as far as possible, against the intrusion of corruption and intimidation in all their forms. While I do not intend to suggest any definite remedy for this evil, yet, in calling attention to this subject, I desire most earnestly to recommend that you take into consideration the necessity of adopting such measures as will prevent the repetition of such offences against the purity and freedom of the ballot.

REPRIEVES AND PARDONS.

In accordance with the Constitution, I herewith transmit a list of reprieves, pardons and remissions, and the grounds therefor. In view of the importance of the power lodged in the Governor to suspend or

nullify the judgment of a criminal court, I recommend that an Advisory Board be created, composed of certain State officers, whose duty it shall be to receive applications for pardons, reprieves and remissions, and to report to the Governor their determinations in such cases.

STATE LIBRARY.

It appears by the accompanying report of the State Librarian, herewith submitted, that the space in the State Library is not sufficient for the reception of the books and documents which are annually supplied from other States. I therefore recommend that more space be provided for that purpose.

VARIOUS REPORTS.

I herewith transmit the reports of the Insurance Commissioner, of the State Board of Health, together with the special report of the President thereof, and of the Adjutant General, which are all submitted to your careful consideration.

ADJOURNMENT.

In order to facilitate the transaction of business which shall come before you, and to prevent the present session from being unnecessarily prolonged, I would suggest the adoption of a joint resolution, at an early day, requesting the people to promptly present their business.

Having referred to such subjects as relate to the administration of public affairs in this State, and made such recommendation and suggestions in reference thereto, as appear necessary, I will now direct your attention to matters which are of a more general and comprehensive character—those which involve our relations with the Federal Government

FEDERAL RELATIONS.

The repeated exercise of jurisdiction by the Federal authorities over affairs purely of a domestic or local nature, such as the appointment of officers to supervise the assessment of persons in this State, and the interference with the administration of criminal justice, by challenging the State methods of constituting and organizing juries, has forcibly suggested allusion to this subject. It was hoped that these, and kindred other arbitrary expedients, which were ostensibly devised for the attainment of temporary ends, would disappear with the excitement out of which they were born. But in this we have been disappointed. The reaction of public sentiment which followed the partial subsidence of the unreasoning passions of men, did not re-enthroned in the popular heart that sentiment of patriotism which alone is capable of subor-

dinating the lusts of ambition to the sober dictates of reason, and of inspiring and shaping a governmental policy in accordance with the genius and spirit of our free institutions—a policy which raised this country from the condition of a few feeble States to the greatest power among the nations of the earth.

This unwarranted assumption of power clearly belonging to the States, which was first demanded as a temporary concession to the exigencies growing out of a physical strife, is now claimed as a permanent right, based, as it appears, upon no higher ground than the absurd notion that the States are mere quasi corporations, subject to the control of a central, visitorial power, lodged in the Federal Government. If this theory, which is at variance with all our ideas of republican government, is followed out to its logical conclusion, then those local institutions with which our dearest interests and fondest traditions are associated, will be gradually drawn into the unyielding grasp of the Federal Government, and the State governments will be nothing more than mere shells, or empty forms, in which despotism will mask its hideous plots and conspiracies against the rights and privileges of humanity.

This attachment to local self-government is not a principle of recent birth, which originated in the antagonisms between political organizations, but existed prior to the revolution itself, and in fact may be said to have been the cause of that important and perilous conflict. When the elder Adams declared that any one of certain local institutions would have produced the revolution, he realized the full import and significance of the utterance. He knew that they were the schools in which the people had learned the principles of freedom, and imbibed that love of independence which echoed the manly and indignant protests of the eloquent Virginian against the usurpations of provincial governors and officers who were "eating out their substance." He knew that they were the nurseries in which had been born that spirit of patriotic chivalry which, disdaining the perils and hardships incident to war, boldly and defiantly submitted the question of American independence to the bloody arbitrament of arms.

And in the formation of a system of government by the deputies from the several States, which would secure to the people the largest degree of liberty compatible with public safety, we find a further emphasis given to the importance and necessity of this principle to the vitality and strength of such a government, for in the creation of its powers the States were compelled to surrender none which would,

in any wise, impair their identity or the efficiency of their local institutions. Though the objects which were transferred from State to Federal jurisdiction were clearly enumerated and defined, yet the Constitution, not containing any express denial to the General Government of other powers than those delegated, and a reservation of the residuum to the States, encountered much opposition. And while the ratification thereof was pending before the Legislatures of the several States, it was strongly urged by its prominent advocates, as an argument against the possibility of a consolidation of too much power in the hands of the General Government, that a perfect security against such a tendency existed in the loyalty of the people to their domestic or internal institutions. This objection, however, was afterwards removed by the proposal and adoption of the original amendments in which were embodied the necessary safeguards to the rights reserved to the States and the people.

These local institutions then, being the schools in which was developed and fostered a proper appreciation of the elements of representative government in the minds and hearts of our revolutionary ancestors and those who came after them, it is our solemn duty to reverence and respect them as the sacred and imperishable shrines wherein to preserve and transmit untarnished the jewel of constitutional liberty.

JOHN W. HALL.

DOVER, DEL., January 4, 1881.

Mr. Cahall offered a resolution,

Which,

On his motion, was read, as follows :

Resolved, That the Clerk be directed to have printed 1,500 copies of the Governor's message for the use of the House.

And, on his further motion,

The resolution was

Adopted.

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

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Tomlinson, on behalf of the committee to wait upon Rev. Cyrus Huntington and inform him of his election as Chaplain, reported to the House that the committee had performed that duty, and that he had accepted, and would be present to-morrow morning at 10 o'clock.

On motion of Mr. Eliason,
The report was accepted,
And, on his further motion,
The committee was discharged.

Mr. Robinson offered a resolution,
Which,

On his motion, was read, as follows :

Resolved, That a committee of three be appointed on Rules for the Government of this House.

And, on his further motion,

The resolution was

Adopted.

Whereupon

Messrs. Robinson, Cahall and Pilling were appointed said committee.

Mr. T. N. Williams offered a resolution,
Which,

On his motion, was read, as follows :

Resolved, That the Clerk is hereby directed to furnish, during the session, for the use of the House, three copies of each weekly and semi-monthly paper published in the State:

And, on his further motion,

The resolution was

Adopted.

Mr. Register offered a resolution,

Which,

On his motion, was read, as follows :

Resolved, That the Clerk is hereby directed to furnish, during the session, to each member of the House, a daily paper of his choice.

And, on his further motion,

The resolution was

Adopted.

Mr. Tomlinson offered a resolution,

Which,

On his motion, was read, as follows :

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

And, on his further motion,

The resolution was

Adopted.

Whereupon

Messrs. Tomlinson, Register and Eliason were appointed said committee.

Mr. Townsend offered a resolution,

Which,

On his motion, was read, as follows :

Resolved, That so much of the Governor's message as refers to Public Schools be referred to a committee of five.

And, on his further motion,

The resolution was

Adopted.

Whereupon

Messrs. Townsend, A. C. Williams, Moore, T. N. Williams, and Cahall, were appointed said committee.

The committee appointed to wait on the Governor asked leave to withdraw, and there being no objection the same was granted.

Mr. Robinson, on behalf of the Committee on Rules, submitted a report.

After some discussion, Mr. Robinson asked leave to withdraw the report,

Which,

On motion of Mr. Bradford,

Was granted.

On motion of Mr. Cahall,

The vote by which the resolution, referring so much of the Governor's message as relates to Public Schools to a committee of five was adopted,

Was

Reconsidered,

And, on his further motion,

The committee was discharged.

On motion of Mr. Tomlinson,

The resolution was then laid upon the table.

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

WEDNESDAY, January 5, 1881—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called.

Journal read and approved.

Mr. Pilling offered a resolution,

Which,

On his motion, was read, as follows:

Resolved, That no petition for divorce shall be favorably acted upon by this House for any cause cognizable by the Superior Court under the provisions of Chapter 75 of the Revised Code of 1852, as amended and published in 1874.

Mr. Pilling moved

That the resolution be adopted.

Mr. Robinson moved

That the consideration of the resolution be postponed until Wednesday next.

On request, Mr. Robinson withdrew his motion.

Mr. Downing, Clerk of the Senate, being admitted, presented to the House for its consideration the State Treasurer's Report, the Breakwater and Frankford Railroad Company's Report, and the Insurance Commissioner's Report.

Mr. Robinson moved

That the consideration of the resolution be postponed until Tuesday next, at 3 o'clock.

Mr. Bradford called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Cahall, Eliason, Graham, Jones, Matthews, McNeal, Moore, Register, Robinson, Stayton, Tomlinson, and Mr. Speaker—12.

Nays—Messrs. Bradford, Eastburn, Pilling, Swayne, Townsend, Van Burkalow, A. C. Williams, T. N. Williams and Woodkeeper—9.

So the question was decided in the affirmative,

And the motion

Prevailed.

Mr. Robinson, on behalf of the Committee on Rules, submitted a report.

On motion of Mr. Tomlinson,

The report was received,

And,

On motion of Mr. Robinson,

The report was read, as follows :

The committee appointed to draft Rules for the Government of the House, beg leave to submit the following report, viz :

RULES :

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

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

RULE 3. All motions and resolutions, except for the reading of bills, the daily adjournment of the House, or any motion to refer the subject, or to postpone the same, shall, if required by the Speaker or any member, be reduced to writing by the mover, and, if seconded, shall be repeated by the Speaker to the House before a debate or decision thereon. And any written resolution introduced by the Speaker, or a member of the House, and sent to the Clerk's table, shall be read without a previous motion to receive the same, unless the reading of such resolution shall be objected to by a member of the House.

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

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

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

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

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

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

RULE 9. No member shall be interrupted when speaking but by a call to order by the Speaker, or a member through the Speaker, nor shall any member be allowed to speak upon any subject more than three times (except in explanation) without leave of the House; and no member shall be referred to by name in debate.

RULE 10. While the Speaker is putting any question, or addressing the House, no one shall walk out of or across the house, nor, in

such case, or when a member is speaking, shall entertain private discourse, nor while a member is speaking shall pass between him and the Chair.

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

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

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

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

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

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

RULE 17. Questions of order, either before the House or in Committee of the Whole, shall, in the first place, be determined by the Speaker or Chairman, from whose decision an appeal may be made to the House or Committee on the request of a member, but no debate shall be allowed thereon until the appeal is taken.

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

RULE 19. The Speaker, or Chairman, shall put every question, and, if necessary for a fair decision, may, of his own accord, or at

the request of a member, require those in the affirmative to rise, and reverse the question; and the yeas and nays shall be taken, if requested by the Speaker or a member.

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

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

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

RULE 23. No member shall absent himself from 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 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 which 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.

(Signed)

PETER ROBINSON,
A. H. CAHALL,
JOHN PILLING,

Committee.

On motion of Mr. Robinson,

The report was taken up for consideration.

Mr. Robinson then moved

That the report be read and considered *seriatim*,

Which motion

Prevailed,

And the rules were adopted from 1 to 4, inclusive.

Mr. T. N. Williams moved

To amend Rule 5 by striking out the words "A committee of three on Divorces."

Whereupon

Mr. Bradford called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bradford, Eastburn, Pilling, Swayne, Townsend, Van Burkalow, A. C. Williams, T. N. Williams and Woodkeeper—9.

Nays—Messrs. Cahall, Eliason, Graham, Jones, Matthews, McNeal, Moore, Register, Robinson, Stayton, Tomlinson and Mr. Speaker—12.

So the question was decided in the negative,

And the amendment was

Lost.

The remainder of the rules, from 5 to 25, inclusive, were adopted.

Mr. Downing, Clerk of the Senate, being admitted, informed the House that the Senate had adopted, and requested the concurrence of the House in the following joint resolutions, to wit :

"Joint resolution appointing a joint committee on rules for the government of intercourse between the two houses ;"

"Joint resolution in relation to the State Bonds ;"

"Joint resolution appointing a joint committee to examine State Library and consider suggestions of Librarian ;"

"Joint resolution appointing a joint committee in relation to arrears of National Banks ;"

"Joint resolution appointing a joint committee on the Farmers' Bank and its branches," and

"Joint resolution appointing joint committee to examine accounts of State Treasurer ;"

And presented the same to the House.

Mr. Cahall offered a resolution,

Which,

• On his motion, was read, as follows :

Resolved, That the Clerk be instructed to have fifty copies of the Rules printed for the use of the House.

Mr. Cahall then moved

That the resolution be adopted.

Mr. Robinson moved

To amend the resolution by striking out "fifty" and inserting "one hundred" in lieu thereof.

Mr. Van Burkalow moved,

As an amendment to the amendment, that the names of the members, with the county and hundred which they are from, be printed with the Rules.

Mr. Cahall moved

That the consideration of the resolution and amendments be postponed.

Mr. Bradford moved

That the whole matter be laid upon the table,

Which motion

Prevailed.

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

"An act to provide for the enrollment of the militia, for the organization of the volunteer militia, and for the public defense ;"

"An act to amend Section 29 of Chapter 89 of the Revised Code of 1852, as amended and published in 1874 ;"

"An act to incorporate the German Library Association, of Wilmington, Delaware ;"

"An act to renew and continue in force an act entitled, 'An act to incorporate the Saint Mary's Beneficial Society, of the city of Wilmington, Delaware,' passed at Dover, January 22d, 1861 ;"

"An act to amend Section 17 of Chapter 90 of the Revised Code of 1852, as amended and published in 1874 ;"

"An act to amend Chapter 21 of Volume 14 of the Laws of Delaware, entitled 'An act to amend Chapter 390 of Volume 13 of the Laws of Delaware,' " and

"An act to amend Section 46 of Chapter 89 of the Revised Code of 1852, as amended and published in 1874."

On motion of Mr. Van Burkalow,

The Senate joint resolution entitled,

"Joint resolution in relation to the State Bonds,"

Was read,

And,

On motion of Mr. Pilling,

Was

Concurred in.

Messrs. Bradford, Van Burkalow and Jones were appointed a committee on the part of the House in pursuance of said joint resolution.

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

On motion of Mr. Robinson,

The Senate joint resolution entitled,

"Joint resolution appointing a joint committee on rules for the government of intercourse between the two houses,"

Was read,

And, on his further motion,

Was

Concurred in.

Whereupon

Messrs. Robinson, Stayton and McNeal were appointed said committee on the part of the House.

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

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

"An act to renew and continue in force an act to incorporate 'The Saint Michael's Beneficial Society, of the City of Wilmington, Delaware,' passed at Dover, January 22, 1861."

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

SAME DAY—3 o'clock, P. M.

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

“An act for the purchase by the State of School Books for the benefit of the Poor Children of the State.”

Mr. Register offered a resolution,

Which,

On his motion, was read, as follows :

Resolved, That the Clerk be authorized to furnish five copies of each of the daily papers published in this State, for the use of the House.

And, on his further motion,

The resolution was

Adopted.

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

JOINT RULES.

RULE 1. In every case of an amendment to a bill, or any other matter agreed to in one house and dissented to in the other, if either house shall request a conference, and appoint a committee for that purpose, 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, first by the Speaker of the house in which it originated.

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

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

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

(Signed)

S. B. COOPER,
J. W. COOCH,

Joint Committee on part of the Senate.

P. ROBINSON,
J. G. McNEAL,
A. J. STAYTON,

Joint Committee on part of the House.

On motion of Mr. Robinson,

The report of the committee was adopted.

Mr. Pilling moved

That the Joint Rules be published in connection with the Rules of the House,

Which motion

Prevailed.

Mr. Tomlinson offered a resolution,

Which,

On his motion, was read, as follows :

Resolved, That the following be an additional rule for the government of the House:

RULE 26. Upon the presentation or offering of a resolution, the consideration thereof shall be postponed until the following day upon objection of any member.

Mr. Tomlinson moved

That the resolution be adopted.

Mr. Bradford moved

That the resolution be laid upon the table,

Which motion

Prevailed.

On motion of Mr. McNeal,

The Senate joint resolution entitled,

“ Joint resolution appointing a joint committee to examine the State Library and consider suggestions of Librarian,”

Was read,

And, on his further motion,

Was

Concurred in.

Whereupon

Messrs. McNeal, Graham and Swayne were appointed said committee on the part of the House.

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

On motion of Mr. Stayton,

The Senate joint resolution entitled,

“ Joint resolution appointing joint committee to examine accounts of State Treasurer,”

Was read,

And, on his further motion,

Was

Concurred in.

Whereupon

Messrs. Stayton, Register and Eliason were appointed said committee on the part of the House.

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

On motion of Mr. Tomlinson,

The Senate joint resolution entitled,

“Joint resolution appointing a joint committee in relation to arrears of National Banks,”

Was read,

And, on his further motion,

Was

Concurred in.

Whereupon

Messrs. Tomlinson, Bradford and Van Burkalow were appointed said committee on the part of the House.

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

On motion of Mr. Cahall,

The Senate joint resolution entitled,

“Joint resolution in relation to the State Banks,”

Was read,

And, on his further motion,

Was

Concurred in.

Messrs. Cahall, Jones and Townsend were appointed a committee on the part of the House in pursuance of said joint resolution.

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

Mr. Robinson presented the petition of Harbeson Hickman and others, praying the passage of an act prohibiting live stock from running at large in School District No. 89, Sussex county.

Which,

On motion of Mr. Robinson,

Was read.

