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# JOURNAL OF THE SENATE,

OF THE

STATE OF DELAWARE.

AT A

SESSION OF THE GENERAL ASSEMBLY,

CONVENED AND HELD AT DOVER, ON

TUESDAY, THE FIFTH DAY OF JANUARY,

IN THE YEAR OF OUR LORD

ONE THOUSAND EIGHT HUNDRED AND SEVENTY-FIVE,

AND OF THE

INDEPENDENCE OF THE UNITED STATES OF AMERICA THE NINETTY-  
NINTH.

1875:

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# JOURNAL OF THE SENATE

## OF THE

### STATE OF DELAWARE.

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

Messrs. Leander F. Riddle, James H. Ray and Henry Davis, of New Castle County; and

Messrs. Wm. M. Shakespeare, Henry B. Fiddeman and Wm. Sapp, of Kent County; and

Messrs. Charles C. Stockley, John W. Causey and John T. Moore, of Sussex County, appeared and took their seats.

The late Clerk of the Senate being absent, Mr. Stockley called the Senate to order.

On motion of Mr. Stockley,

Mr. Shakespeare was appointed speaker *pro tempore*.

On motion of Mr. Fiddeman,

Mr. Causey was appointed Clerk *pro tempore*.

On motion of Mr. Stockley,

The return of the elections for Senators of the several counties of the State were read.

By the returns of the officers of New Castle county, appointed by law judges of election, it appeared that on the Tuesday next after the first Monday in the month of November last, at the several and respective places appointed by law for holding the election in and for said county, Messrs. Jas. H. Ray and Henry Davis were duly chosen to represent the said county in the Senate of the State of Delaware, for the ensuing term of four years.

By the returns of the officers of Kent county, appointed by law judges of election, it appeared that on the Tuesday next after the first Monday in November last, at the several and respective places appointed by law for holding the election in and for said county, Messrs. Henry B. Fiddeman and Wm. Sapp were duly chosen to represent said county in the Senate of the State of Delaware, for the ensuing term of four years.

By the returns of the officers of Sussex county, appointed by law judges of election, it appeared that on the Tuesday next after the first Monday in the month of November last, at the several and respective places appointed by law for holding the election in and for said county, Messrs. John W. Causey and John T. Moore were duly chosen to represent the said county in the Senate of the State of Delaware, for the ensuing term of four years.

On motion of Mr. Moore,

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

Mr. Shakespeare, moved

That two tellers be appointed to receive and count the votes,

Which motion, *Prevailed.*

Whereupon,

Messrs. Moore and Sapp were appointed said tellers.

Upon the ballots being counted, it appeared

That Chas. C. Stockley had received eight votes.

Blank one vote,

Whereupon,

Chas. C. Stockley having received a majority of the votes cast, was declared to be duly elected Speaker of the Senate.

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

I, Wm. M. Shakespeare, a member of the Senate of the State of Delaware, from the county of Kent, do hereby certify that Chas. C. Stockley, a member of the Senate from the county of Sussex, was, previous to entering upon any other business, and previous to taking his seat as Speaker, duly sworn by me, on the Holy Evangelists of Almighty God, to support the Constitution of the United States, to support the Constitution of the State of Delaware, and to perform his duties as a member of the General Assembly of the said State with fidelity.

And,

I, Chas. C. Stockley, Speaker of the Senate of the State of Delaware, do hereby certify that Jas. H. Ray and Henry Davis, of New Castle county, Henry B. Fiddeman and Wm. Sapp, of Kent county, and John W. Causey and John T. Moore, of Sussex county, members elect (and present) of the Senate, were, previous to entering upon any other business, and previous to taking their seats, respectively sworn, and 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 fifth day of January, in the year of our Lord one thousand eight hundred and seventy-five.

WILLIAM M. SHAKESPEARE,  
CHARLES C. STOCKLEY.

On motion of Mr. Riddle,

The Senate proceeded to ballot for a Clerk.

The Speaker appointed Messrs. Moore and Sapp tellers, to receive and count the votes.

Upon the ballots being counted, it appeared

That A. P. Robinson had received eight votes; and

Samuel A. McCallister one vote.

Whereupon,

A. P. Robinson, having received a majority of the votes cast, was declared duly elected Clerk.

Mr. Shakespeare moved,

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

Which motion

*Prevailed.*

Whereupon,

Messrs. Shakespeare and Riddle were appointed said committee.