Mr. T. N. Williams offered a resolution,

Which,

On his motion, was read, as follows :

Resolved, That the Clerk have 2,000 copies of the Report of the State Superintendent of Public Schools printed for the use of the House.

And, on his further motion,

The resolution was

Adopted.

Mr. Robinson moved

That the Report of the State Treasurer be read,

Which motion

Prevailed,

And the report was read, as follows :

REPORT.

TREASURER'S OFFICE, STATE OF DELAWARE,

DOVER, December 15, 1880.

His Excellency, John W. Hall, Governor of Delaware :

DEAR SIR : In obedience to the laws of the State, I have the honor herewith to submit, to your excellency, a Biennial Report of the transactions of this department, for the years ending respectively in January, 1880, and in January, 1881, with a more detailed account of my receipts and disbursements since my settlement with the Legislative Committee in January last, together with a statement of our liabilities and a summary of our assets, and also a statement showing the number of bonds that have been redeemed and cancelled during my administration, as authorized by an act of the General Assembly, passed at Dover, February 22, 1877.

At the beginning of my official duties in this department, in January, 1879, the State debt amounted to the sum of nine hundred and seventy-five thousand dollars (\$975,000.00), as follows :

Remainder of Bonds issued to pay bounties and for volunteers	\$547,000.00
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<i>Amount carried forward</i>	\$547,000.00
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<i>Amount brought forward</i>	\$547,000.00
Remainder of Bonds loaned to the Junction and Breakwater Railroad and secured by first mortgage on said road and its equipments.....	230,000.00
Bonds loaned to the Breakwater and Frankford Railroad, which are also secured by first mortgage on said road and its equipments.....	176,000.00
Balance in hand, which was received from the New Castle and Wilmington Railroad and held by State, belonging to School Fund.....	23,000.00
Total amount of State Debt, January, 1879.....	<u>\$975,000.00</u>

It will be remembered that the State originally invested in the Delaware and Chesapeake Canal twenty-five thousand dollars for the benefit of Free Schools, which investment, however, was afterwards transferred to the New Castle and Wilmington Railroad, and which, more recently still, becoming due, was paid into the State Treasury, which explains why the State holds twenty-two thousand dollars belonging to the School Fund. The remaining three thousand of the twenty-five thousand dollars above alluded to, were, by authority, invested in Delaware State Bonds, and which are also held by the State Treasurer for the benefit of Free Schools.

During my two years in this department I have, after meeting promptly the semi-annual interest on our indebtedness, and all other claims against the State, been able to redeem and cancel bonds to the amount of one hundred and six thousand dollars (106,000), as follows:

Bonds redeemed and cancelled January 1, 1880,.....	\$35,000.00
Bonds redeemed and cancelled July 1, 1880,.....	30,000.00
Call for Bonds made for January 1, 1881,.....	41,000.00
Total amount of Bonds redeemed.....	<u>\$106,000.00</u>
Total State Debt January, 1879,.....	<u>975,000.00</u>
Total amount of State Debt January, 1881,.....	<u><u>\$869,000.00</u></u>

It will be observed that I give myself credit for having redeemed a less number of bonds than I have called, which seeming discrepancy grows out of the fact that when we first began to redeem bonds, the then Treasurer bought them in the market, of corporations, or of individuals, as best he could, promiscuously, without regard to their

numerical order. Consequently, in now calling for bonds under the plan which provides for calling them in their order as to number, we come in contact with these promiscuous numbers. For instance, within my present call for forty-five one thousand dollar bonds there are four already redeemed, cancelled and pasted, as is provided for by an act of the General Assembly. I mention this merely to avoid confusion.

As an offset against our present indebtedness, the State has semi-annual interest bearing investments for the General Fund, as follows:

Mortgage on Junction and Breakwater Railroad.....	\$400,000.00
Mortgage on Breakwater and Frankford Railroad....	200,000.00
1275 shares Farmers' Bank Stock, at \$50.....	63,750.00
20 shares National Bank Delaware, at \$465.....	9,300.00

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

5,000 shares Farmers' Bank Stock, at \$36.....	180,000.00
Loan to Philadelphia, Wilmington and Baltimore Railroad Company.	85,000.00
Loan to Sussex County.....	5,000.00
2,439 shares Farmers' Bank Stock, at \$50.....	121,950.00
114 shares Smyrna Bank, at \$50.....	5,700.00
37 shares National Bank Delaware, at \$465.....	17,205.00
254 shares Union National Bank, at \$36.....	9,144.00
Invested in Delaware State Bonds.....	3,000.00
Balance in hand, which was received from New Castle and Wilmington Railroad.....	22,000.00

Total investments, January, 1881.....	\$1,122,049.00
Total debt, January, 1881.....	869,000.00

Assets in excess of indebtedness.....	\$253,049.00
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Thus it will be seen that our assets are greater than our indebtedness, and that if our total debt was deducted from our total assets it would leave our assets in excess of our debt two hundred and fifty-three thousand and forty-nine dollars (\$253,049.00), with prospective receipts due January 1, 1881, as follows:

Interest on Breakwater and Frankford Railroad.....	\$38,886.66
Interest on Junction and Breakwater Railroad.....	12,000.00

<i>Amount carried forward.....</i>	<i>\$50,886.66</i>
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<i>Amount brought forward</i>	\$50,886.66
Interest on investments for the benefit of the General Fund	2,019.15
Interest on investments for the benefit of School Fund	13,469.97
Tax on Bank Shares	3,326.31
Tax on Net Earnings of Railroads and Capitation....	8,000.00
Total amount of prospective receipts, Jan. 1, 1881...	\$77,702.09

All the Railroad Companies have been prompt in the payment of their dues, with the exception of the Breakwater and Frankford, which company, however, has promptly complied with the requirements of a joint resolution adopted at the last session of the General Assembly; but I regret to inform your excellency that four National Banks have refused to pay their State Tax on Shares. I regret it, not on account of the small amount withheld from the State, but that such corporations can rest contented and refuse to help support the power that protects them; for it should be remembered that our courts are alike open to all persons, whether natural or artificial, for the vindication of their rights. The four banks, above referred to, are the National Bank of Wilmington, the National Bank of Delaware, the Union National Bank of Wilmington, and the National Bank of Wilmington and Brandywine. These banks, in the month of July last, informed me of their refusal to pay their State Tax on Shares, and at the same time expressed a willingness to confer with my attorney in the matter. Whereupon I at once forwarded to the Attorney General, with his permission, said refusals, and asked him to instruct me in the matter at his earliest convenience, which instruction, however, I did not receive until the 12th inst., and not being prepared in the meantime to admit or deny the justice of the ground upon which such refusal is based, I did not proceed against these banks as the law directs. The reason assigned for refusing to pay the taxes assessed on said banks is, that the law that imposes them is in conflict with a United States statute. In view of the fact that the Legislature has always manifested a willingness to listen to the alleged grievances of the most humble citizen and provide ample redress for the same, I thought these banks should have borne their burden until the meeting of that honorable body. The opinion of the Attorney General in relation to the matter is herewith submitted, in which a doubt as to the tenability of the position of such banks is expressed. Therefore, as the session of the General Assembly is so close at hand, I deem it my duty to lay the whole matter before that honorable body for instruction.

The receipts of this department since January 22, 1885, the date of my settlement with the Legislative Committee, under the various acts to raise revenue, and from all other sources, belonging to the General Fund, have amounted to the sum of one hundred and twenty-two thousand and nineteen dollars and fifty-seven cents (\$122,019.57), as follows:

From the Clerk of the Peace, New Castle County, for licenses issued, (less amount belonging to the School Fund,)	\$36,331.17
From the Clerk of the Peace, Kent County, for licenses issued, (less School Fund,)	8,069.59
From the Clerk of the Peace for Sussex County, for licenses issued, (less School Fund,)	6,148.61
From County Treasurer, New Castle County	248.00
“ “ “ Kent County	299.88
“ “ “ Sussex County	9,128.34
From tax on Net Earnings of Railroads	20,250.00
From tax on Passengers on Railroads	13,647.61
Dividends from Banks	3,027.00
Tax on Bank Shares	2,638.07
Fines and Forfeitures, (other than School Fund,)	1,112.00
Interest on Mortgage, from Junction and Breakwater Railroad	12,000.00
Interest on Mortgage, from Breakwater and Frankford Railroad	6,000.00
Tax from Fire Insurance Companies (other than School Fund)	300.00
Copies of Revised Code, and 14th Volume Delaware Laws, sold by Prothonotary of New Castle County ..	214.70
Process Tax, from Registers and Recordors	1,665.85
Secretary of State, for Fees, (other than for School Fund)	938.75
Total amount of receipts	<u>\$122,019.57</u>

There has been disbursed from the General Fund, since January 22, 1885, the date of my settlement with the Legislative Committee, to pay interest on the public debt, to redeem bonds, and to pay the necessary expenses of the State government, the sum of eighty-two thousand seven hundred and sixty-nine dollars and sixty-two cents (\$82,769.62), as follows:

Executive	\$ 2,000.00
Judiciary.....	10,275.00
Salaries of other State officers.....	5,687.50
Replenishing Library.....	150.00
Bonds redeemed.....	30,000.00
Interest on State debt.....	27,540.00
Allowances by Legislature and its Committee.....	1,886.52
Printing.....	177.09
Commissions to Attorney General.....	160.00
Advertising calls for bonds.....	141.21
Interest on \$25,000 held by the State for the benefit of Free Schools.....	1,500.00
Interest on Delaware Agricultural College Fund.....	2,490.00
Board of Health.....	62.30
Encouragement of Sugar Beet Culture.....	200.00
100 copies Houston's Report of Criminal Cases.....	500.00
Total amount of disbursements.....	<u>\$82,769.62</u>

The amount received for the benefit of Free Schools, up to August last, or at the time of the distribution, was thirty-one thousand seven hundred and thirty-six dollars and forty-four cents (\$31,736.44), and was distributed to the different counties, as follows:

To New Castle County.....	\$11,663.22
Kent County.....	9,083.34
Sussex County.....	10,989.88
	<u>\$31,736.44</u>

The foregoing sums were subdivided as follows:

The districts of Wilmington received, each.....	\$131.29
The other districts of New Castle County received, each.....	98.51
The districts in Kent County received, each.....	73.25
The districts in Sussex County received, each.....	57.32

From the amount which each county was entitled to receive, there was appropriated to the different institutions for the education of the blind, deaf and dumb, and feeble-minded, the sum of one thousand eight hundred and nineteen dollars and ten cents (\$1,819.10), as follows:

From the amount belonging to New Castle County, for the education of eight pupils.....	\$1,549.10
From the amount belonging to Sussex County, for the education of one pupil.....	270.00
Total amount to different Asylums.....	<u>\$1,819.10</u>
There are in the City of Wilmington 11 districts, each received \$131.29.....	\$ 1,444.19
There are in New Castle County 88 other districts, each received \$98.51.....	8,668.88
There are in Kent County 124 districts, each received \$73.25.....	9,083.00
There are in Sussex County 187 districts, each received \$57.32.....	10,718.84
Not distributed in New Castle County.....	1.05
“ “ “ Kent County.....	34
“ “ “ Sussex County.....	1.04
Paid to different Asylums.....	<u>1,819.10</u>
Total amount for distribution in August last.....	<u>\$31,736.44</u>

In view of the rapid increase of scholars in our Public Schools, and of the advantage taken of the law permitting the formation of new districts, and the consequent diminution of the dividend to each school, I would suggest that some plan be devised by which to check the further sub-division of our districts, or some means adopted by which to more effectually meet this growing difficulty, for, in a few years more, if this sub-division is continued, our present School Fund will be rendered inadequate for the purpose intended.

I take pleasure in calling attention to the decrease in the number of feeble-minded, blind, and deaf and dumb pupils this department is called upon to provide for in the different asylums. Two years ago my predecessor reported thirteen of these unfortunates, at an annual expense to the State of \$2,971.25, while at present I have but nine to report, at an annual expense of \$1,819.10.

The amount received since the distribution in August last, for the benefit of Free Schools is \$884.35, and a portion of the same has been disbursed as follows.

To the Pennsylvania Training School for Feeble-minded Children, for board, tuition, &c.....	\$405.00
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Under the act known as the Oyster Law, there has been received, during my two years in this department, after deducting therefrom all requisite expenses, five thousand and seventy-six dollars and ninety-five cents (\$5,076.95), and which has been invested as is directed by an act of the General Assembly.

For a more detailed statement of the transactions of this department, reference can be had to the Auditor's Report, in which can be found an itemized account of my receipts and disbursements for the past two years respectively.

In conclusion, I am, with due respect,

Very obediently, yours,

ROBERT J. REYNOLDS,

State Treasurer.

Mr. Eliason moved

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

Which motion

Prevailed.

Mr. Pilling moved

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

Which motion

Prevailed.

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

THURSDAY, January 6, 1881—9 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called.

Journal read and approved.

Mr. Van Burkalow offered a joint resolution adjourning both houses until Monday, the 10th inst.,

Which,

On his motion, was read,

And, on his further motion,

Was

Adopted.

Ordered to the Senate for concurrence.

Mr. Register offered a joint resolution in relation to adjournment *sine die*,

Which,

On his motion, was read,

And, on his further motion,

Was

Adopted.

Ordered to the Senate for concurrence.

Mr. Downing, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in the following House joint resolution, to wit:

“Joint resolution adjourning both houses until Monday, the 10th inst.”

And returned the same to the House.

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

MONDAY, January 10, 1881—3 o'clock, P. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called.

Journal read and approved.

On motion of Mr. Robinson,

The Report of the Breakwater and Frankford Railroad Company was read, as follows :

AUDITOR'S OFFICE, LEWES, DELAWARE,
January 28th, 1880.

To his Excellency, John W. Hall,

Governor of the State of Delaware :

SIR : In accordance with a resolution of the General Assembly of the State of Delaware, adopted at Dover, February 29th, 1879, the Breakwater and Frankford Railroad Company most respectfully transmit a statement of their Earnings and Expenses for the last fiscal year, ending December 31st, 1879.

The Earnings for the year have been, in gross, derived as follows :

From Freights.....	\$14,577.96
From Passengers.....	3,800.27
From Express.....	240.00
From Mails.....	823.69
	<hr/>
	\$19,441.92

The Expenses for the same time have been, in gross, detailed as follows :

Freight Transportation.....	\$1,324.71
Passenger ".....	628.29
Maintenance of Way.....	2,124.08
General (including Officers' salaries).....	3,600.13
	<hr/>
<i>Amount carried forward.....</i>	<i>\$7,677.21</i>

<i>Amount brought forward</i>	\$7,677.21
Trackage.....	8,776.00
Interest, (including amount paid the State).....	3,031.64
Construction.....	191.41
Loss and Damage.....	7.29
	<hr/>
	\$19,683.55

After deducting from the gross expenses :

Amount paid J. L. Mapes, Superintendent, for salary, due prior to January 1st, 1879.....	\$1,041.56
Interest paid the State.....	3,000.00
Construction.....	191.41
	<hr/>
	\$4,232.97
The remainder.....	<hr/>
	\$15,450.58

Shows the net working expenses, which, subtracted from the gross earnings (\$19,441.92) shows a balance for net earnings of \$3,991.34, after the necessary expenses have been deducted.

Appended you will find a supplemental tabular statement, of which the above is a summary, signed by the Auditor of the Company, which shows the monthly earnings and expenses, and I do hereby certify that the statements in the within report and supplement are true to the best of my knowledge and belief.

H. S. MARSHALL,

Auditor B. & F. R. R. Co.

Mr. Swayne offered a resolution,

Which,

On his motion, was read, as follows :

Resolved, That the Clerk be instructed to procure a Dictionary for the use of the House.

And, on his further motion,

The resolution was

Adopted.

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

Committee on Enrollment :

Messrs. Tomlinson,
 Stayton,
 Cahall,
 A. C. Williams,
 Townsend,
 Bradford.

Committee on Claims :

Messrs. Jones,
 Moore,
 Pilling.

Committee on Accounts :

Messrs. Register,
 Jones,
 Townsend.

Committee on Elections :

Messrs. Graham,
 Tomlinson,
 Woodkeeper.

Committee on Corporations :

Messrs. Robinson,
 Matthews,
 Bradford,
 Register,
 Pilling.

Committee on Education :

Messrs. T. N. Williams,
 Robinson,
 Cahall,
 A. C. Williams,
 Swayne,
 Eliason.

Committee on Ways and Means :

Messrs. Van Burkalow,
 Register,
 Matthews,
 Jones,
 Pilling.

Committee on Roads and Highways :

Messrs. Eliason,
Graham,
Matthews.

Committee on Vacant Lands :

Messrs. Swayne,
Moore,
McNeal.

Committee on Divorces :

Messrs. McNeal,
Robinson,
Eastburn.

Committee on Federal Relations :

Messrs. Cahall,
Van Burkalow,
T. N. Williams,
Tomlinson,
Eastburn.

Committee on Revised Statutes :

Messrs. Bradford,
Townsend,
Van Burkalow,
T. N. Williams,
Stayton.

Committee on Printing :

Messrs. A. C. Williams,
McNeal,
Woodkeeper.

Mr. Tomlinson moved

That the resolution amending the Rules governing the House be taken up for consideration,

Which motion

Prevailed,

And, on his further motion,

The resolution was read, as follows :

Resolved, That the following be an additional rule for the government of the House:

RULE 26. Upon the presentation or offering of a resolution, the consideration thereof shall be postponed until the following day upon objection of any member.