A. P. Robinson, being introduced, was duly qualified and assumed the duties of his office.

On motion of Mr. Fiddeman,

The Senate proceeded to ballot for Sergeant-at-Arms.

The Speaker appointed Messrs. Moore and Sapp, tellers.

Upon the ballots being counted, it appeared

That Zachariah Reynolds had received eight votes; and

John Klingler one vote.

Whereupon,

Zachariah Reynolds, having received a majority of the votes cast, was declared duly elected, was qualified, and entered upon the duties of his office.

On motion of Mr. Shakespeare,

Edwin Milbourn was appointed messenger.

Mr. Shakespeare offered a resolution,

Which,

On his motion,

Was read, as follows:

*Resolved*, That the Rev. Cyrus Huntington be, and he is hereby invited to act as Chaplain of the Senate during the present session.



And further,

On his motion,

Was unanimously

*Adopted.*

Mr. Shakespeare moved,

That a committee of two be appointed to wait upon the Rev. Cyrus Huntington, and inform him of his election as Chaplain of the Senate.

Which motion

*Prevailed.*

Whereupon,

Messrs. Shakespeare and Moore, were appointed said committee.

On motion of Mr. Moore,

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

On motion of Mr. Riddle,

The Reporters of the press were admitted to the floor of the Senate.

Mr. Shakespeare offered a resolution,

Which,

On his motion, was read as follows:

*Resolved*, That the Clerk of the Senate be, and he is hereby directed to furnish each member of the Senate with one daily newspaper of his choice, during the session of the Legislature, and also to furnish the Senate with one copy of each of the newspapers published in the State, during the session.

Mr. Riddle offered a resolution,

Which,

On his motion,

Was read, as follows:

*Resolved*, That the following committees be appointed by the Chair, and reported to the Senate within the next three days of

actual session, to act as standing committees during the present session, to wit: A Committee on Corporations, a Committee on Enrolled Bills, a Committee on Elections, a Committee on Accounts, a Committee on Claims, a Committee on Finance, a Committee on Roads and Highways, a Committee on Vacant Lands, and a Committee on Revised Statutes.

And further,

On his motion,

The resolution was

*Adopted.*

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

Mr. Moore offered a resolution,

Which,

On his motion,

Was read, as follows:

*Resolved, By the Senate and House of Representatives of the State of Delaware in General Assembly met, that a committee of two on the part of the Senate be appointed to act jointly, with a like committee on the part of the House, to wait on his Excellency, the Governor, and inform him that a quorum of both Houses of the Legislature are convened, duly organized and ready to receive any communication he may see proper to make.*

And further,

On motion of Mr. Causey,

The resolution was

*Adopted.*

Whereupon,

Messrs. Moore and Ray were appointed said committee on the part of the Senate.

*Ordered to the House for concurrence.*

Mr. Riddle moved,

That a committee of three be appointed to draft rules for the ensuing session of the Senate.

Which motion

*Prevailed.*

Whereupon,

Messrs. Riddle, Causey and Sapp were appointed said committee.

Mr. Hazel, Clerk of the Senate, being admitted, informed the Senate that the House had concurred in the Senate joint resolution, appointing a joint committee to wait upon his Excellency, the Governor, and inform him that a quorum of both Houses had convened, were duly organized and ready to receive any communication he may see fit to make.

On motion of Mr. Moore,

The Senate adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The Senate met pursuant to adjournment.

The Speaker announced the standing committees for the present, under the rule, authorizing the same, as follows:

Committee on Corporations:

Messrs. Shakespeare,  
Moore,  
Davis.

Committee on Enrolled Bills:

Messrs. Causey,  
Riddle,  
Ray,  
Moore.

## Committee on Elections:

Messrs. Sapp,  
Ray,  
Shakespeare.

## Committee on Accounts:

Messrs. Fiddeman,  
Moore,  
Riddle.

## Committee on Claims:

Messrs. Moore,  
Davis,  
Ray.

## Committee on Finance:

Messrs. Ray,  
Causey,  
Fiddeman

## Committee on Roads and Highways:

Messrs. Davis,  
Sapp,  
Ray.

## Committee on Vacant Lands:

Messrs. Shakespeare,  
Davis,  
Sapp.

## Committee on Revised Statutes:

Messrs. Riddle,  
Moore,  
Causey.

## On motion of Mr. Shakespeare,

The Clerk was instructed to have fifty copies of said standing committees printed for the use of the Senate.

Mr. Ray, from the committee on the part of the Senate, to wait upon his Excellency, the Governor, reports that they had per-

formed that duty, and that the Governor would send, through the Secretary of State, a written communication to the Senate in ten minutes.

John H. Paynter, Esq., Secretary of State, being admitted, presented to the Senate a written message, from his Excellency the Governor, together with the Finance report of State Treasurer, and the report of the Secretary of State

On motion of Mr. Moore,

The message from the Governor,

Was read, as follows :

*Gentlemen of the Senate and House of Representatives:*

The General Assembly is invested, by the Constitution, with the whole legislative power of the State, and the undivided responsibility of a proper exercise of that power is devolved upon the two Houses of which you are members. Neither the Executive nor Judicial Departments of the State government can interfere with the high functions with which you are clothed. It is made the duty of the Governor to give to the Legislature information relating to public affairs, and to recommend such measures as in his judgment will promote the public interest, but he can aid in no other way the performance of the duty imposed upon you. Nor can he interpose objections to or interfere, except by the exercise of the pardoning power, with the operations of any law which you may enact. The Constitution does not confer upon him the veto power, nor is his approval necessary to the validity of any law passed by the Legislature. The only limitations upon the exercise of the power conferred upon the General Assembly are found in Constitution of the State, the constitution of the United States, and the laws of Congress passed in pursuance thereof. Chosen by your fellow-citizens as Senators and Representatives, and intrusted with the responsible duties pertaining to the positions you occupy, it will be, I doubt not, your highest aim to promote, by your action, as legislators, the best interest of the people of the State.

Nothing has occurred since the adjournment of the last session of the Legislature to interfere with the harmony and peace of the State, or to obstruct the due execution of the laws. The authority of those entrusted with the administration of justice and the enforcement of law has been recognized and respected, and the good

order and peace of society everywhere maintained. Nowhere can greater security for life and property, or a more general observance of the rights of all persons be found, than in our own State. The number of crimes committed by individuals is comparatively small, while we have been entirely exempt from those disorders witnessed in other communities, resulting from the combination of large numbers for the purpose of resisting authority on enforcing compliance with their own demands. The immunity of this State from these disorderly combinations is attributable to the peaceful character of our people and their attachment to the local government under which they live, arising, doubtless, from a conviction that it has been rendered as little burdensome and oppressive as possible, and has been administered with fairness and impartiality to all.

The financial revulsion which occurred more than a year ago, and which so seriously affected industry and enterprise in many portions of the country, did not, at the time, prove so embarrassing to the people of this State generally as to communities more largely engaged in manufacturing and commercial pursuits. The continued depression of business, however, has had its effects upon the industries and property of the State. The prices of our agricultural products have become, to some extent, unremunerative, and lands, as a consequence, rendered less valuable. In Wilmington, and some of our larger towns, mechanical labor has not found, at all times, sufficient employment, owing to the necessary curtailment of business by employers. It is to be hoped that whatever inconvenience may have been felt from the depression in monetary affairs will prove temporary, and that business will resume its wonted channels, and industry of every character meet with proper reward and encouragement.

There are but few subjects of general importance which I deem necessary to recommend to your consideration. Much greater inconvenience and injury result from hasty and unnecessary legislation, than from any failure on the part of the General Assembly to enact all necessary and proper laws.

The publication of Revised Statutes, as amended, since the last session of the Legislature, together with such laws of a public character as have been passed since the revision of the laws in 1852, should suggest hesitation in alterations of the laws embodied in the present Code. Repeated changes in the statute law of the State is attended with inconvenience to the people and sometimes with embarrassment to the administration of justice by the courts.

Laws with which the people are familiar are much easier observed, and always command a higher degree of respect than such as are new and to which they are unaccustomed. I therefore respectfully suggest to the Legislature the propriety of refraining from amending the existing laws of the State, except where experience has shown that amendments are necessary and proper.

#### PREPARATION OF STATUTES.

In this connection I may be allowed to suggest that too much care cannot be exercised in the preparation of the laws which the Legislature may see proper to enact. Not unfrequently Acts of Assembly are passed which are in conflict with the Constitution of the State, and which lead to expensive litigation that might be avoided by proper care in the preparation of the enactment.