And further, on his motion,

The resolution was

Adopted.

Mr. Swayne offered a resolution,

Which,

On his motion, was read, as follows:

Resolved, That Rule No. 5 of the Rules for the Government of the House, be amended by adding thereto the following: "A committee of five on Crime, Vice and Immorality."

Upon objection of Mr. Tomlinson, the consideration of the resolution was postponed in accordance with House Rule No 26.

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

"An act to reincorporate the members of the Fame Hose Company, of the City of Wilmington ;"

"An act to incorporate St. Paul's Beneficial Society, of Wilmington, Delaware ;"

"An act to further amend Chapter 73 of the Revised Statutes, entitled 'Of the City of Wilmington ;' "

"An act to further amend an act entitled 'An act to amend the Charter of the City of Wilmington ;' "

"An act in regard to municipal liens in the City of Wilmington ;"

"An act in relation to railway tracks in the City of Wilmington," and

"An act to authorize the City Council of the City of Wilmington to sell and convey the City Hospital property."

Mr. T. N. Williams offered a resolution,

Which,

On his motion, was read, as follows:

Resolved, That one hundred and fifty copies of the Report of the State Superintendent of Public Schools, in addition to the number already ordered printed, be printed for the use of said Superintendent, and that he be authorized to act in conjunction with the Committee on Printing in this particular, and that they have them bound according to taste.

And, on his further motion,

The resolution was

Adopted.

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

“An act to incorporate the Laurel Union Company.”

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

On motion of Mr. Robinson,

Obtained leave to introduce a bill entitled,

“An act to provide for the enrollment of the militia, for the organization of the volunteer militia, and for the public defense,”

Which,

On motion of Mr. Bradford,

Was read.

Mr. Robinson moved

That so much of the Governor's message as refers to Roads and Highways be referred to the Committee on Roads and Highways,

Which motion

Prevailed.

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

“An act to repeal so much of Section 5, Chapter 46, of the Laws of the State of Delaware, for 1879, as applies to the payment of a tax of two dollars to the County Treasurer by each school teacher of the State.”

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

“An act to extend the time for the Recording of Private Acts.”

Mr. Tomlinson moved

That so much of the Governor's message as refers to Education be referred to the Committee on Education,

Which motion

Prevailed.

On motion of Mr. Van Burkalow,

Rule 7 of the Rules governing the House was, by a unanimous vote, suspended.

Whereupon

Mr. Matthews asked, and,

On motion of Mr. Robinson,

Obtained leave to introduce a bill entitled,

"An act to extend the time of Recording Deeds,"

Which,

On motion of Mr. Matthews,

Was read.

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

"An act for the relief of Robert D. Hoffecker and John S. Hoffecker," and

"An act to incorporate the Ancient Order of Hibernians, (Division No. 3,) of the City of New Castle, Delaware."

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

On motion of Mr. Robinson,

Obtained leave to introduce a bill entitled,

"An act to incorporate the German Library Association, of the City of Wilmington,"

Which,

On motion of Mr. Bradford,

Was read.

Mr. Robinson moved

That so much of the Governor's message as refers to Elections be referred to the Committee on Elections,

Which motion

Prevailed.

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

TUESDAY, January 11, 1881—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called.

Journal read and approved.

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

On motion of Mr. Pilling,

Obtained leave to introduce a bill entitled,

“An act to further amend Chapter 73 of the Revised Code, entitled Of the City of Wilmington,”

Which,

On motion of Mr. Bradford,

Was read.

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

On motion of Mr. Robinson,

Obtained leave to introduce a bill entitled,

“An act to authorize the City Council of the City of Wilmington to sell and convey the City Hospital property,”

Which,

On motion of Mr. Bradford,
Was read.

Mr. Bradford, in pursuance of previous notice, asked, and,
On motion of Mr. Eliason,
Obtained leave to introduce a bill entitled,
“An act to further amend an act entitled, ‘An act to amend the
Charter of the City of Wilmington,’ ”

Which,

On motion of Mr. Bradford,
Was read.

Mr. Bradford, in pursuance of previous notice, asked, and,
On motion of Mr. Robinson,
Obtained leave to introduce a bill entitled,
“An act in regard to municipal liens in the City of Wilmington,”

Which,

On motion of Mr. Bradford,
Was read.

Mr. Bradford, in pursuance of previous notice, asked, and,
On motion of Mr. Robinson,
Obtained leave to introduce a bill entitled,
“An act in relation to railway tracks in the City of Wilmington,”

Which,

On motion of Mr. Bradford,
Was read.

Mr. Bradford, in pursuance of previous notice, asked, and,
On motion of Mr. Robinson,
Obtained leave to introduce a bill entitled,

“An act to incorporate the Ancient Order of Hibernians, (No. 3
Division) New Castle, Delaware,”

Which,
On motion of Mr. Bradford,
Was read.

Mr. Bradford presented the petition of Robert D. Hoffecker and John S. Hoffecker, praying for the passage of an act validating a defective acknowledgment,

Which,
On his motion, was read.

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

“An act further amending Chapter 75 of the Revised Code of 1852, entitled ‘Of Divorces.’”

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

On motion of Mr. Jones,
Obtained leave to introduce a bill entitled,

“An act for the relief of Robert D. Hoffecker and John S. Hoffecker,”

Which,
On motion of Mr. Bradford,
Was read.

Mr. T. N. Williams presented the petition of J. E. Adams, Elijah Hearn and others, praying the passage of an act incorporating the Laurel Union Company,

Which,
On his motion, was read.

Mr. T. N. Williams, in pursuance of previous notice, asked, and,
On motion of Mr. Robinson,

Obtained leave to introduce a bill entitled,

“An act to incorporate the Laurel Union Company,”

Which,

On motion of Mr. T. N. Williams,
Was read.

Mr. Van Burkalow offered a joint resolution,
Which,

On his motion, was read, as follows :

“Joint resolution for the Printing of Bills of a public character.”

Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That all bills of a public character that may be presented in either house, after the first reading thereof in the house where the same shall have originated, shall then be printed in sufficient numbers and so distributed that each member of both houses shall be furnished with a copy thereof as soon as practicable after said first reading.

Mr. Tomlinson objected to the immediate consideration of the resolution.

Mr. Van Burkalow moved,

That Rule No. 25 of the Rules for the government of the House be suspended,

Which motion was

Lost.

Whereupon

The consideration of the resolution was postponed in accordance with Rule 25 of the Rules of the House.

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

On motion of Mr. Jones,

Obtained leave to introduce a bill entitled,

“An act to incorporate St. Paul’s Beneficial Society, of Wilmington, Delaware,”

Which,

On motion of Mr. Bradford,

Was read.

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

On motion of Mr. Jones,

Obtained leave to introduce a bill entitled,

“An act to incorporate the members of the Fame Hose Company, of the City of Wilmington,”

Which,

On motion of Mr. Bradford,

Was read.

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

“Joint resolution appointing a joint committee to settle with C. S. Pennewill for alterations and improvements in Capitol Building,”

And presented the same to the House.

On motion of Mr. Robinson,

The joint resolution was read,

And, on his further motion,

Was

Concurred in.

Whereupon

Messrs. Register, McNeal and Pilling were appointed said committee on the part of the House.

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

On motion of Mr. Matthews,

The bill entitled,

“An act to extend the time of Recording Deeds,”

Was read a second time by its title,

And, on motion of Mr. Pilling,

Was referred to the Committee on Revised Statutes.

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

On motion of Mr. Robinson,

Obtained leave to introduce a bill entitled,

“An act to extend the time for the Recording of Private Acts,”

Which,

On motion of Mr. Jones,

Was read.

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

On motion of Mr. Jones,

Obtained leave to introduce a bill entitled,

“An act to amend Chapter 21 of Volume 14 of the Laws of Delaware, entitled ‘An act to amend Chapter 390 of Volume 13 of the Laws of Delaware,’ ”

Which,

On motion of Mr. Bradford,

Was read.

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

On motion of Mr. Jones,

Obtained leave to introduce a bill entitled,

“An act to amend Section 46 of Chapter 89 of the Revised Code of 1852, as amended and published in 1874,”

Which,

On motion of Mr. Bradford,

Was read.

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

On motion of Mr. Townsend,

Obtained leave to introduce a bill entitled,

“An act to amend Section 17 of Chapter 90 of the Revised Code of 1852, as amended and published in 1874,”

Which,

On motion of Mr. Bradford,

Was read.

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

On motion of Mr. Eliason,

Obtained leave to introduce a bill entitled,

“An act to amend Section 29 of Chapter 89 of the Revised Code of 1852, as amended and published in 1874,”

Which,

On motion of Mr. Bradford,

Was read.

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

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

On motion of Mr. Pilling,

The resolution on Divorces was taken up for consideration,

And, on his further motion,

Was read, as follows :

Resolved, That no petition for Divorce shall be favorably acted upon by this House for any cause cognizable by the Superior Court under the provisions of Chapter 75 of the Revised Code of 1852, as amended and published in 1874.

Mr. Pilling then moved

That the further consideration of the resolution be postponed until 3 o'clock on Tuesday next,

Which motion

Prevailed.

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

"Joint resolution in relation to adjournment *sine die*,"

And returned the same to the House.

He also presented, for the consideration of the House, the Report of the Adjutant General of the State.

On motion of Mr. Tomlinson,

The report was read, as follows :

ADJUTANT GENERAL'S OFFICE,
WILMINGTON, DEL., Dec. 31, 1880.

*To his Excellency, John W. Hall,
Governor and Commander-in-Chief :*

SIR : I have the honor to submit the following report for the two years from January 1st, 1879, to the present time :

Upon entering upon the duties of this office, two years ago, I was struck with the absence of any regular and systematic arrangement of the records thereof, and with the total absence of any records of many matters which the credit of the State and the interests of numbers of her citizens required to be preserved. I was also seriously impressed with the inadequacy and incompleteness of our laws in relation to the organization and government of the State Militia.

In a very brief report, very hastily prepared, immediately upon my accession to this office, and before I had time to thoroughly acquaint myself with its affairs, I called the attention of his Excellency, John P. Cochran, then Governor, and of the General Assembly, to the facts, and strongly urged the adoption of a proper and comprehensive Militia Law, which should provide for the organization and government of the Militia on a basis which would make it efficient and creditable to the State, and would, at the same time, secure the systematic arrangement and the preservation of the Military Records of the State. During the sessions of the General Assembly two years ago, I personally urged this matter upon the members thereof, but failed to secure any action except the appropriation of the sum of three hundred dollars, to be expended by me, for the incidental expenses of the office, and in having the records then in the office properly arranged and placed in convenient form for preservation. I herewith present an account of the expenditure of the money so appropriated.

J. Parke Postles, Adjutant General, in account with the State of Delaware.

DEBTOR.

			DOLLS.	CTS.
1879.				
April	9.	To cash received from State Treasurer, as per appropriation by General Assembly.....	300.00	

CREDITOR.

			DOLLS.	CTS.
1879.				
Feb.	12.	By cash paid C. F. Thomas & Co., stationery, &c., (as per Voucher No. 1).....	4.15	
March	31.	By cash paid C. F. Thomas & Co., blank books, &c., (as per Voucher No. 2).....	39.39	
April	5.	By cash paid National Militia Association, (as per Voucher No. 3).....	10.00	
May	24.	By cash paid American Rifles, for storage and care of State Arms, &c., stored in their Armory by my predecessors, for want of any place of storage for same, (per Voucher No. 4).....	75.00	
July	14.	By cash paid H. R. Robinson, clerical work, (as per Voucher No. 5).....	110.01	
1880.				
March	20.	By cash paid Railroad Company, transportation of arms, (as per Voucher No. 6).....	3.74	
May	14.	By cash paid C. F. Thomas & Co., stationery, (as per Voucher No. 7).....	32.00	
	10.	By cash paid Railroad Company, transporting ordnance stores, (as per Vouchers Nos. 8 and 9).....	2.58	
Dec.	22.	By cash paid for postage stamps for use of office	9.00	
			\$285.87	
		By balance on hand.....	14.13	
			<u>\$300.00</u>	

The first work undertaken, in pursuance of this action of the General Assembly, was the compilation of a complete record of each Company, Troop, Battery of Artillery, Battalion or Regiment, which

entered the service of the United States from the State of Delaware during the late war, deeming this not only a matter of importance to the credit and the history of the State, but also a matter of great interest to those citizens of the State who thus entered the service of the United States, this office being in almost daily receipt of letters from such persons, or from their widows or children, asking for a copy of their military history, as shown by the records, to be used as a basis for their claims against the United States for pensions, and for other purposes.

In this work I was at once met with the very serious difficulty that, as regards some of those organizations, the records of this office were very incomplete, while in the case of a number of such organizations there were *no records at all* to be found.

I at once entered into correspondence with the Adjutant General, U. S. A., asking that the State be furnished with copies from the records in his office in the case of those organizations of which we had but partial records, or none at all. These he declined to furnish on the ground of insufficiency of clerical force, who could be spared from their regular duties to make the copies required.

I was, therefore, only able to make a complete record of the First Regiment Infantry (3 years); a nearly complete record of the Second Infantry Regiment; complete records of the Third and Fourth Infantry Regiments; a partial record of the First Cavalry Regiment, and a complete record of Nields' Battery Light Artillery. Of all the other organizations from this State in the service of the United States during the late war the State is without any records.

I deem this a matter of importance for the future History of the State, as well as of interest to her citizens who were members of such organizations, or their posterity; but I know of no way in which these records can now be obtained, unless the consent of the national authorities can be obtained to have copies made by competent persons at the expense of the State. I have not asked such consent on account of the absence of any funds at my disposal from which the expense could be met. I would earnestly recommend that an effort be made to obtain these records in this way, and that a fund be provided to meet the expense thereof, which ought not, in my judgment, to exceed from three to five hundred dollars.

THE ORGANIZED MILITIA.

The Militia of the State, organized and equipped, consists, at present, of a Regimental organization, comprising four companies of

Infantry, and one company now being organized at Wyoming, Kent county. Of the equipped companies, two, Company "A" and Company "C," of Wilmington, were the only ones organized when I came into office. As will be seen by the tabulated return, herewith submitted, they have increased very materially in numbers in the past two years, and are now in very good condition, being armed with improved arms, mostly uniformed, (at their own expense,) and are composed of young men who are imbued with the true military spirit, and are earnestly striving to bring their organizations up to a standard of drill and discipline, which would make them thoroughly efficient should their services ever be required by the State, and which shall make them at all times a credit to the State and to themselves.

In the months of February and March, of this year, authority was granted to G. W. Marshall, of Milford, and to R. R. Kenney and Percy Fowler, of Dover, to organize three additional companies. The three companies were organized, Company "B," at Milford, commanded by Capt. G. W. Marshall; Company "D," commanded by Capt. R. R. Kenney, and Company "E," commanded by Capt. Percy Fowler, at Dover, and were duly armed and equipped. The newly organized companies were constituted a battalion, and the commissioned officers of the several companies ordered to meet at Dover, on March 19th, to elect officers therefor, by the following order:

ADJUTANT GENERAL'S OFFICE,
WILMINGTON, DEL., March 16th, 1880.

GENERAL ORDERS, No. 4.

I. Company "B," of Milford, Captain George W. Marshall, commanding; Company "D," of Dover, Captain R. R. Kenney, commanding, and Company "E," of Dover, Captain Percy Fowler, commanding, are hereby organized as a Battalion, and will constitute the Second Battalion of the First Regiment, Delaware Volunteer Militia.

II. The commissioned officers of Companies "A," "B," "C," "D" and "E," will meet at Dover, Friday evening, 19th instant, and elect Battalion Officers. Such officers as cannot attend will send proxies.

By order of the Governor:

J. PARKE POSTLES,
Adjutant General.

At that meeting, at which I was present, it was deemed to be for the interest of the Militia that a Regimental organization should be perfected, and Regimental officers elected, which was accordingly done, and the officers so elected, having been duly commissioned, were formally announced in the following order :

ADJUTANT GENERAL'S OFFICE,
WILMINGTON, DEL., March 28th, 1880.

GENERAL ORDERS, No. 5.

The following officers for the First Regiment, Delaware Volunteer Militia, having been duly appointed and commissioned, the appointments are hereby announced. They will be obeyed and respected accordingly :

Colonel—Samuel A. Macallister ; promoted from Major.

Lieutenant-Colonel—Samuel M. Wood ; promoted from Captain of Company "A."

Major—Arthur R. Boyle, of Dover.

Surgeon, rank of Major—George Wm. Marshall ; promoted from Captain Company "B."

Assistant Surgeon, rank of First Lieutenant—Edward R. Young, of Dover.

Adjutant, rank of First Lieutenant—Garrett J. Hart ; promoted from First Sergeant Company "C."

Quartermaster, rank of First Lieutenant—Theodore Townsend, of Milford.

By order of the Governor :

J. PARKE POSTLES,
Adjutant General.

It soon became apparent, however, that the two companies in Dover could not both be successfully maintained, and Capt. Fowler's company, "E," having fallen below the legal limit in number, it was disbanded by the following order :

ADJUTANT GENERAL'S OFFICE,
WILMINGTON, DEL., June 18th, 1880.

GENERAL ORDERS, No. 6.

I. Company "E," First Regiment, Delaware Volunteer Militia, having become reduced below the minimum number required by

law, the company is hereby disbanded, and its officers, Capt. Percy Fowler ; First Lieutenant George Pennington, and Second Lieutenant R. H. Mackey, are hereby honorably discharged.

II. Major Arthur R. Boyle will take charge of the public property recently in use by Company "E;" have the same properly packed, and turn it over to F. M. Dunn, Sheriff of Kent County, taking his receipt therefor and forwarding same to this office.

By order of the Governor :

J. PARKE POSTLES,
Adjutant General.

The four remaining companies, "A," "B," "C" and "D," have since composed the organized Militia force of the State. An effort is now being made, under authority granted by your Excellency, in your letter of 10th inst., to organize a company at Wyoming, Kent county. A sufficient number of men have been enrolled, and have elected their officers, and as soon as they shall have been commissioned, the company will be armed, &c.

The total strength of the organized Militia of the State, with the strength and condition of the several companies, is shown by the following table :

TABLE

Showing the state of the Organized Militia of the State of Delaware on the 31st day of December, 1880.

	General Officers.	Governor's Staff.	Regimental Officers. 1st Reg't, Del. Vol. M.	Company A.	Company B.	Company C.	Company D.	Total.
Major-General.....	1	.....	.....	.....	.....	.....	.....	1
Brigadier Generals.....	3	.....	.....	.....	.....	.....	.....	3
Adjutant General.....	1	.....	.....	.....	.....	.....	.....	1
County Commissaries.....	3	.....	.....	.....	.....	.....	.....	3
Governor's Aids.....	44	.....	.....	.....	.....	.....	.....	44
Colonels.....	.....	.....	1	.....	.....	.....	.....	1
Lieutenant Colonels.....	.....	.....	1	.....	.....	.....	.....	1
Majors.....	.....	.....	1	.....	.....	.....	.....	1
Surgeons.....	.....	.....	1	.....	.....	.....	.....	1
Assistant Surgeons.....	.....	.....	1	.....	.....	.....	.....	1
Adjutant.....	.....	.....	1	.....	.....	.....	.....	1
Quarter Master.....	.....	.....	1	.....	.....	.....	.....	1
Principal Musician.....	.....	.....	1	.....	.....	.....	.....	1
Captains.....	.....	.....	.....	1	1	1	1	4
First Lieutenants.....	.....	.....	.....	1	1	1	1	4
Second Lieutenants.....	.....	.....	.....	1	1	1	1	4
Sergeants.....	.....	.....	.....	5	5	5	5	20
Corporals.....	.....	.....	.....	7	8	8	7	30
Musicians.....	.....	.....	.....	.....	7	7	1	15
Privates.....	.....	.....	.....	32	26	41	27	126
Total Commissioned.....	4	48	7	3	3	3	3	71
Total Enlisted.....	.....	.....	1	44	46	61	40	192
Aggregate.....	4	48	8	47	49	64	43	263
Aggregate, last report.....	4	.....	1	38	.....	44	.....	87
Increase since last report.....	.....	.....	7	9	49	20	43	127
Number Uniformed.....	.....	.....	.....	44	.....	42	.....	86
Partially Uniformed.....	.....	.....	.....	.....	46	.....	30	76
Without Uniform.....	.....	.....	.....	3	3	22	13	41

REMARKS ON TABLE.

GENERAL OFFICERS.—These are appointed under our old law, but there are no duties for them to perform. They are purely honorary.

GOVERNOR'S STAFF.—The County Commissaries and Aids to the Governor are honorary.

COMPANY A.—A good company, in good state of drill and discipline. Well armed and equipped. A credit to the State.

COMPANY B.—Very good material, and rapidly improving in drill, &c. Partially uniformed. Armed with calibre .50 guns. A new company.

COMPANY C.—A fine company of young men in good state of drill, &c. Well armed and equipped. Full of enthusiasm, and rapidly growing in numbers, and improving in general efficiency.

COMPANY D.—A new company. Very good material and have shown good military spirit in their organization thus far. Are improving in drill, &c., and expect them to make a good company.

While I regard the present condition of our small organized Militia force as very creditable, indeed, to the members thereof, it cannot, in my judgment, ever be brought to a condition to be a *thoroughly* effective and reliable force in time of need without the adoption of a comprehensive and well-considered Militia Law, making provision for the systematic organization and government of the Militia, and for meeting the necessary expenses which must be incurred therein.

THE NECESSITY FOR A NEW MILITIA LAW.

Under our form and theory of government, not only the peace and dignity of the several States and the enforcement of their laws, is confided to the people of the States, but we depend upon them for the defence of the life of the nation itself. Our people have ever been jealous of the maintainance of a large standing army, by the General Government, deeming such a force a menace to their liberties, and have preferred to depend upon the love and loyalty of the people to come to the defence of the country in time of need. It requires no argument to show how lame a dependence this would be, when the necessity arose, if the people of the States were without military organization, training, or knowledge. The inadequacy of

our present laws to provide such organization, training and maintenance, is amply proved by past experience under it.

When I entered upon the duties of Adjutant General, two years since, I found the Militia of the State to consist of one Major General, three Brigadier Generals, one Adjutant General, three County Commissaries, a large number of Aids to the Governor, with the rank of Colonel, and two small companies of Infantry, struggling to maintain a precarious military existence. Less than one hundred men, all told.

During the past two years two new companies have been added to the force, and another is now being organized. The numerical strength, morale, discipline, and general condition of all the companies has been very much improved. The credit of this improvement is due to the interest displayed by the members of the companies, and the increased military spirit which has been stimulated by the efforts of a few individuals interested in the subject, and by considerable expenditure of private means.

I would earnestly urge the adoption of a Militia Law, which shall provide for the enrollment of all citizens subject to military duty into what shall be known as the Militia Reserve, to be called into service only in great public emergencies, and when the active Militia shall prove insufficient.

It should provide for the organization, from volunteers, of *not more* than ten companies of Infantry, one Troop of Cavalry, and one Battery of Light Artillery (in the discretion of the Governor); and that all members of said active Militia should be duly enrolled and mustered into the service of the State for a period of not less than three years, unless sooner discharged by proper authority.

It should provide a code of regulations for the government, drill and discipline of such a force, and for regular and systematic reports from same, and for regular inspections of same, to determine its condition.

It should establish a uniform dress for all troops of the State, and should appropriate a moderate sum, (say \$5) annually, to each active member of a Volunteer Militia Company, for the purpose of providing said uniforms, and should appropriate for each company, troop or battery a stipulated sum to pay rent of armory or drill room, thereby relieving the men who give their time and energies, and largely of their money, to fit themselves to serve the State in a military capacity, of the necessity of bearing the entire expense of the same.

I do not know of a single State in the whole Union, except our own, which does not make some provision, more or less liberal, for the support of its Militia. Delaware makes none. Of course it is not that she is not able, for her financial condition will compare favorably with that of any of her sisters. I do not believe she is not willing, for it is our proud boast that our little State has ever stood proudly up among her larger sisters in the performance of every public duty. I think it is rather from a lack of due consideration of the importance of the subject by our people, and especially by the members of our General Assembly. We are such a peaceful people, we can hardly realize the possibility of a necessity arising for the use of a military force in our midst. Yet our past history, and the events of the very recent past in some of our sister States, abundantly illustrate the importance of an organized and trained military force.

Let us, therefore, foster the military spirit of our young men, and while affording them a means of innocent amusement, exercise and recreation, be fitting them for the support and defence of the honor and dignity of the State, and thus preparing ourselves, that we may be able to do our full duty, in any emergency, as a member of the great family of States.

THE PUBLIC ARMS.

The State now has, in store and in the hands of its Militia, some two hundred and forty Breech-loading Springfield Rifle Muskets, calibre .50, and one hundred and twenty Breech-loading Springfield Rifle Muskets, calibre .45, with a corresponding number of accoutrements. The calibre .45 gun is the latest improvement in these arms, and is in every way a superior weapon, being the same as used by the United States Army at present.

Companies "A" and "C" are armed with the calibre .45 gun, and Companies "B" and "D" with the calibre .50 gun, and there are one hundred and twenty of the latter, with accoutrements, not issued. I would recommend that the Adjutant General be authorized to condemn the calibre .50 guns and sell them to the best advantage, and distribute the proceeds, pro rata, to the different organized companies, to aid them in procuring additional uniforms, and that all the companies be armed with the calibre .45 gun.

There is a balance of eighteen thousand four hundred and thirty dollars and sixty-six cents standing to the credit of the State from the annual appropriation by Congress for the support of the Militia in the several States. As this money can only be drawn in arms,

amunition, accoutrements, &c., and as the balance to our credit is amply sufficient to arm, with these improved arms, all the Militia we have, or are likely to have, I can see no reason why they should not be supplied with the best arms obtainable.

Trusting this may cover the points upon which your Excellency desired information, and that the recommendations herein contained will meet the approval of your Excellency and the members of the General Assembly, and may result in the adoption of such measures of legislation as may be necessary in the premises, I am, Sir,

Very respectfully, yours,

J. PARKE POSTLES,
Adjutant General.

Mr. Townsend, in pursuance of previous notice, asked, and,
On motion of Mr. Bradford,
Obtained leave to introduce a bill entitled,

“An act to repeal so much of Section 5, Chapter 46, of the Laws of the State of Delaware, for 1879, as applies to the payment of a tax of two dollars to the County Treasurer by each school teacher of the State,”

Which,

On motion of Mr. Townsend,
Was read.

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

“An act to repeal an act entitled, ‘An act in relation to the exemption from execution process of certain personal property,’ passed at Dover, March 28, 1879.”

On motion of Mr. Swayne,

The resolution amending Rule No. 5 of the Rules for the government of the House was taken up for consideration,

And, on his further motion,

The resolution was read, as follows :

Resolved, That Rule No. 5 of the Rules for the Government of the House, be amended by adding thereto the following : “A committee of five on Crime, Vice and Immorality.”

And further, on his motion,

The resolution was

Adopted.

Whereupon

Messrs. Swayne, Graham, McNeal, Eastburn and Moore were appointed said committee.

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

On motion of Mr. Robinson,

Obtained leave to introduce a bill entitled,

“An act to renew and continue in force an act to incorporate ‘The Saint Michael’s Beneficial Society, of the City of Wilmington, Delaware,’ passed at Dover, January 22, 1861,”

Which,

On motion of Mr. Bradford,

Was read.

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

On motion of Mr. Eliason,

Obtained leave to introduce a bill entitled,

“An act to renew and continue in force an act entitled, ‘An act to incorporate the Saint Mary’s Beneficial Society, of the city of Wilmington, Delaware,’ passed at Dover, January 22d, 1861,”

Which,

On motion of Mr. Bradford,

Was read.

On motion of Mr. Van Burkalow,

The resolution directing the Clerk to have printed, for the use of the House, fifty copies of the Rules of the House and Joint Rules for the government of the two houses of the General Assembly, the Standing Committees, and names of members,

Was taken up for consideration,

And, on his further motion,

Was read,

And further, on his motion,

Was

Adopted.

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

“An act supplementary to an act entitled, ‘An act for the removal of the Seat of Justice of New Castle County from the City of New Castle to the City of Wilmington,’ passed at Dover, March 18, 1879,” and

“An act to amend Chapter 8 of the Revised Statutes, entitled ‘Of the Levy Court.’”

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

“An act to amend the act entitled, ‘An act to regulate the expenditures of the County Funds by the Levy Court of New Castle county,’ passed at Dover, March 27, 1879.”

On motion of Mr. Bradford,

The bill entitled,

“An act to incorporate the German Library Association, of the City of Wilmington,”

Was read a second time by its title,

And, on his further motion,

Was referred to the Committee on Corporations.

On motion of Mr. Bradford,

The bill entitled,

“An act to provide for the enrollment of the militia, for the organization of the volunteer militia, and for the public defense,”

Was read a second time by its title,

And, on his further motion,

Was referred to the Committee on Revised Statutes.

On motion of Mr. Pilling,

So much of the Governor's message as refers to Federal Relations was referred to the Committee on Federal Relations.

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

WEDNESDAY, January 12, 1881—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called.

Journal read and approved.

Mr. Tomlinson offered a resolution,

Which,

On his motion, was read, as follows :

Resolved, That the Webster's Unabridged Dictionary purchased by the Clerk for the use of this and succeeding Houses, be committed to the custody of the Librarian when the House is not in session, and that said Librarian be held responsible for the proper care and safe keeping of the said Dictionary.

And, on his further motion,

The resolution was

Adopted.

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

"An act to incorporate the Ancient Order of Hibernians (Division No. 2), of Brandywine Banks, New Castle county, Delaware."

On motion of Mr. Townsend,

The bill entitled,

"An act to repeal so much of Section 5, Chapter 46, as applies to the payment of a tax of two dollars to the County Treasurer by each school teacher of the State,"

Was read a second time by its title,
 And, on his further motion,
 Was referred to the Committee on Education.

Mr. Pilling, in pursuance of previous notice, asked, and,
 On motion of Mr. Townsend,
 Obtained leave to introduce a bill entitled,

“An act to amend the act entitled, ‘An act to regulate the expenditures of the County Funds by the Levy Court of New Castle County,’ passed at Dover, March 27, 1879,”

Which,
 On motion of Mr. Pilling,
 Was read.

Mr. Bradford presented the petition of the monthly meeting of the religious Society of Friends, meeting on West street, in the City of Wilmington, praying for legislation in relation to the traffic in alcoholic liquors,

Which,
 On his motion, was read.

Mr. Van Burkalow, in pursuance of previous notice, asked, and,
 On motion of Mr. Eliason,
 Obtained leave to introduce a bill entitled,

“An act to further amend Chapter 75 of the Revised Code of 1852, entitled ‘Of Divorces,’ ”

Which,
 On motion of Mr. Van Burkalow,
 Was read.

On motion of Mr. Pilling,

The Rules of the House were suspended in order that the bill just introduced might be read a second time.

Whereupon
 On motion of Mr. Van Burkalow,

The bill was read a second time by its title,
And,

On motion of Mr. Robinson,
Was referred to the Committee on Revised Statutes.

On motion of Mr. Van Burkalow,
The joint resolution entitled,
“Joint resolution for the Printing of Bills of a public character,”
Was taken up for consideration,
And, on his further motion,
Was read.

Mr. Robinson offered an amendment,
Which,

On his motion, was read, as follows :

Amend joint resolution for the Printing of Bills of a public character by striking out the word “ first ” and inserting the word “ second ” in lieu thereof.

Mr. Robinson moved

That the amendmont be adopted,

Which motion was

Lost.

Mr. Townsend moved

That Rule 9 of the House Rules be suspended in order that Mr. Robinson might submit some remarks on the resolution under consideration,

Which motion was

Lost.

Mr. Tomlinson offered an amendment,

Which,

On his motion, was read, as follows :

Amend the joint resolution by inserting, after the words “ it shall then be printed,” the words “ unless objected to by a majority of the members of either house.”

And, on his further motion,

The amendment was

Adopted.

Upon the question, "Shall the joint resolution, as amended, be adopted?"

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Bradford, Eastburn, Eliason, Graham, Jones, Moore, Pilling, Register, Swayne, Tomlinson, Townsend, Van Burkalow, A. C. Williams, T. N. Williams, Woodkeeper and Mr. Speaker—16.

Nays—Messrs. Cahall, McNeal, Robinson and Stayton—4.

So the question was decided in the affirmative,

And the resolution was

Adopted.

Ordered to the Senate for concurrence.

Mr. Townsend offered a resolution,

Which,

On his motion, was read, as follows :

Resolved, That the House Committee on Printing be directed to co-operate with the Senate Committee on Printing, inviting competition in the matter of printing the public bills.

And, on his further motion,

The resolution was

Adopted.

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

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Robinson presented the petition of Nathaniel Holmes, praying for the passage of an act to divorce him from his wife, Helen W.,

Which,

On his motion, was read.

Mr. Bradford moved

That the consideration of the petition be postponed until Wednesday next, at 10 o'clock, A. M.

Mr. Robinson moved

To substitute the following: That the petition be referred to the Committee on Divorces.

Mr. T. N. Williams moved

That the whole matter be laid upon the table,

Which motion

Prevailed.

On motion of Mr. Jones,

The bill entitled,

“An act to extend the time for the Recording of Private Acts,”

Was read a second time by its title,

And, on his further motion,

Was referred to the Committee on Revised Statutes.

On motion of Mr. Bradford,

The bill entitled,

“An act to incorporate the members of the Fame Hose Company, of the City of Wilmington,”

Was read a second time by its title,

And, on his further motion,

Was referred to the Committee on Corporations.

On motion of Mr. Bradford,

The bill entitled,

“An act to incorporate St. Paul’s Beneficial Society, of Wilmington, Delaware,”

Was read a second time by its title,

And,

On motion of Mr. Pilling,

Was referred to the Committee on Corporations.

On motion of Mr. Tomlinson,

The Report of the State Board of Health was read, as follows :

REPORT.

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

The undersigned, members of the State Board of Health, appointed by the Governor agreeably to the Act of Assembly passed at the session of 1879, respectfully report that it has been their aim to carry out the purposes of the law in the following particulars :

The Board has met in Dover twice, in Milford, in New Castle, and in Wilmington, each once ; has sent a copy of the State law to every State Board in the United States, to every physician in this State whose name and residence could be ascertained ; and to all the physicians, and town and county authorities they have also sent an appeal urging the organization of local boards of health in their respective towns ;— but no such organizations have yet been made, as far as the Board has been informed. A copy of this circular is herewith submitted.