Sometimes Acts of Assembly are couched in ambiguous language, susceptible of different constructions, perplexing even to the legal profession and requiring the authoritative interpretation of the courts to settle definitely their true import and meaning. The object and intent of every statute should be rendered as obvious as possible to every intelligent mind, and should be so clearly expressed as to preclude the possibility of misinterpretation by public officers and others whose duty may be regulated thereby.

These suggestions are alike applicable to amendments which may be made to existing laws and to original statutes, and their observance by the General Assembly at its present session may avoid errors in legislation which experience has proved to be neither slight nor unfrequent.

#### AMENDMENTS OF STATUTES.

The mode sometimes adopted of amending existing laws, by reference to the chapter and section proposed to be amended, and striking out certain words therefrom and inserting other words in lieu thereof, is objectionable, and, in my opinion, ought to be avoided. Amendments desired should be effected by a repeal of the section intended to be changed and the substitution of a new section embodying the alteration desired in the law. Proper attention by the Legislature to this subject, which in some of the States has been deemed of sufficient importance to be provided for by constitutional provision, will render our statute law less confused and more easily understood than it has been heretofore.

#### STATE DEBT AND FINANCES.

The accompanying report of the State Treasurer, made to me in compliance with law, and to which I beg leave to call attention,

contains a detailed statement of the indebtedness of the State and the purposes for which such indebtedness was created; and also a statement showing the amount and character of the investments belonging to the State and the purposes to which such investments are appropriated. By reference to the statements contained in the report, it will be seen that the indebtedness of the State, created prior to the last session of the Legislature, was one million four hundred and sixty-two thousand dollars (\$1,462,000). Of which amount there was appropriated to the payment of volunteers and the relief of persons drafted into the military service during the late war, one million one hundred and ten thousand dollars (\$1,110,000), and the residue, or three hundred and fifty-two thousand dollars (\$352,000), was incurred by a loan to the Junction and Breakwater Railroad Company, to aid in the construction of their road.

The amount of indebtedness created for the purposes named had been reduced prior the first of January, 1873, by the purchase of bonds, to the amount of one hundred and thirty-seven thousand dollars (\$137,000).

The bonds falling due the first day of January, 1875, have been since taken up and cancelled, or their payment provided for, which will make the reduction of the debt, within the last four years, amount to three hundred and eighty-eight thousand dollars (\$388,000); leaving the amount due on the original debt, heretofore referred to, on the first day of January, 1875, one million and seventy-four thousand dollars (\$1,074,000).

At the last session of the Legislature an act was passed loaning the bonds of the State, to the amount of two hundred thousand dollars (\$200,000), to the Breakwater and Frankford Railroad Company, and the amount so loaned will further increase the State debt, after retaining the sum of twenty-four thousand dollars (\$24,000) to pay interest thereon for two years, one hundred and seventy-six thousand dollars (\$176,000); making the whole debt one million two hundred and fifty thousand dollars (\$1,250,000).

It will be seen by the report of the State Treasurer that the whole amount of the assets of the State, including investments appropriated to the School Fund, amount to one million one hundred and twenty-three thousand one hundred and eighty-nine dollars (\$1,123,189). The amount of liabilities over all assets is one hundred thousand eight hundred and eleven dollars (\$100,811), and over assets not appropriated to the School Fund, five hundred and seventy-six thousand nine hundred and fifty dollars (\$576,950).

This latter amount may properly be regarded as the real debt of



the State over available assets. While the Legislature, under proper circumstances, would be justified in disposing of the investments not appropriated to the educational interest of the State, and applying the amount realized therefrom to the payment of the bonds now outstanding, the exigency, I apprehend, would be most extraordinary that could induce the General Assembly to divert the investments set apart for school purposes from the object to which they have been so long and beneficially appropriated. I can contemplate but one contingency, and that, it is to be hoped, a very remote one, which, in my opinion, would justify such action. If the Congress of the United States, by the passage of a bill now pending in the House of Representatives, or by the adoption of any similar measure, should interfere with the educational interest of the State for the purpose of compelling the education of white and colored children in mixed schools, the Legislature, in my judgment, would not only be justified, but required by public sentiment in the State, to call in the investments set apart for common schools and apply the same to the payment of the public debt.