The Board has also issued *Inquiries Regarding Malaria*, the most prevalent cause of disease in our State, to physicians in every section, and the result of the inquiries is herewith submitted in a tabulated form with the general deductions therefrom.

From the want of an adequate appropriation, the Board has not felt authorized to publish any other papers than those above mentioned, or to attempt the distribution of information upon the important sanitary subjects mentioned in the law, except by an occasional article in a newspaper, which, of course, was limited to the circulation of the paper.

The Board begs leave to state, that, by some oversight, the bill providing for the registration of births, marriages, and deaths, which is

herewith submitted, failed of its passage at the last session. This was an unfortunate failure, inasmuch as the reports through this medium are of the first importance, bringing, as they should, to the knowledge of the Board, the definite condition of the health of the various portions of the State. The Board therefore respectfully ask your honorable body to enact the bill for this registration.

By an analysis of these registration reports, the Board is able to ascertain the wants of the various sections of the State, and with the assistance of physicians to prepare and circulate such information as is calculated to obviate sectional and special diseases. Without these reports, while the Board can diffuse general information, it is impossible to make such special application of that information as would, if the design were carried out, lead to the improvement of the general health, the prevention of disease, and the saving of life.

The progress of sanitary science within the past twenty years has led to great changes in the views of physicians and sanitarians regarding the cause of disease, and its prevention. We are confident that if the proper assistance and encouragement were afforded by the legislators of our country, (who only can exercise the power necessary for the proper prosecution of hygienic investigations,) and the minds of the people were disabused of the false notions which refer disease and death to the acts of Divine Providence, instead of to their own ignorance, carelessness, or prejudice, we would see less of these sad and fatal consequences than occur at present everywhere in communities. It is a slow and laborious process to lead the minds of the people to this point, and requires great patience, sacrifice, and conscientious determination on the part of those having charge of these matters. But the time is coming when the importance of these efforts will be acknowledged and their results appreciated, and under the strong conviction of this, this Board desires that your honorable body should be so interested, and should adopt such measures as will lead to some such beneficial results as have been already mentioned.

It is an old saying, and not less true than old, that "an ounce of prevention is worth a pound of cure," and it is the sole object of this Board to act upon that maxim. It has always been a beneficent purpose of the Legislature of Delaware to favor the formation of ditches in sections requiring drainage of swamps, and thus not only have large tracts of very rich and valuable land been brought under cultivation, but the health and safety of those sections have been proportionately improved. There are a number of such places yet in our State, the

names of which we need not mention ; and this Board respectfully suggests, whether your honorable body would not think it expedient to appoint a committee to act in conjunction with this Board for the purpose of visiting and examining those sections, and making a report to the next Legislature of the location and extent of such swamps, ponds, or other noxious places, and the feasibility and probable expense of draining them.

In conclusion, the Board feels justified in saying that whatever may be the advantage of a State for manufacturing and farming purposes, if it be subject to diseases which constantly threaten the health and life of its inhabitants, it cannot maintain a prosperous condition, but must be abandoned, or be comparatively unimproved and uncultivated. In proof of such a result, we need only refer to the case of Memphis, the business of which has received such a shock within the last few years, from a terrible disease prevailing there, that it has been in imminent danger of being bereft of its inhabitants, and of becoming a mere village, or even a desolation. The recent ovation, or celebration, there, following its cleansing and improved hygiene, is an evidence of the estimation which that people place upon its restored healthfulness, and of the importance of an extensive circulation of the fact. It is to the knowledge of the true principles of hygiene applied practically in that city, formerly so destitute of a healthful atmosphere, that whatever changes have taken place in its health, and freedom especially from that dreadful scourge, yellow fever, are due.

In referring to the sanitary changes made in the City of Memphis, the Board wishes to express its sense of the great benefit which has been conferred by the National Board of Health, there and elsewhere. On account of the urgency of the condition of the Southern States, especially of Louisiana, Mississippi, and Tennessee, that Board has felt it obligatory upon it to devote especial attention to those cities which have lately suffered so terribly from yellow fever, and to this end have directed their investigations mainly to obtaining information regarding the nature, origin and mode of communication of that dreadful disease, and have shown extraordinary diligence and efficiency in this respect. Their valuable reports have been circulated by means of their "Bulletin" to the Governors of the various States of the Union, and to the State Boards of Health, of which there are now seventeen. The greater the number and efficiency of the State Boards of Health, the more valuable will be the reports, and the greater the influence of the National Board of Health in disseminating such information as will lead to the establishment of the true laws

of the public health. The number of State Boards now in existence is an evidence of the growing interest which is felt upon this subject throughout the country, an interest which should increase with the increase of population, and the proportionate need of attention to the necessary conditions of health and life.

Which is respectfully submitted.

L. P. BUSH,
ALBERT WHITELEY,
JOHN K. KANE,
G. G. CHAMBERLAIN,
WM. MARSHALL,
DAVID HALL.

Wilmington, Dec. 14, 1880.

Mr. Downing, Clerk of the Senate, being admitted, presented the List of Reprieves and Pardons for the consideration of the House.

Mr. Tomlinson offered a resolution,

Which,

On his motion, was read, as follows:

Resolved, That 700 copies of the Report of the State Board of Health be printed for the use of, and equally distributed among, the members of the House.

And, on his further motion,

The resolution was

Adopted.

On motion of Mr. Bradford,

The House bill entitled,

"An act to further amend Chapter 73 of the Revised Code, entitled 'Of the City of Wilmington,'"

Was read a second time by its title,

And, on his further motion,

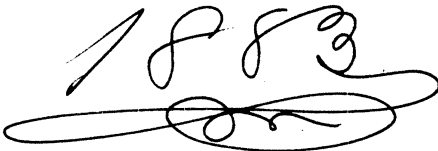
Was referred to the Committee on Revised Statutes.

On motion of Mr. Bradford,

The bill entitled,

"An act to further amend an act entitled, 'An act to amend the Charter of the City of Wilmington,'"

1883



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

Mr. Van Burkalow moved

That the vote by which the resolution directing the Committee on Printing to coöperate with the Senate committee, be reconsidered,

Which motion *Prevailed.*

Mr. Robinson moved

That the further consideration of the resolution be indefinitely postponed,

And,

Upon the question, "Shall the consideration of the resolution be indefinitely postponed?"

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Cahall, Graham, Jones, Matthews, McNeal, Moore, Register, Robinson, Stayton, Tomlinson, Van Burkalow, and Mr. Speaker—12.

Nays—Messrs. Bradford, Eastburn, Eliason, Pilling, Swayne, and Townsend—6.

So the question was decided in the affirmative,

And the motion *Prevailed.*

On motion of Mr. Bradford,

The bill entitled,

"An act in regard to municipal liens in the City of Wilmington,"

Was read a second time by its title,

And, on his further motion,

Was referred to the Committee on Revised Statutes.

On motion of Mr. Bradford,

The bill entitled,

"An act in relation to railway tracks in the City of Wilmington,"

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

On motion of Mr. Bradford,
 The bill entitled,

“An act to authorize the City Council of the City of Wilmington to sell and convey the City Hospital property.”

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

On motion of Mr. Bradford,
 The bill entitled,

“An act for the relief of Robert D. Hoffeecker and John S. Hoffeecker,”

Was read a second time by its title,
 And, on his further motion,

The bill, together with the petition of Robert D. and John S. Hoffeecker for an act validating a defective acknowledgement,

Was referred to a special committee of three,
 Whereupon

Messrs. Bradford, Van Burkalow and Jones were appointed said committee.

On motion of Mr. Bradford,
 The bill entitled,

“An act to incorporate the Ancient Order of Hibernians, (Division No. 3,) of the City of New Castle, Delaware.”

Was read a second time by its title,
 And, on his further motion,
 Was referred to the Committee on Corporations.

On motion of Mr. Bradford,

The bill entitled,

“An act to amend Chapter 21 of Volume 14 of the Laws of Delaware, entitled ‘An act to amend Chapter 390 of Volume 13 of the Laws of Delaware,’ ”

Was read a second time by its title,

And, on his further motion,

Was referred to the Committee on Revised Statutes.

On motion of Mr. Bradford,

The bill entitled,

“An act to amend Section 46 of Chapter 89 of the Revised Code of 1852, as amended and published in 1874,”

Was read a second time by its title,

And, on his further motion,

Was referred to the Committee on Revised Statutes.

On motion of Mr. Bradford,

The bill entitled,

“An act to amend Section 17 of Chapter 90 of the Revised Code of 1852, as amended and published in 1874,”

Was read a second time by its title, .

And, on his further motion,

Was referred to the Committee on Revised Statutes.

On motion of Mr. Bradford,

The bill entitled,

“An act to amend Section 29 of Chapter 89 of the Revised Code of 1852, as amended and published in 1874,”

Was read a second time by its title,

And, on his further motion,

Was referred to the Committee on Revised Statutes.

On motion of Mr. Bradford,

The bill entitled,

"An act to renew and continue in force an act to incorporate 'The Saint Michael's Beneficial Society, of the City of Wilmington, Delaware,' passed at Dover, January 22, 1861,"

Was read a second time by its title,

And, on his further motion,

Was referred to the Committee on Corporations.

On motion of Mr. Bradford,

The bill entitled,

"An act to renew and continue in force an act entitled, 'An act to incorporate the Saint Mary's Beneficial Society, of the city of Wilmington, Delaware,' passed at Dover, January 22d, 1861,"

Was read a second time by its title,

And, on his further motion,

Was referred to the Committee on Corporations.

On motion of Mr. T. N. Williams,

The bill entitled,

"An act to incorporate the Laurel Union Company,"

Was read a second time by its title,

And, on his further motion,

Was referred to the Committee on Corporations.

Mr. Eastburn presented a petition, praying for the passage of a law preventing live stock running at large in School District No. 91, New Castle county,

Which,

On his motion, was read.

And, on his further motion,

Was referred to a special committee of three.

Whereupon

Messrs. Eastburn, Moore and Matthews were appointed said committee.

Mr. McNeal presented the petition of Mr. Curtis Jacobs and others, praying for the passage of a law amending the general ditching laws of the State of Delaware,

Which,

On his motion, was read,

And, on his further motion,

Was referred to a special committee of three.

Whereupon

Messrs. McNeal, Graham and Woodkeeper were appointed said committee.

Mr. Robinson presented the remonstrance of John B. Mustard and others, against the passage of any stock law for Indian River hundred, in any school district in said hundred,

Which,

On his motion, was read,

And further, on his motion,

Was, with the petition of Harbeson Hickman and others, heretofore presented, referred to the Committee on Roads and Highways.

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

THURSDAY, January 13, 1881—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called.

Journal read and approved.

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

“An act to amend the act entitled, ‘An act in relation to the Collection of Taxes in this State,’ passed at Dover, April 10, 1873.”

On motion of Mr. Tomlinson,

The Report of the Farmers’ Bank was read, as follows:

STATE OF THE FARMERS’ BANK, AT DOVER.

JANUARY 18TH, 1881.

ASSETS.

LIABILITIES.

	Capital Stock.....	\$186,000.00
	Surplus.....	122,398.25
	Individual Deposits.....	289,077.83
	No Overdrafts.....	
	Discount.....	890.43
	Interest.....	1,544.87
	Exchange.....	8.50
14,813.58	Real Estate.....	
	Rents on Real Estate.....	49.91
1,235.41	Costs on Bonds.....	
448.35	Salaries.....	
	Current Expenses.....	17.50
1,122.11	U. S. Taxes.....	
430.00	State Tax on Shares.....	
<hr/>		<hr/>
\$17,049.45	.... Amount carried forward.....	\$599,987.29

ASSETS.		LIABILITIES.
\$17,049.45	.... <i>Amount brought forward</i>	\$599,987.29
10,977.21	Cash { Notes on hand... \$5,000.00... Silver..... 3,000.00... Foreign Checks.. 2,977.21....	
177,865.91	Bills and Notes,	
262,639.26	Bonds and Mortgages, } \$535,505.17 ...	
95,000.00	Call Loans,	
35,203.20	Philadelphia National Bank.	
411.21	National Park Bank, New York City...	
109.50	Farmers' Bank, New Castle.....	
1,792.06	" " Georgetown.....	
73.01	" " Wilmington.....	
	National Bank of Delaware.....	837.94
	National Bank of Wil. and Brandywine	683.48
	First National Bank, Dover.....	1,133.88
460.65	" " " Milford.....	
575.74	" " " Seaford	
	National Bank, Smyrna.....	138.85
	Newport National Bank.....	198.46
	Easton National Bank.....	51.18
41.17	Citizens' National Bank, Middletown..	
	Sixth National Bank, Philadelphia.....	105.60
	Corn Exchange National Bank, Philada	112.57
47.88	J. J. Nicholson & Sons, Baltimore....	
<hr/> \$603,249.25 <hr/>		<hr/> \$603,249.25 <hr/>

No paper under protest.....	
Real Estate—Banking-House.....	\$5,683.58
31 Town Lots.....	1,130.00
Todd Dwelling.....	8,000.00
Annual income from Todd Dwelling.....	770.00
Unpaid Dividends.....	5,000.00
Par value of Stock, per share.....	50.00
Present value of Stock, per latest quotations.....	57.50
Number of Shares, 3,720.	

To his Excellency, John W. Hall,

Governor of the State of Delaware:

HONORED SIR: We, the undersigned Directors of the Farmers' Bank of the State of Delaware, at Dover, in behalf of the State,

submit to you the inclosed report, in accordance with an act of the General Assembly passed at Dover, March 14th, A. D. 1879.

We would moreover call your Excellency's attention to the fact that, although we report the large sum of \$535,505.17 in Bills and Notes, Bonds and Mortgages, and Call Loans, we do not know of *a single bad debt* in all that amount; also that, at this writing, this Bank does not hold one dollar's worth of protested paper, nor is there a single overdraft on our ledger; and moreover that the net earnings of this Bank during the past twelve months have amounted to \$24,262.62, or over 13 per cent. of our capital.

By a carefully prepared report we are able to show that during the period of *26 years* (the time our surplus has been accumulating) this Bank, at Dover, (after meeting all her losses, and cost of erecting Banking Building, \$13,000, and price of lot, \$1,000). has earned \$210,000 *in excess* of her portion of the *declared dividends*. In other words, that her *net* earnings on an average have amounted to *11 per cent. per annum*. As to our Real Estate, we would call your attention to the low valuation we put upon it.

Todd Dwelling, cost price \$8,000; annual income $9\frac{2}{3}$ per cent.

Town Lots, valued at \$1,130; present value \$4,000.

Bank Building, valued at \$5,368.58; present value \$15,000.

JOHN A. MOORE,
EDWARD LORD,
THOMAS K. TAYLOR.

STATE OF THE FARMERS' BANK, AT GEORGETOWN.

To his Excellency, John W. Hall, Governor :

We, the undersigned, Directors on the part of the State for the Farmers' Bank at Georgetown, submit the within report in accordance with Chapter 93 Laws of Delaware.

	ASSETS.	LIABILITIES.
Bills and Notes.....	\$ 76,292.93	
Bonds and Judgments.....	116,952.84	
<i>Amount carried forward.....</i>	<i>\$193,245.77</i>	

	ASSETS.	LIABILITIES.
<i>Amount brought forward</i>	\$193,245.77	
Farmers' Bank Stock.....	2,506.00	
Amount of protested, waived or suspended paper.....	4,942.75	
Interest due thereon.....	926.52	
Interest due and unpaid on bonds and mortgages.....	2,684.60	
Farm near Lewes, 460 acres..	\$11,450.00	
J. McConaughy farm and mill, 225 acres	5,000.00	
House and lot in Georgetown.	1,466.00	
Lot in Seaford.....	600.00	
Lot in Seaford.....	100.00	
Wharf lot in Seaford.. ..	1,410.00	20,029.00
Annual income, less repairs, taxes, insur- ance, &c.....	173.27	
Banking-House, used for banking purposes,	7,000.00	
Specie, Currency, Drafts and Overdrafts..	10,750.36	
Amount due from other Banks.....	24,042.57	
Capital Stock, 2,400 shares, par value \$50,		\$120,000.00
Amount on Deposit.....		114,471.31
Amount due to other Banks.....		15,263.48

HUGH MARTIN,
E. W. TUNNELL,
C. B. HOUSTON.

STATE OF THE FARMERS' BANK, AT NEW CASTLE.

NEW CASTLE, DELAWARE, January 20th, 1881.

To Hon. John W. Hall, Governor of the State of Delaware :

In accordance with the provisions of the Act of the General Assembly, passed at Dover, March 14th, 1879, we beg leave to submit the following report of the resources and liabilities of the Farmers' Bank at New Castle, embracing fully all the particulars therein specified :

Amount of Bills and Notes discounted...	\$100,192.76	
Amount of Individual Bonds.....	27,452.95	
Amount of United States Bonds.....	10,000.00	
Amount of Reading Railroad Bonds....	3,000.00	
	<hr/>	\$140,645.71
Amount of Farmers' Bank Stock.....	\$3,408.58	
Amount of New Castle Gas Stock.....	1,700.00	
	<hr/>	5,108.58
Actual cost of building Banking-House..	\$7,111.00	
Estimated value of lot " "	2,889.00	
	<hr/>	10,000.00
Actual cost of Blackbird Landing Farm.	\$7,884.42	
Actual cost of Green Spring Farm.....	5,985.00	
Actual cost of P. R. Clark Farm.....	18,500.00	
Actual cost of W. H. H. Clark Farm...	21,869.00	
	<hr/>	\$54,238.42
Amount of debts (bills, notes, &c.,) for which this real estate was purchased to secure, and charged to real estate, to- gether with repairs and expenses ex- ceeding rents, &c.....	27,894.54	
Amount of Real Estate Account.....	<hr/>	82,132.96
Cash and cash items.....		38,048.08
Amount of Overdrafts.....		2,725.29
Amount due from Banks.... :		14,395.53
Amount of Taxes, Salaries, and incidentals.....		1,428.57
Amount of Costs on Bonds and Suits.....		407.61
Capital Stock, 2760 shares (@ \$50 per share par.....		\$138,000.00
Amount of Individual Deposits.....	\$192,775.29	
Amount of Dividend Deposits unpaid...	5,188.32	
	<hr/>	197,963.61
Amount Discount, Interest and Exchange.....		1,066.75
Amount due to Banks.....		6,067.52

Amount of Bills and Notes, discounted as above, secured by collaterals.....	12,600.00
Amount of Protested, Waived and Suspended Notes, included in bills and notes discounted.....	2,077.61
Amount of interest due on same.....	646.45
Undivided Profits.....	Returned to Principal Bank.

JAMES T. ELIASON,
JNO. J. BLACK,
THOS. GIFFIN,

Directors on the part of the State of Delaware.

STATE OF THE FARMERS' BANK, AT WILMINGTON.

JANUARY 21ST, 1881.

ASSETS.		LIABILITIES.
17,285.00	Real Estate.....	
512.40	Current Expenses.....	
975.38	U. S. License and Taxes.....	
397,667.84	Bills Discounted, (including \$6,923.03 under protest).....	
	Profit and Loss.....	20,050.00
21,310.25	Cash.....	
	Capital Stock.....	165,200.00
	Individual Deposits.....	239,938.94
	Discounts.....	1,939.61
	Farmers' and Merchants' National Bank, Baltimore.....	221.32
37,863.11	Philadelphia National Bank.....	
	Girard National Bank.....	20,887.12
783.78	Merchants' National Bank, Baltimore..	
682.58	National Bank of Delaware.....	
	Union National Bank, Wilmington.....	7,566.82
	First National Bank, Wilmington.....	10,568.53
6,880.58	National Bank of Wil. and Brandywine.	
<u>\$483,960.92</u>	..... <i>Amount carried forward</i>	<u>\$466,372.34</u>

ASSETS.	LIABILITIES.
\$483,960.92	\$466,372.34
6,121.72	..... <i>Amount brought forward</i>
200.52	Farmers' Bank, New Castle.....
1,725.45	" " Dover.....
558.83	" " Georgetown.....
1,506.88	National Bank of Newark.....
1,906.51	Delaware City National Bank.....
	New Castle County Nat'l Bank, Odessa.
	Citizens' National Bank, Middletown...
<hr/> \$495,980.83	<hr/> \$495,980.83

To his Excellency, John W. Hall, Governor :

The undersigned, Directors on the part of the State for the Farmers' Bank at Wilmington, submit the above report in accordance with Chapter 93, Laws of Delaware, 1879, and would call your attention to the fact that, in addition to our having paid six per cent. last year on our capital and profit account, we have placed \$5,000.00 to the credit of profit and loss.

W. M. KENNARD,
WM. BRIGHT,
J. P. DOUGHTEN.

Mr. Tomlinson, on the part of the members of the House appointed on the Joint Committee on Arrears of National Banks, reported that said committee had agreed upon and adopted a resolution, which had been duly signed by the members of the said joint committee, and which said resolution had been sent to the Senate.

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

"An act to incorporate the Wilmington, Newark and State Line Railroad Company."

Mr. Robinson, on behalf of the Committee on Corporations, to whom was referred the bill entitled,

"An act to incorporate the German Library Association, of the City of Wilmington,"

Reported the same back to the House with an amendment.

On motion of Mr. Robinson,

The bill just reported to the House was taken up for consideration,
 And further, on his motion,
 The amendment reported by the committee was read,
 And, on his further motion,
 Was *Adopted.*

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

On the question, "Shall the bill, as amended, pass the House?"

The yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Bradford, Cahall, Eastburn, Eliason, Graham, Jones, Matthews, McNeal, Moore, Pilling, Register, Robinson, Stayton, Swayne, Tomlinson, Townsend, Van Burkalow, A. C. Williams, T. N. Williams, Woodkeeper and Mr. Speaker—21.

Nays—None.

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

Ordered to the Senate for concurrence.

Mr. Bradford, on behalf of the special committee, to whom was referred the bill entitled,

"An act for the relief of Robert D. Hoffecker and John S. Hoffecker,"

Reported the same back to the House with an amendment.

On motion of Mr. Bradford,

The bill just reported to the House was taken up for consideration,

And, on his further motion,

The amendment reported by the committee was read

And further, on his motion,

Was *Adopted.*

And, on his further motion,

The bill, as amended, was read a third time by paragraphs,
 And *Passed the House.*
Ordered to the Senate for concurrence.

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

“Joint resolution in relation to arrears of Taxes of National Banks,”

And presented the same to the House.

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

“Joint resolution for the Printing of Bills of a public character,”

And returned the same to the House.

On motion of Mr. Tomlinson,

The Senate joint resolution entitled,

“Joint resolution in relation to arrears of Taxes of National Banks,”

With the report of the Committee on National Banks, 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. Register gave notice that, on to-morrow or some future day, he would ask leave to introduce a bill entitled,

“An act to amend Section 45, Chapter 111, of the Revised Code.”

On motion of Mr. Pilling,

The bill entitled,

“An act to amend the act entitled, ‘An act to regulate the expenditures of the County Funds by the Levy Court of New Castle County,’ passed at Dover, March 27, 1879,”

Was read a second time by its title.

Mr. Van Burkalow moved

That the bill be referred to a special committee,

Which motion

Prevailed.

Mr. Robinson moved

That the vote by which the bill was referred to a special committee, be reconsidered,

Which motion

Prevailed.

There being no objection, the motion to refer the bill to a special committee was withdrawn,

And, on motion,

The bill was referred to the Committee on Revised Statutes.

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

“An act to revive, restore, renew and re-enact Chapter 106, Volume 8, of the Laws of Delaware, entitled ‘An act to incorporate the members of the Water Witch Fire Company, of the City of Wilmington,’ passed at Dover, January 22, 1835.”

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

“An act to amend Section 8, Chapter 106, Revised Code.”

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

“Joint resolution in relation to the report of C. H. B. Day,”

And presented the same to the House.

On motion of Mr. Tomlinson,

The joint resolution just received 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. Robinson moved

That fifty additional copies of the Rules of the House be printed.

Upon which motion

The yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Cahall, Eastburn, Jones, Matthews, Robinson, Stayton, Swayne, Tomlinson, Townsend, A. C. Williams and Wood-keeper—11.

Nays—Messrs. Bradford, Eliason, Graham, McNeal, Moore, Pilling, Register, Van Burkalow, T. N. Williams and Mr. Speaker—10.

So the question was decided in the affirmative,

And the motion

Prevailed.

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

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Bradford, on behalf of the Committee on Revised Statutes, to whom was referred the bill entitled.

“An act to extend the time for the Recording of Private Acts,”

Reported the same back to the House with an amendment.

On motion of Mr. Bradford,

The bill just reported to the House was taken up for consideration,

And, on his further motion,

The amendment reported from the committee was read,

And further, on his motion,

Was

Adopted.

On motion of Mr. Jones,

The bill, as amended, 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. Bradford, Cahall, Eastburn, Eliason, Graham, Jones, Matthews, McNeal, Moore, Pilling, Register, Robinson, Stayton, Swayne, Tomlinson, Townsend, Van Burkalow, A. C. Williams, T. N. Williams, Woodkeeper and Mr. Speaker—21.

Nays—None.

So the question was decided in the affirmative,

And the bill *Passed the House.*

Ordered to the Senate for concurrence.

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

On motion of Mr. Robinson,

Obtained leave to introduce a bill entitled,

"An act supplementary to an act entitled, 'An act for the removal of the Seat of Justice of New Castle County from the City of New Castle to the City of Wilmington,' passed at Dover, March 20, 1879,"

Which,

On motion of Mr. Bradford,

Was read.

Mr. Bradford moved

That Rule 12 of the House Rules be suspended,

Which motion *Prevailed.*

And, on his further motion,

The bill just introduced was read a second time by title,

And further, on his motion,

Was referred to a special committee of three.

Whereupon

Messrs. Bradford, Register and Robinson were appointed said committee.

Mr. Bradford, on behalf of the special committee to whom was referred the bill just introduced, reported the same back to the House.

Mr. Bradford moved

That Rule 12 of the House Rules be suspended,

Which motion *Prevailed,*

And, on his further motion,

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

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

The yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Bradford, Cahall, Eastburn, Eliason, Graham, Jones, Matthews, McNeal, Moore, Pilling, Register, Robinson, Stayton, Swayne, Tomlinson, Townsend, Van Burkalow, A. C. Williams, T. N. Williams, Woodkeeper and Mr. Speaker—21.

Nays—None.

So the question was decided in the affirmative,

And the bill *Passed the House.*

Ordered to the Senate for concurrence.

Mr. Robinson moved

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

Which motion *Prevailed.*

Mr. McWhorter, a member of the Senate, being admitted, informed the House that the Senate had concurred in the House bill entitled,

"An act supplementary to an act entitled, 'An act for the removal of the Seat of Justice of New Castle County from the City of New Castle to the City of Wilmington,' passed at Dover, March 20, 1879,"

And returned the same to the House.

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

FRIDAY, January 14, 1881—9 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called.

Journal read and approved.

Mr. Eliason, on behalf of the Committee on Roads and Highways, asked and obtained further time to consider so much of the Governor's message as relates to Roads and Highways, which was referred to said committee.

Mr. Cahall, on behalf of the Committee on Enrollment, reported as duly and correctly enrolled the House bill entitled

"An act supplementary to an act entitled, 'An act for the removal of the Seat of Justice of New Castle County from the City of New Castle to the City of Wilmington,' passed at Dover, March 20, 1879."

And presented the same for the signature of the Speaker.

Mr. T. N. Williams, on behalf of the Committee on Education, to whom was referred the House bill entitled,

"An act to repeal so much of Section 5, Chapter 46, of the Laws of the State of Delaware, for 1879, as applies to the payment of a tax of two dollars to the County Treasurer by each school teacher of the State,"

Reported the same back to the House with an amendment.

On motion of Mr. T. N. Williams,

The bill just reported to the House was taken up for consideration.

Mr. Eliason moved

That the amendment be adopted.

Upon which motion

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Bradford, Cahall, Eastburn, Eliason, Graham, Jones, Pilling, Robinson, Stayton, Swayne, Townsend, A. C. Williams, T. N. Williams and Woodkeeper—14.

Nays—Messrs. Matthews, McNeal, Moore, Van Burkalow and Mr. Speaker—5.

So the question was decided in the affirmative,

And the amendment was

Adopted.

On motion of Mr. Bradford,

The bill, as amended, was referred back to the Committee on Education.

Mr. McWhorter, a member of the Senate, being admitted, returned, with the signature of the Speaker of the Senate thereto, the enrolled House bill entitled

“An act supplementary to an act entitled, ‘An act for the removal of the Seat of Justice of New Castle County from the City of New Castle to the City of Wilmington,’ passed at Dover, March 20, 1879.”

Mr. T. N. Williams, on behalf of the Committee on Education, reported back to the House the bill entitled,

“An act to repeal so much of Section 5, Chapter 46, as applies to the payment of a tax of two dollars to the County Treasurer by each school teacher of the State,”

With amendments.

On motion of Mr. T. N. Williams,

The bill just reported to the House was taken up for consideration,

On motion of Mr. Townsend,

The amendments reported by the committee were read,

And, on his further motion,

Were

Adopted.

Mr. Robinson moved

That the House do now adjourn.

Upon which motion

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Cahall, Jones, Matthews, McNeal, Moore, Robinson, Stayton and Mr. Speaker—8.

Nays—Messrs. Bradford, Eastburn, Eliason, Pilling, Swayne, Townsend, Van Burkalow, A. C. Williams, T. N. Williams and Woodkeeper—10.

So the question was decided in the negative,

And the motion was

Lost.

Mr. Townsend moved

That the bill be read by sections.

Mr. Robinson moved

That the further consideration of the bill be postponed until Wednesday next, at 10 o'clock, A. M.,

Which motion

Prevailed.

Mr. Van Burkalow moved

That 200 copies of the bill be printed for the use of the House,

Which motion

Prevailed.

Mr. Bradford moved

That when the House adjourn it adjourn to meet at 3.30 o'clock, P. M., on Monday next,

Which motion

Prevailed.

On motion, the House adjourned until Monday, at 3.30 o'clock, P. M.

MONDAY, January 17, 1881—3 o'clock, P. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called.

Journal read and approved.

Mr. Robinson moved

That Rule 7 be suspended in order to introduce a bill,

Which motion

Prevailed.

Mr. Robinson asked, and,

On motion of Mr. Van Burkalow,

Obtained leave to introduce a bill entitled,

“An act for the Protection of Game,”

Which,

On motion of Mr. Robinson,

Was read.

On motion of Mr. Robinson,

Rule 12 was suspended in order that the bill pass a second reading,

And, on his further motion,

The bill entitled,

“An act for the Protection of Game,”

Was read a second time by its title.

Mr. Downing, Clerk of the Senate, being admitted, informed the House that the Senate had passed, and requested the concurrence of the House in a bill entitled,

“An act authorizing the laying out of a public road in North West Fork Hundred, Sussex County, Delaware,”

And presented the same to the House.

He also reported as being duly and correctly enrolled, the same having received the signature of the Speaker of the Senate, sundry joint resolutions, entitled,

“Joint resolution appointing a joint committee in relation to arrears of National Banks,”

“Joint resolution in relation to that part of His Excellency the Governor’s message relating to State Bonds;”

“Joint resolution appointing a joint committee to examine State Library and consider suggestions of Librarian;”

“Joint resolution appointing joint committee to examine accounts of State Treasurer;”

“Joint resolution appointing a joint committee to settle with C. S. Pennewill, for alterations and improvements in Capitol Building,”

“Joint resolution appointing a joint committee on rules for the government of intercourse between the two houses,”

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

Mr. Robinson moved

That Rule 12 be suspended,

Which motion

Prevailed,

And, on his further motion,

The bill entitled,

“An act for the Protection of Game,”

Was taken up for consideration.

Mr. Robinson offered an amendment,

Which,

On his motion, was read,

And, on his further motion,

Was

Adopted.

And further, on his motion,

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

On the question, "Shall the bill, as amended, pass the House?"

It was decided in the affirmative,

And the bill

Passed the House.

Ordered to the Senate for concurrence.

Mr. T. N. Williams offered a resolution,

Which,

On his motion, was read, as follows :

Resolved, That all bills of a private character to be introduced before this House shall, before being presented, be drawn and printed at the expense of the person or persons directly interested in the passage of such bill.

Objection being made, under Rule 26, the consideraion of the resolution was postponed.

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

On motion of Mr. Townsend,

Obtained leave to introduce a bill entitled,

"An act to incorporate the Ancient Order of Hibernians (Division No. 2), of Brandywine Banks, New Castle county, Delaware."

Which,

On motion of Mr. Swayne,

Was read.

On motion of Mr. Tomlinson,

The Senate bill entitled,

"An act authorizing the laying out of a public road in North-West Fork Hundred, Sussex county, Delaware,"

Was read.

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

"An act to revive and extend the time for Recording Private Acts,"

And presented the same to the House.

On motion of Mr. Jones,
The bill was read.

Mr. Matthews presented the petition of sundry citizens of Broad Creek hundred, Sussex county, praying for the passage of a law to prevent stock from running at large in School District No. 45, in Broad Creek hundred, Sussex county,

Which,

On his motion, was read,

And, on his further motion,

Was referred to the Committee on Roads and Highways.

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

On motion of Mr. Tomlinson,

Obtained leave to introduce a bill entitled,

“An act to amend Section 45, Chapter 111, of the Revised Code,”

Which,

On motion of Mr. Register,

Was read.

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

TUESDAY, January 18, 1881—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called.

Journal read and approved.

Mr. Robinson, on behalf of the Committee on Corporations, to whom was referred the bill entitled,

“An act to incorporate the Laurel Union Company,”

Reported the same back to the House with amendments.

On motion of Mr. Robinson,

The bill just reported was taken up for consideration,

And, on his further motion,

The amendments were read,

And further, on his motion,

Were

Adopted.

And, on his further motion,

The bill under consideration 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. Bradford, Cahall, Eastburn, Eliason, Graham, Jones, Matthews, McNeal, Moore, Pilling, Register, Robinson, Stayton, Swayne, Tomlinson, Townsend, Van Burkalow, A. C. Williams, T. N. Williams, Woodkeeper and Mr. Speaker—21.

Nays—None.

So the bill, having received the required constitutional majority,

Passed the House.

Ordered to the Senate for concurrence.

On motion of Mr. Swayne,

The bill entitled,

“An act to incorporate the Ancient Order of Hibernians, (No. 2 Division) of Brandywine Banks, New Castle county. Delaware,”

Was read a second time by its title,

And, on his further motion,

Was referred to the Committee on Corporations.