#### STATE AID TO WORKS OF INTERNAL IMPROVEMENT.

More than five hundred thousand dollars of the present debt of the State has been incurred in aid of the construction of the Junction and Breakwater Railroad, and the Breakwater and Frankford Railroad. Without intending to express any opinion upon the propriety of the action of the Legislature in aiding the construction of these roads, I respectfully suggest that no further increase of the public debt, for similar purposes, ought to be authorized by the General Assembly. The credit of the State ought not to be placed in jeopardy by any further issue of bonds, nor should the revenues derived from taxation; or otherwise, be applied to any other purposes than the ordinary expenses of the government and the reduction of the present liabilities of the State.

I do not know that any application will be made to the Legislature, at its present session, for aid in the construction of railroads or other works of internal improvement; but from a firm conviction that any policy which would further connect the State with railroad improvements would be hazardous to its credit, I deem it an imperative duty to urge the necessity of guarding carefully against any augmentation of the State debt, and the consequent increased measure of taxation which such augmentation would necessarily entail upon the people of the State.

Whatever local advantages might be anticipated from the construction of additional railroads, it is certain that they would not

justify an increase of present liabilities, or compensate for the injury which would be inflicted by additional taxation rendered necessary thereby.

It is to be hoped that a sincere desire to preserve untarnished the credit of the State, and to protect our citizens from further taxation, will prevent the Legislature, at its present session, or hereafter, from authorizing any further issue of State bonds for any purpose whatsoever.

#### REDUCTION OF DEBT.

The revenues, under existing laws, are ample for any present or anticipated demands upon the Treasurer. The ordinary expenses of the government have been met, the interest on the public debt promptly paid, and the principal of that portion of the debt created by the exigencies of the war reduced \$388,000 within the last four years. This has been accomplished from the ordinary receipts of the Treasury without postponing the payment of any claim against the Treasury.

It is a matter of just pride to our citizens that the faith of the State, pledged to the payment of its obligations, has been maintained, and the public credit preserved unimpaired, and the financial condition of the State rendered so prosperous, and that, too, by a revenue system less oppressive than obtains in most of the States of the Union.

#### RECEIPTS AND EXPENDITURES.

The receipts and expenditures necessarily vary to some extent in different years. The fees for licenses and commissions granted by the State, as well as the revenue derived from the passenger tax, and other sources, are greater some years than in others. So too the expenditures are necessarily greater in the years when the Legislature is in session than in the years in which the General Assembly does not meet.

The following statement, however, based upon receipts and expenditures for 1873, will approximate very nearly the average annual receipts and disbursements of the Treasury.

Receipts from all sources about \$207,872.39.

Expenditures, including \$75,000 interest on the public debt, and an appropriation of \$3,000 to Delaware College, and one-half of the biennial expenses of the Legislature, about \$111,025.77.

Excess of receipts over expenditures about \$96,846.62.

The amount of expenditures above stated does not include appropriations made by the Legislature to purchase the interest of Kent.

County in the State House and for repairs on the same, or any other appropriation of an extraordinary character, other than that to Delaware College, but does include the latter appropriation, amounting to \$3,000, add also the amount required to pay interest on the outstanding public debt, about \$75,000, as well as all other ordinary expenses of the State Government, including salaries to all public officers, executive and judicial, the allowance for public printing, and one-half of the biennial session of the Legislature.

#### EXPENSES OF STATE GOVERNMENT.

It will be seen from the foregoing exhibit that exclusive of payments on account of interest, and exceptional appropriations made by the Legislature, the ordinary expenses of the State Government amount to but little over \$33,000, and that the receipts in excess of disbursements for ordinary purposes, and the amount required to pay interest, will be something less than \$97,000.

#### SINKING FUND.

None of the bonds now outstanding, except such as are provided for, will become due before 1885, and as these are generally held by persons who purchased them for investment, it is doubtful whether the State Treasurer will be able to procure them at their par value as fast as the receipts of the Treasury will enable him to take them up. It is not the interest of the State, and would be a very unwise policy, to appreciate the price of the bonds by purchasing them at any advance upon their face value. I therefore submit, for the consideration of the General Assembly, the propriety of enacting a law creating a sinking fund for the redemption of the bonds at maturity and authorizing the State Treasurer to invest, from time to time, the surplus funds in the Treasury in United States bonds, or other undoubted securities, bearing six per cent. interest, for the benefit of the sinking fund created for that purpose.