Mr. T. N. Williams called up the resolution requiring the drawing and printing of private bills by the persons directly interested.

Mr. Williams moved

That the bill be amended by striking out the words “and printed,”

Which motion

Prevailed.

On motion of Mr. Tomlinson,

The resolution, as amended, was read,

And, on his further motion,

Was

Adopted.

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

“An act for the Protection of Game,”

And returned the same to the House.

Mr. Robinson, on behalf of the Committee on Corporations, to whom was referred the House bill entitled,

“An act to renew and continue in force an act entitled, ‘An act to incorporate the Saint Mary’s Beneficial Society, of the city of Wilmington, Delaware,’ passed at Dover, January 22d, 1861,”

Reported the same back with amendments.

On motion of Mr. Bradford,

The bill just reported was taken up for consideration,

And, on his further motion,

The amendments to the bill were read,

And further, on his motion,

Were

Adopted.

And, on his further motion,

The bill, as amended, 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. Bradford, Cahall, Eastburn, Eliason, Graham, Jones, Matthews, McNeal, Moore, Pilling, Register, Robinson, Stayton, Swayne, Tomlinson, Townsend, Van Burkalow, A. C. Williams, T. N. Williams, Woodkeeper and Mr. Speaker—21.

Nays—None.

So the bill, having received the required constitutional majority,

Passed the House.

Ordered to the Senate for concurrence.

Mr. Robinson, on behalf of the Committee on Corporations, to whom was referred the House bill entitled,

"An act to renew and continue in force an act to incorporate 'The Saint Michael's Beneficial Society, of the City of Wilmington, Delaware,' passed at Dover, January 22, 1861,"

Reported the same back to the House with an amendment.

On motion of Mr. Bradford,

The bill just reported to the House was taken up for consideration,

And, on his further motion,

The amendment reported from the committee was read,

And further, on his motion,

Was

Adopted.

And, on his further motion,

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

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

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Bradford, Cahall, Eastburn, Eliason, Graham, Jones, Matthews, McNeal, Moore, Pilling, Register, Robinson, Stayton, Swayne, Tomlinson, Townsend, Van Burkalow, A. C. Williams, T. N. Williams, Woodkeeper and Mr. Speaker—21.

Nays—None.

So the bill, having received the required constitutional majority,

Passed the House.

Ordered to the Senate for concurrence.

Mr. Eastburn, on behalf of the Committee on Roads and Highways, to whom was referred a petition praying for the passage of a law preventing live stock running at large in School District No. 91, New Castle county, reported a bill entitled,

"An act to prevent live stock from running at large in School District No. 91, in New Castle county,"

Which,

On his motion, was read.

Mr. McNeal, on behalf of the special committee to whom was referred the petition of Mr. Curtis Jacobs and others, asking for an amendment to the general ditching laws of the State, reported a bill entitled,

"An act in relation to Public Ditches,"

Which,

On his motion, was read.

On motion of Mr. Matthews,

Two hundred copies of the bill just reported and read were ordered to be printed for the use of the House.

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

On motion of Mr. Van Burkalow,

Obtained leave to introduce a bill entitled,

"An act to amend Section 8, Chapter 106, Revised Code,"

Which,

On motion of Mr. Register,

Was read:

Mr. Eliason, on behalf of the Committee on Roads and Highways, to whom was referred a petition asking for the passage of an act prohibiting live stock from running at large in School District No. 89, Sussex county, together with remonstrances against the passage of such an act, reported back the same with the recommendation that no action be taken on the subject.

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

"An amendment to an act of incorporation of Fenwick's Island Improvement Company, passed at Dover, March 15th, 1871."

On motion of Mr. Robinson,

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

Which vote was as follows:

Edward G. Bradford, Jr., voted for Anthony Higgins.

Alfred H. Cahall voted for Thomas F. Bayard.

David Eastburn voted for Anthony Higgins.

Andrew Eliason voted for Anthony Higgins.

John W. Graham voted for Thomas F. Bayard.

William P. Jones voted for Thomas F. Bayard.

Philip C. Matthews voted for Thomas F. Bayard.

Joseph G. McNeal voted for Thomas F. Bayard.

Abraham Moore voted for Thomas F. Bayard.

John Pilling voted for Anthony Higgins.

Charles H. Register voted for Thomas F. Bayard.

Peter Robinson voted for Thomas F. Bayard.

Amos J. Stayton voted for Thomas F. Bayard.

Henry Swayne voted for Anthony Higgins.

Peter W. Tomlinson voted for Thomas F. Bayard.

George L. Townsend voted for Anthony Higgins.

Moses S. Van Burkalow voted for Thomas F. Bayard.

Amos C. Williams voted for Thomas F. Bayard.

Thomas N. Williams voted for Thomas F. Bayard.

Henry H. Woodkeeper voted for Anthony Higgins.

Reynear Williams (Speaker) voted for Thomas F. Bayard.

Thomas F. Bayard, having received fourteen votes, being a majority of all the votes cast, was declared the choice of the House for United States Senator, to represent this State in Congress for the constitutional term commencing on the fourth day of March next.

By request, Mr. Register was permitted to withdraw from the Committee on Corporations and was placed upon the Committee on Revised Statutes, and Mr. T. N. Williams was permitted to withdraw from the Committee on Revised Statutes and was placed upon the Committee on Corporations.

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

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

The order of business for the day was taken up, it being the consideration of the House resolution prohibiting the consideration of certain divorce cases,

Which,

On motion of Mr. Pilling,

Was read, as follows:

Resolved, That no petition for divorce shall be favorably acted upon by this House for any cause cognizable by the Superior Court under the provisions of Chapter 75 of the Revised Code of 1852, as amended and published in 1874.

Mr. Tomlinson moved

That the resolution be amended by adding: "except where the circumstances of any particular case may demand a more speedy redress."

Pending which motion,

On motion of Mr. Bradford,

The further consideration of the resolution and amendment was postponed until four o'clock.

Mr. Bradford, on behalf of the Committee on Revised Statutes, to whom was referred the bill entitled,

"An act to further amend Chapter 75 of the Revised Code of 1852, entitled 'Of Divorces,'"

Reported the same back to the House with the recommendation that it do not pass.

On motion of Mr. Robinson,

The report was

Adopted.

Mr. Bradford presented the memorial of the Delaware Association for the Moral Improvement and Education of the Colored People of the State,

Which,

On motion of Mr. Pilling,

Was read.

And, on his further motion,

Was referred to the Committee on Education.

Mr. Robinson, on behalf of the Committee on Corporations, to whom was referred the bill entitled,

"An act to reincorporate the members of the Fame Hose Company, of the City of Wilmington;"

Reported the same back to the House with an amendment.

On motion of Mr. Bradford,

The bill just reported to the House was taken up for consideration.

And, on his further motion,

The amendment reported by the committee was read,

And further, on his motion,

The amendment was

Adopted.

On motion of Mr. Bradford,

The bill, as amended, 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. Bradford, Eastburn, Eliason, Graham, Jones, Matthews, McNeal, Moore, Pilling, Register, Robinson, Stayton, Swayne, Tomlinson, Townsend, Van Burkalow, A. C. Williams, T. N. Williams, Woodkeeper and Mr. Speaker—20.

Nays—None.

So the bill, having received the required constitutional majority,

Passed the House.

Ordered to the Senate for concurrence.

Mr. Bradford, on behalf of the Committee on Revised Statutes, asked and obtained further time to consider and report upon the House bill entitled,

"An act to provide for the enrollment of the militia, for the organization of the volunteer militia, and for the public defense."

Mr. Downing, Clerk of the Senate, being admitted, informed the House that the Senate had passed, and requested the concurrence of the House in sundry bills and a joint resolution, entitled,

"An act to renew and re-enact the act incorporating the Marshy Hope Improvement Company;"

"An act to amend Chapter 133 of the Revised Code, (General Provisions Concerning Crimes, &c.)," and

"Joint resolution in relation to the defense of certain persons indicted in the District Court of the United States,"

And presented the same to the House.

On motion of Mr. Robinson,

The Senate bill entitled,

"An act authorizing the laying out of a public road in North-West Fork Hundred, Sussex county, Delaware,"

Was read a second time by its title,

And, on his further motion,

Was referred to the Committee on Roads and Highways,

The special order,

The House resolution prohibiting the consideration of divorce cases,

Was taken up for consideration.

Mr. Tomlinson moved

That the amendment be adopted,

Upon which motion

Mr. Bradford called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Cahall, Graham, Jones, Matthews, McNeal, Moore, Register, Robinson, Stayton, Tomlinson, Van Burkalow and Mr. Speaker—12.

Nays—Messrs. Bradford, Eastburn, Eliason, Pilling, Swayne, Townsend, A. C. Williams, T. N. Williams and Woodkeeper—9.

So the question was decided in the affirmative,

And the amendment was

Adopted.

Mr. Cahall offered a substitute for the resolution before the House, Which,

On his motion, was read, as follows :

Resolved, That while we deprecate the indiscriminate application to the General Assembly for divorce, and would discourage such applications as far as possible consistent with the interests of the people, yet, under our present constitution, the Legislature cannot and should not deny the right of petition.

Mr. Cahall moved

That the substitute be adopted,

Upon which motion

Mr. Bradford called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Cahall, Graham, Jones, Matthews, McNeal, Moore, Register, Robinson and Stayton—9.

Nays—Messrs. Bradford, Eastburn, Eliason, Pilling, Swayne, Tomlinson, Townsend, Van Burkalow, A. C. Williams, T. N. Williams, Woodkeeper, and Mr. Speaker—12.

So the question was decided in the negative,

And the substitute was

Lost.

Mr. Tomlinson moved

That the original resolution, as amended, be adopted,

Upon which motion

Mr. Bradford called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Bradford, Eastburn, Eliason, Graham, Pilling, Register, Tomlinson, Townsend, Van Burkalow, A. C. Williams, T. N. Williams, Woodkeeper and Mr. Speaker—13.

Nays—Messrs. Cahall, Jones, Matthews, McNeal, Moore, Robinson, Stayton and Swayne—8.

So the question was decided in the affirmative,

And the resolution, as amended, was

Adopted.

On motion of Mr. Tomlinson,

The Senate bill entitled,

“An act to amend Chapter 133 of the Revised Code, (General Provisions Concerning Crimes, &c.),”

Was read.

On motion of Mr. Cahall,

The Senate bill entitled,

“An act to renew and re-enact the act incorporating the Marshy Hope Improvement Company,”

Was read.

On motion of Mr. Robinson,

The petition of Nathaniel Holmes, asking for a divorce from his wife, Helen W., was referred to the Committee on Divorces.

Mr. Graham presented the petition of Samuel Hutchinson, Jr., and others, in regard to appointing a Constable in Kenton, Kent county,

Which,

On motion of Mr. Graham,

Was read,

And further, on his motion,

Was referred to the Committee on Revised Statutes.

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

WEDNESDAY, January 19, 1881—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called.

Journal read and approved.

The bill entitled,

“An act to amend Section 5 of Chapter 46 of Vol. 16 of the Laws of Delaware, entitled ‘An act in relation to Free Schools in this State,’”

Being the order of the day, was taken up for consideration.

Mr. Tomlinson offered an amendment,

Which,

On his motion, was read.

Mr. Van Burkalow moved

That the amendment be adopted.

Mr. Robinson moved

That the further consideration of the amendment be postponed until Wednesday next.

Upon which motion

Mr. Cahall called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Graham, Jones, Matthews, McNeal, Moore, Robinson, Stayton, Tomlinson, Van Burkalow and Mr. Speaker—10.

Nays—Messrs. Bradford, Cahall, Eastburn, Eliason, Pilling, Register, Swayne, Townsend, A. C. Williams, T. N. Williams and Woodkeeper—11.

So the question was decided in the negative,

And the motion was

Lost.

The question then recurring on the motion of Mr. Tomlinson to adopt the amendment,

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Jones, Matthews, McNeal, Moore, Robinson, Stayton, Tomlinson, Van Burkalow, A. C. Williams and Mr. Speaker—10.

Nays—Messrs. Bradford, Cahall, Eastburn, Eliason, Graham, Pilling, Register, Swayne, Townsend, T. N. Williams and Woodkeeper—11.

So the question was decided in the negative,

And the amendment was

Lost.

On motion of Mr. T. N. Williams,

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. Bradford, Cahall, Eastburn, Eliason, Graham, Pilling, Register, Swayne, Tomlinson, Townsend, A. C. Williams, T. N. Williams, and Woodkeeper—13.

Nays—Messrs. Jones, Matthews, McNeal, Moore, Robinson, Stayton, Van Burkalow, and Mr. Speaker—8.

So the question was decided in the affirmative,

And the bill

Passed the House.

Ordered to the Senate for concurrence.

Mr. Eliason presented the petition of Leonard G. Vandegrift and others, asking for the repeal of an act entitled, "An act to incorporate the Silver Run Marsh Company, passed at Dover, March 20, 1879."

Which,

On his motion, was read,

And, on his further motion,

Was referred to the Committee on Corporations, with instructions to report by bill or otherwise.

Mr. Bradford, on behalf of the Committee on Revised Statutes, to whom was referred the Senate bill entitled,

"An act to revive and extend the time for Recording Private Acts,"

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

On motion of Mr. Bradford,

The bill was taken up for consideration.

On motion of Mr. Jones,

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. Bradford, Cahall, Eastburn, Eliason, Graham, Jones, Matthews, McNeal, Moore, Pilling, Register, Robinson, Stayton, Swayne, Tomlinson, Townsend, Van Burkalow, A. C. Williams, T. N. Williams, Woodkeeper and Mr. Speaker—21.

Nays—None.

So the bill, having received the required constitutional majority,

Passed the House.

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

Mr. Tomlinson, on behalf of the Committee on Enrollment, reported as duly and correctly enrolled sundry Senate joint resolutions entitled,

“Joint resolution appointing a joint committee in relation to arrears of National Banks;”

“Joint resolution in relation to that part of His Excellency the Governor’s message relating to State Bonds;”

“Joint resolution appointing joint committee to examine accounts of State Treasurer;”

“Joint resolution appointing a joint committee to examine State Library and consider suggestions of Librarian;”

“Joint resolution appointing a joint committee on rules for the government of intercourse between the two houses,” and

“Joint resolution appointing a joint committee to settle with C. S. Pennewill, for alterations and improvements in Capitol Building,”

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

Mr. Jones presented the petition of Anna Barker, praying to be divorced from her husband, Shepherd P.,

Which,

On his motion, was read.

Mr. Bradford moved

That the petition be laid on the table.

Upon which motion

The yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Bradford, Cahall, Eastburn, Eliason, Graham, Jones, Matthews, McNeal, Moore, Pilling, Register, Stayton, Swayne, Tomlinson, Townsend, Van Burkalow, A. C. Williams, T. N. Williams, Woodkeeper and Mr. Speaker—20.

Nay—Mr. Robinson—1.

So the question was decided in the affirmative,

And the motion

Prevailed.

Mr. Bradford offered a resolution,

Which,

On his motion, was read, as follows :

Resolved, That the Committee on Divorces be and are hereby instructed to take competent legal advice before reporting favorably any bill for divorce for any cause cognizable by the Superior Court under the provisions of Chapter 75 of the Revised Code of 1852, as amended and published in 1874, upon the question whether, unless Section 5 of Chapter 26 of the Code aforesaid be first directly repealed or suspended, such bill or divorce, if passed by the General Assembly, would have any legal force or effect.

Mr. Bradford moved

That the resolution be adopted.

Objection being made by Mr. Robinson, under Rule 26, the consideration of the resolution was postponed.

On motion of Mr. Robinson,

The Clerk of the House was instructed to inform the Senate that the House would be ready in five minutes to receive the Senate in Joint Meeting, in the Hall of the House of Representatives, for the purpose of comparing the journals of the two houses in obedience to the act of Congress entitled, "An act to regulate the time and manner of holding elections for Senators in Congress, passed July 25, 1866."

At the time fixed for the Joint Meeting, the members of the Senate, preceded by their Speaker, and attended by their Clerk and Sergeant-at-Arms, entered the Hall of the House of Representatives and took the seats prepared for them.

JOINT MEETING.

The two houses being thus convened in Joint Meeting,

Mr. Cooper, of the Senate, moved

That the journals of the two houses, so far as they relate to the election of United States Senator, be read and compared,

Which motion

Prevailed.

Whereupon

The Clerks of the respective houses proceeded to read the journals.

It appearing that Thomas F. Bayard had received a majority of the votes cast in each house, the Speaker of the Senate then declared that Thomas F. Bayard was duly elected as Senator, to serve in the Congress of the United States for the constitutional term of six years, commencing on the 4th of March next.

Thereupon

A certificate was made out, signed by the Speakers of the two houses, and attested by the respective Clerks, and addressed to the Governor of the State,

Which,

On motion of Mr. Robinson, of the House,

Was read, as follows, to wit :

STATE OF DELAWARE, SS.

BE IT KNOWN, That the Legislature of the State of Delaware, did, on the 19th day of January, in the year of our Lord one thousand eight hundred and eighty-one, at an election in due manner held according to the form of the act of Congress, in such case made and provided, elect Thomas F. Bayard to be a Senator from the said State in the Senate of the United States for the constitutional term to commence on the fourth of March next.

GIVEN under our hands the nineteenth day of January Anno Domini one thousand eight hundred and eighty-one.

CATESBY F. RUST,

Speaker of the Senate.