This would not prevent the State Treasurer from using the funds in his hands, at any time, in the purchase of bonds issued by the State whenever the same could be obtained at their par value, but would guard against an accumulation of unproductive revenue in the Treasury by converting the same into interest bearing securities which could be sold and the proceeds applied to the payment of the State debt at maturity. Should this suggestion meet with the favorable consideration of the General Assembly, I respectfully submit that the sinking fund to be established should be carefully guarded against any appropriation to other purposes than the payment of the existing obligations of the State.

If no further issue of State bonds shall be authorized, a careful husbanding of the revenues paid into the Treasury under existing laws, will enable the State to meet all outstanding liabilities as fast as they become due. This object should be carefully kept in view as of highest obligation, and no reduction or diversion of the revenue be permitted that would render the payment of the present debt, whenever the same can be rightfully demanded, in the least degree uncertain.

#### REDUCTION OF TAX.

A large part of the revenue is derived from taxes paid by railroads and other corporations, and from fees for licenses granted by the State. The persons and companies enjoying the special privileges secured to them obtain a full equivalent for the share they contribute to the public burden.

The tax of one-tenth of one per cent., or ten cents on every hundred dollars of assessable property, levied and collected by the Counties for the use of the State, cannot be regarded as an oppressive measure of taxation for State purposes. If, however, any reduction in the revenues should at any time be deemed advisable, such reduction could be more properly effected by reducing the rate of taxation imposed for State purposes from ten to five cents in every hundred dollars of assessable property than in any other way. The reduction suggested would diminish the receipts of the Treasury about \$30,000 annually, and to that amount would be a relief to the tax-payers of the State, especially to the owners of real estate, who pay an unequal share of taxes, both for State and local purposes. In Pennsylvania, and perhaps in other States, lands are exempt from taxation imposed for the use of the State; while in Delaware, until recently, real estate paid a very large proportion of all taxes, and now bears an unequal share of the burdens imposed, both for State and county purposes. Incomes from lands, for several years, have, as a general rule, been less than from most other property, and whatever reduction may hereafter be made in the amount of taxes collected, should be in relief of that species of property which is least remunerative.

In making this suggestion, I do not wish to be understood as favoring any policy that would leave the State without the means to meet current ordinary expenses, and at the same time provide, beyond contingency, for the prompt liquidation of every liability now outstanding. A wise foresight dictates the payment of the present State debt at the earliest possible moment that it can be effected without embarrassment to the people.

It is impossible to foresee what exigencies may hereafter arise, requiring every resource which the State can command, to protect its citizens from ills not now anticipated, but which may befall them hereafter. Fortunately for us, at the commencement of the late civil war, the State was free from debt and able to furnish the means for the relief of those conscripted into military service. Had the State at that time been encumbered, even with the present debt, the relief so anxiously demanded, and so opportunely afforded, could not have been extended. While it is to be hoped that no similar necessity will hereafter arise, and that our people may long be exempt from every affliction that could mar their happiness or retard their prosperity, still wise statesmanship and a prudent regard for the public good demands that the Treasury of the State be placed as soon as possible with convenience to our citizens, in a condition where its aid could again be invoked in any emergency which may hereafter arise.

The present revenue system of the State, if undisturbed, or not seriously interfered with, will extinguish our present debt within the next ten or twelve years, and leave the people free from any necessity for contributing, by the payment of taxes, to the support of the State government under which they live.

It is gratifying, in transmitting the last biennial message which I shall have the honor of sending to the General Assembly, to be able to announce so large a reduction of the debt existing at the commencement of my administration, and that the present financial system of the State promises an early extinguishment of every outstanding obligation.

#### COLLECTION OF TAXES.

The collection of county rates and levies is, in my judgment, too expensive and might be reduced considerably by proper legislation.

There can be no good reason for the payment of so large a per centage of the taxes levied for the collection of the same. Some plan ought to be adopted which will adequately compensate the officers appointed to receive and collect the duplicates of assessment placed in their hands, and at the same time enable such officers to perform their duty with less labor than is necessary under our present system.

In some States a receiver of taxes is appointed for each collection district, with graduated commissions upon all sums voluntarily paid within specified times, and an abatement allowed to such taxables as pay within the time fixed by law for such abatement.

I have not given to the subject such consideration as enables me to recommend with confidence any definite plan of collection, but commend the matter to the consideration of the Legislature as worthy of their serious attention. If any alteration be made in the law relating to the collection of taxes at the present session, great care should be exercised to secure to all equal facilities to comply with the law. All the provisions of the Act of Assembly passed at the last session, relating to the collection of taxes, so far as the same may be applicable, should be retained, with such further safeguards as will clearly define and limit the duties of the revenue officers, and at the same time protect the right of every citizen to pay his tax with as little inconvenience to himself as possible.

#### • SUPREME COURT DECISION.

Within the last year an important case, in which this State, though not nominally, was in reality a party, has been decided in the Supreme Court of the United States. The case referred to was that of William Minot, jr., a stockholder in the P. W. & B. Railroad Company, against William J. Clarke, late State Treasurer, and William M. Ochletree, a collector of State Taxes under the law of 1869. The bill filed in the Circuit Court prayed an injunction to restrain the said officers from proceeding to collect from said railroad company certain taxes imposed by said law upon railroad corporations in this State, upon the assumed ground that said law was unconstitutional and void for various reasons, and among others that it impaired the obligation of a contract alleged to exist between the State and said company exempting the latter from taxation.

The decree of the Circuit Court sustained the constitutionality of the law aforesaid and the right of the State to tax the corporation, and, upon an appeal from said decree, taken by complainant, was affirmed by the Supreme Court.

It would be difficult to overestimate the value of this decision to the State. It disposes effectually of the claim on the part of the principal railroad corporation existing within our limits to exemption from taxation, and by maintaining the constitutionality of the law referred to, relieves the State from any possible liability for the amount of taxes paid by said company under protest. The State Treasurer, against whom the proceedings were instituted, engaged the services of counsel to represent the State. I am informed that the gentlemen employed have not been paid for their services either

in the Circuit or Supreme Courts, and recommend that the State Treasurer be authorized to pay them proper compensation.

#### FREE SCHOOLS.

The subject of education is one of great importance, and is receiving at the present day much attention in every part of the country. Our Common School System, established more than forty years ago, has been of incalculable advantage in furnishing the means of primary education to the youth of the State. These advantages have been gradually impaired by the multiplication of school districts in every county and the consequent division of the School Fund among a greater number of schools. More than double the number of school districts originally established now exist in the State, and in some localities it is difficult to maintain good schools for any great period of the year owing to the small number of pupils living in the districts.

It is not easy to determine a remedy that will obviate the difficulty suggested, especially as those now convenient to schools would reluctantly consent, by redistricting the State, to be placed at greater distances from schools.

If the public debt of the State shall in a few years be paid, or so materially reduced as to relieve the necessity of appropriating the revenues to that purpose, I doubt not that measures will be taken to increase the School Fund and furnish the means requisite for maintaining good schools in every neighborhood without regard to the number of scholars therein. With existing demands upon the Treasury any large increase of the School Fund, for the present at least, seems to be impracticable. The efficiency of any school system will depend in a very great degree upon the interest felt by parents, and those having the guardianship of children, in maintaining proper schools. Without such interest no system, however perfect, and no appropriation, however munificent, will give to the youth of the State the full educational advantages which they ought to enjoy.

#### PUBLIC BUILDINGS.

The repairs and alterations made in the State House since the last session of the Legislature will doubtless be brought to your attention by the Committee appointed by the Legislature to contract for the same. It is believed that the new Senate Chamber and Hall of the House of Representatives, with the rooms appropriated to committees of the respective Houses, are better adapted to the purposes of legislation than those which have been superseded. The rooms set apart for the Governor and for the office of

Secretary of State are convenient and appropriate, and ample accommodations for the books now or likely soon to be in the Library have been provided.

The improvement of the Public Buildings was so obviously necessary that for several years past the matter had engaged public attention, and had been recommended not only in my last biennial message, but several times also by my immediate predecessor. The expenditure authorized for this purpose at the last session will obviate further outlay upon the public buildings for several years.