REYNEAR WILLIAMS,

Speaker of the House of Representatives.

ATTEST :

HIRAM T. DOWNING,

Clerk of the Senate.

DAVID T. MARVEL,

Clerk of the House of Representatives.

On motion of Mr. Jones, of the House,

It was ordered that the certificate be entered upon the journal of each of the houses.

On motion of Mr. Harrington, of the Senate,

The journals of the joint meeting were read and compared.

On motion of Mr. Cooch, of the Senate,

The two houses separated and the Senators returned to their Chamber.

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

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

Mr. Tomlinson presented the petition of C. S. Layton, and others, for the passage of an act to revive and continue in force the act, Chapter CCLVIII, February 6, 1833, and to appoint other managers and corporators, to supply vacancies, and to amend said act for the purpose of cutting and making a canal between the waters of the Nanticoke River and Broadkirk Creek, in the County of Sussex, and for other purposes,

Which,

On motion of Mr. Tomlinson,

Was read,

And, on his further motion,

Was referred to a special committee of five, with leave to report by bill or otherwise,

Whereupon,

Messrs. Tomlinson, Van Burkalow, Matthews, Moore and Bradford were appointed said committee.

Mr. Bradford, on behalf of the Committee on Revised Statutes, to whom was referred the petition of Samuel Hutchinson, jr., and others, in regard to appointing a constable in Kenton, Kent County, reported a bill entitled,

“An act to authorize the Levy Court of Kent County to reappoint, for an additional term or terms of three years, a constable for Kenton Hundred, who shall reside in the Village of Kenton,”

Which,

On motion of Mr. Bradford,

Was read.

Mr. Bradford, on behalf of the Committee on Revised Statutes, to whom was referred the bill entitled,

"An act to further amend an act entitled, 'An act to amend the Charter of the City of Wilmington,'"

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

On motion of Mr. Bradford,

The bill just reported to the House was taken up for consideration,

And, on his further motion,

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. Bradford, Cahall, Eastburn, Graham, Jones, Matthews, McNeal, Moore, Pilling, Robinson, Swayne, Tomlinson, Townsend, Van Burkalow, A. C. Williams, T. N. Williams, Wood-keeper and Mr. Speaker—18.

Nays—None.

So the bill, having received the required constitutional majority,

Passed the House.

Ordered to the Senate for concurrence.

Mr. Bradford, on behalf of the Committee on Revised Statutes, to whom was referred the bill entitled,

"An act to authorize the City Council of the City of Wilmington to sell and convey the City Hospital property,"

Reported the same back to the House with amendments.

On motion of Mr. Bradford,

The bill was taken up for consideration,

And, on his further motion,

The amendment was read,

And further, on his motion,

Was

Adopted.

On motion of Mr. Bradford,

The bill, as amended, 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. Bradford, Cahall, Eastburn, Jones, Matthews, McNeal, Moore, Pilling, Robinson, Swayne, Townsend, A. C. Williams, T. N. Williams, Woodkeeper and Mr. Speaker—15.

Nays—None.

So the bill, having received the required constitutional majority,

Passed the House.

Ordered to the Senate for concurrence.

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

"Joint resolution in relation to the petition of certain citizens of St. Georges and Red Lion Hundreds,"

And presented the same to the House.

On motion of Mr. Townsend,

The joint resolution just received was read,

And, on his further motion,

Was

Concurred in.

Whereupon,

Messrs. Robinson, Cahall and Townsend were appointed committee on the part of the House.

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

On motion of Mr. Bradford,

The Committee on Revised Statutes were given five more days of actual sitting time in which to report upon sundry bills, entitled,

"An act to amend Section 29 of Chapter 89 of the Revised Code of 1852, as amended and published in 1874,"

"An act to amend Section 17 of Chapter 90 of the Revised Code of 1852, as amended and published in 1874,"

"An act to further amend Chapter 73 of the Revised Code, entitled 'Of the City of Wilmington,' "

"An act in regard to municipal liens in the City of Wilmington,"

"An act in relation to railway tracks in the City of Wilmington,"

"An act to amend Section 46 of Chapter 89 of the Revised Code of 1852, as amended and published in 1874,"

"An act to amend Chapter 21 of Volume 14 of the Laws of Delaware, entitled 'An act to amend Chapter 390 of Volume 13 of the Laws of Delaware.' "

On motion of Mr. Eastburn,

The bill entitled,

"An act to prevent live stock from running at large in School District No. 91, in New Castle county,"

Was read a second time by its title,

And, on his further motion,

Was referred to the Committee on Roads and Highways.

On motion of Mr. Cahall,

The Senate bill entitled,

"An act to renew and re-enact the act of incorporation of the Marshy Hope Improvement Company,"

Was read a second time by its title.

Mr. Bradford presented sundry bills of Chief of Police Maxwell for services rendered,

Which,

On his motion, were referred to the Committee on Claims.

Mr. Bradford presented the petition of Rev. J. H. Caldwell, pastor of St. Paul's M. E. Church, and others, asking for an amendment to the marriage laws.

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

“An act to amend Section 6 of Chapter 46, Volume 16, Laws of Delaware, entitled ‘An act in relation to Free Schools in this State.’”

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

“An act to amend Section 10 of Chapter 60 of the Revised Code of 1852, as amended and published in 1874, entitled, ‘Concerning Roads and Bridges.’”

Mr. Van Burkalow offered a resolution,

Which,

On his motion, was read, as follows :

Resolved by the House of Representatives of the State of Delaware,
That we request the Speaker to appoint a committee of three, to whom may be referred all petitions, memorials, letters, or other communications, sent to this House for our contemplation, on the subject embraced in and contemplated by this resolution ; and that they shall duly consider such matter as shall be referred to them, with the privilege to report thereon by bill or otherwise.

And, on his further motion,

The resolution was

Adopted.

Whereupon

Messrs. Van Burkalow, Stayton and Eliason were appointed said committee.

Mr. Van Burkalow presented a letter from Thomas B. Coursey and others,

Which,

On his motion, was read,

And, on his further motion,

Was referred to the Committee on Fish, Game and Fisheries.

Mr. Eliason, on behalf of the Committee on Roads and Highways, to whom was referred the Senate bill entitled,

“An act authorizing the laying out of a public road in North West Fork Hundred, Sussex County, Delaware,”

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

On motion of Mr. T. N. Williams,

The bill just reported was taken up for consideration,

And further, on his motion,

Was read a third time, by paragraphs,

And

Passed the House.

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

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

THURSDAY, January 20, 1881—10 o'clock, A. M.

The House met pursuant to adjournment.

Prayer by the Chaplain.

Roll called.

Journal read and approved.

Mr. Eliason submitted a report,

Which,

On his motion, was read, as follows:

The Committee to whom was referred so much of the Governor's Message as relates to Public Roads and Highways, beg leave to report that they have carefully considered the same, and in view of all the circumstances deem it their duty to report no bill.

(Signed,)

A. ELIASON,

J. W. GRAHAM,

PHILIP C. MATTHEWS,

Committee.

And, on his further motion,

The report was accepted and the committee discharged.

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

On motion of Mr. Robinson,

Obtained leave to introduce a bill entitled,

“An act prohibiting live stock from running at large in school district No. 45, in Sussex County,”

Which,

On motion of Mr. Matthews,

Was read.

Mr. Van Burkalow offered a resolution,

Which,

On his motion, was read, as follows :

Resolved, That 200 copies of the report of the Adjutant General be printed for the use of the House,

And, on his further motion,

Was

Adopted.

On motion of Mr. Graham,

The bill entitled,

“An act to authorize the Levy Court of Kent County to reappoint, for an additional term or terms of three years, a constable for Kenton Hundred, who shall reside in the Village of Kenton,”

Was read a second time by its title.

On motion of Mr. Register,

The bill entitled,

“An act to amend Section 45, Chapter 111, of the Revised Code,”

Was read a second time by its title.

On motion of Mr. Register,

The bill entitled,

“An act to amend Section 8, Chapter 106, Revised Code,”

Was read a second time by its title.

Mr. Eliason, on behalf of the Committee on Roads and Highways, to whom was referred the bill entitled,

"An act to prevent live stock from running at large in school district No. 91, in New Castle County,

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

On motion of Mr. Eliason,

The bill just reported to the House was taken up for consideration,
And, on his further motion,

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

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

It was decided in the affirmative,

And the bill

Passed the House.

Ordered to the Senate for concurrence.

Mr. McNeal presented the petition of Wm. T. Burton to divorce him from his wife Irena B.,

Which,

On his motion, was read.

Mr. Bradford moved

That the petition be laid on the table.

Which motion

Prevailed.

Mr. Register offered a resolution,

Which,

On his motion, was read, as follows:

Resolved, That the Speaker is hereby requested to appoint a committee of five on Agriculture, to whom may be referred that part of the Governor's message, together with any other matter on this subject that may be presented to this House, and that the committee be authorized to report by bill or otherwise.

And, on his further motion,

The resolution was

Adopted.

Whereupon,

Messrs. Register, Graham, Stayton, McNeal and Woodkeeper, were appointed said committee.

Mr. Robinson presented a request from the National Woman's Suffrage Association,

Which,

On his motion, was read, as follows :

To the Honorable the General Assembly of the State of Delaware :

The undersigned, acting for herself and those who cooperate with her in the work of promoting Woman Suffrage, respectfully requests a hearing before the Legislature sitting as a committee of the whole body, and in the House of Representatives Chamber, on Tuesday evening next, at 7 o'clock ; the meeting not to be open to the public.

Jan. 2d, 1881.

MARY A. STUART,

Vice President of National Woman's Suffrage Association for the State of Delaware.

On motion of Mr. Robinson, the request was granted.

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

“An act proposing an amendment to the Constitution of this State.”

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

And, on motion of Mr. Robinson,

Obtained leave to introduce a bill entitled,

“An act to amend Section 10 of Chapter 60 of the Revised Code of 1852, as amended and published in 1874, entitled ‘Concerning Reads and Bridges,’ ”

Which,

On motion of Mr. Townsend,

Was read.

On motion of Mr. Van Burkalow,

So much of the Governor's Message as refers to Agriculture was referred to the Committee on Agriculture.

Mr. Downing, Clerk of the Senate, being admitted, informed the House that the Senate had adopted sundry reports, viz :

Report of the Joint Committee to examine the accounts of the State Treasurer and Trustee of the School Fund ; and

Report of the Joint Committee to settle with C. S. Pennewill for alterations and improvements in Capitol Building,

And presented the same to the House.

On motion of Mr. Tomlinson,

The report of the joint committee to examine the accounts of the State Treasurer and Trustee of the School Fund,

Was read,

And, on his further motion,

The report was adopted and the committee discharged.

Mr. Tomlinson offered a joint resolution entitled,

"Joint resolution appointing State Treasurer,"

Which,

On his motion, was read, as follows :

Resolved by the House of Representatives of the State of Delaware, by and with the concurrence of the Senate, That Robert J. Reynolds be and he is hereby appointed State Treasurer.

And further, on his motion,

The joint resolution was

Adopted.

Ordered to the Senate for concurrence.

Mr. Cahall offered a joint resolution,

Which,

On his motion, was read, as follows :

"Joint resolution appointing Auditor of Accounts.

"Resolved by the House of Representatives with the concurrence of the Senate, That John F. Staats be and he is hereby appointed Auditor of Accounts."

On motion of Mr. Bradford,

The consideration of the resolution was postponed until 3 o'clock, P. M.

Mr. Bradford, on behalf of the Committee on Revised Statutes, to whom was referred the bill entitled,

“An act to amend the act entitled, ‘An act to regulate the expenditures of the County Funds by the Levy Court of New Castle County,’ passed at Dover, March 27, 1879,”

Asked,

And, on motion of Mr. Stayton,

Obtained further time to consider and report.

On motion of Mr. Cahall,

The Senate bill entitled

“An act to renew and reenact the act of incorporation of ‘The Marshy Hope Improvement Company,’ ”

Was referred to the Committee on Corporations.

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

SAME DAY—3 o'clock, P. M.

The House met pursuant to adjournment.

The joint resolution entitled,

“Joint resolution appointing Auditor of Accounts,”

Being the order of the day, was taken up for consideration, and

On motion of Mr. Robinson,

Was

Adopted.

Ordered to the Senate for concurrence.

Mr. Downing, Clerk of the Senate, being admitted, informed the House that the Senate had concurred in sundry House bills and joint resolutions entitled as follows, viz :

“An act to renew and continue in force an act entitled, ‘An act to incorporate the Saint Mary’s Beneficial Society, of the city of Wilmington, Delaware,’ passed at Dover, January 22d, 1861,”

"An act to renew and continue in force an act to incorporate 'The Saint Michael's Beneficial Society, of the City of Wilmington, Delaware,' passed at Dover, January 22, 1861,"

"An act to reincorporate the members of the Fame Hose Company, of the City of Wilmington,"

"An act to incorporate the German Library Association, of the City of Wilmington,"

"Joint resolution appointing Auditor of Accounts," and

"Joint resolution appointing State Treasurer,"

And returned the same to the House.

He also presented and asked the concurrence of the House in sundry Senate bills and a joint resolution, entitled as follows:

"An act to lay out a new public road in North-West Fork Hundred, Sussex county, Delaware,"

"An act to renew the act to incorporate the Artisans' Savings Bank and the acts supplementary thereto and to amend the same," and

"Joint resolution in relation to Auditor's Report,"

And presented the same to the House.

On motion of Mr. Cahall,

The Senate joint resolution entitled

"Joint resolution in relation to Auditor's Report,"

Was read,

And, on motion of Mr. Robinson,

Was laid on the table.

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

"An act to divide United School Districts Nos. 50 and 108, (Kent County), under the incorporate name of the Magnolia Public Schools."

On motion of Mr. Tomlinson,

The Senate bill entitled,

"An act to renew the act to incorporate the Artisans' Savings Bank and the acts supplementary thereto and to amend the same,"

Was read.

On motion of Mr. McNeal,
 The bill entitled,
 "An act in relation to Public Ditches,"
 Was read a second time by its title.

On motion of Mr. Pilling,
 The Senate joint resolution entitled,
 "Joint resolution in relation to Auditor's Report,"
 Was taken up for consideration.

And, on his further motion,

The resolution was

Concurred in.

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

On motion of Mr. Pilling, .

Five hundred copies of the Auditor's report were ordered to be printed for the use of the House.

On motion of Mr. Robinson,

The report of the joint committee to settle with C. S. Pennewill, for alterations and improvements in Capitol building, was read, as follows:

REPORT

Of the joint committee to settle with Caleb S. Pennewill, Esq., in relation to amount expended in making alterations and improvements in State House, and in purchasing of such things as were necessary for the protection of the building and furniture, for the expenses of Library, and for purchase of coal for the use of Library, Governor's and Secretary of State's rooms.

Total amount expended.....		\$1,381.95
Amount received for one old case sold.....	\$ 3.00	
Amount of drafts on State Treasurer.....	1,378.00	
	<hr/>	\$1,381.00
Balance due Mr. Pennewill.....		<hr/> <hr/> .95

Vouchers examined and found correct,

C. J. HARRINGTON,
ISAAC CONNAWAY,

Committee of Senate.

C. H. REGISTER,
JOSEPH G. McNEAL,
JOHN PILLING,

Committee of the House.

On motion of Mr. Robinson,

The report was

Adopted.

On motion of Mr. Cahall,

The vote by which five hundred copies of the Auditor's report were ordered printed was reconsidered.

There being no objection Mr. Pilling withdrew his motion.

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

"A bill to create a new school district from Nos. 62, 63, 64 and 86, Sussex County,"

"An act to exempt Sussex County from the provisions of Chapter 57 of Volume 14 of the Laws of Delaware, entitled, 'An act to provide for the indigent insane of the State of Delaware, passed at Dover, March 29, 1871,'"

"An act to amend Section 11 of Chapter 48 of the Revised Statutes of the State of Delaware, the Chapter being entitled, 'Concerning Alms-Houses and the Poor,'"

And presented the same to the House.

On motion of Mr. Robinson,

The Senate bill entitled,

An act to exempt Sussex County from the provisions of Chapter 57 of Volume 14 of the Laws of Delaware, entitled, 'An act to provide for the indigent insane of the State of Delaware, passed at Dover, March 29, 1871,

Was read.

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

On motion of Mr. Matthews,

Obtained leave to introduce a bill entitled,

"Amendments to an act of incorporation of Fenwick's Island Improvement Company, passed at Dover, March 15th, 1871."

Which,

On motion of Mr. McNeal,

Was read.

On motion of Mr. T. N. Williams,

The Senate bill entitled,

"An act to create a new school district from Nos. 62, 63, 64 and 86, Sussex county,"

Was read.

On motion of Mr. T. N. Williams,

The Senate bill, entitled,

"An act to lay out a new public road in North-West Fork Hundred, Sussex county, Delaware,"

Was read.

On motion of Mr. T. N. Williams,

The Senate bill entitled,

"An act to amend Section 11 of Chapter 48 of the Revised Statutes of the State of Delaware, the chapter being entitled, 'Concerning Alms Houses and the Poor,'"

Was read.

Mr. Robinson, on behalf of the Committee on Corporations, to whom was referred the Senate bill entitled,

"An act to renew and re-enact the act of incorporation of the Marshy Hope Improvement Company,"

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

On motion of Mr. Robinson,

The bill just reported to the House was taken up for consideration,