#### REPRIEVES, PARDONS, AND REWARD.

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

Having been informed that a certain Robert A. Mackey had been murdered within the jurisdiction of this State, and that one Joseph H. Taylor was charged with being guilty of the murder of said Mackey, I issued a proclamation on the 13th day of August, 1874, offering a reward of \$300 for the arrest and delivery into the custody of the Sheriff of New Castle County of the said Joseph H. Taylor, who was subsequently apprehended in the State of Ohio, and brought into this State and tried for the offense. I recommend that an allowance of the amount of the reward offered be made to the parties making the arrest.

#### ATTACHMENT LAWS.

I renew the recommendation contained in my last Biennial Message in reference to the attachment laws of this State.

#### CONSTITUTIONAL AMENDMENT.

The amendment to the Constitution of this State, proposed by the last Legislature, was approved by myself and has been duly published in compliance with the requirement of the Constitution and the Act of Assembly proposing such amendment. The ratification of the proposed amendment by the General Assembly at the present session will require three-fourths of each branch of the Legislature. The propriety of such ratification is respectfully submitted to the consideration of the General Assembly.

#### CENTENNIAL.

A celebration of the one hundredth anniversary of American



Independence is to be held in the City of Philadelphia, during the next year, by an exhibition of the products and resources of the country.

The co-operation of every State in the Union is desired by those having the charge of the celebration, so as to make it worthy of the American Republic. The Centennial Commission, through the General Director, Hon. A. T. Goshorn, desires that State Boards be appointed to co-operate with the National Board of Commissioners as the most effectual means of securing the desired end. The appointment of a State Board to represent this State and arrange for the proper exhibition of its products will doubtless aid such of our citizens as desire to participate in the celebration by exhibiting their articles of manufacture or other productions. Gentlemen in this State would doubtless volunteer to act as members of a State Commission, and I therefore recommend that authority be given for the appointment of such a board.

#### NATIONAL AFFAIRS.

In a former part of this message I adverted to the continued depression of business in the country, and the unfavorable influence it was beginning to exert upon the prosperity of this State. So intimate are the relations of all the States of the Union, that the prosperity of each is determined, not exclusively by the industry and frugality of its own citizens, or the wise economy of its own local government, but also in a very sensible degree by every cause which affects the welfare of any or of all the others. The people of Delaware therefore, no less than the people of the rest of the States, have an interest in the prosperity of every part of the common country—an interest based not alone on sentiment or sympathy but arising, in part at least, from considerations of advantage to themselves. When therefore we see the industries of the country paralyzed, its commerce declining, its manufacturing and mechanical enterprises depressed and languishing, agricultural pursuits unremunerative, and labor in many places unable to command employment, it is but natural that in common with the people of the whole country we should desire to see a clear ascertainment and removal of the causes which have produced such results.

It cannot be doubted that whatever else may have contributed to bring about the present derangement and embarrassment in the business of the country, that the policy pursued by Congress and the Federal Administration in the management of public affairs has had its full share in producing the embarrassment now so seriously afflicting the people of every part of the country.

Without adverting to the extravagant expenditures of the public money which has marked the history of the country for the last eight or ten years, when economy was demanded in order to recuperate from the exhaustion produced by a four years war, as well as to provide for the payment of the interest on the public debt, which that war had entailed upon the country, the financial policy of the government has been most unfortunate, not to say unwise and pernicious. The exigencies of the war were made the excuse and justification for the issue by the government of a large amount of paper to circulate as currency, and for the redemption of which the faith of the government was most solemnly pledged. A part of the currency thus issued was declared to be a legal tender and made receivable as such in all the ordinary transactions between private parties. Even admitting that the government, under the pressure of exhaustive war, was justified in resorting to exceptional measures to sustain its credit and maintain its armies in the field, still it cannot be doubted that its obvious duty, upon the termination of the war, was to observe its pledges and make provision for the redemption of the paper money which it had issued and put in circulation. Congress recognized this obligation, and soon after the close of the war declared by resolution its purpose to do so.

Nearly ten years have elapsed since the termination of hostilities, and yet the pledge of the Government is unfulfilled, and a depreciated paper currency is continued as the medium of exchange in all business of a public or private nature, except in the payment of duties on imposts and interest on the public debt. While in almost every civilized country on the face of the earth exchanges are made in gold or its equivalent, in the United States the universally recognized measure of values is banished from the ordinary transactions of life and made an article of merchandise and traffic. I need not speak of the effect of this substitution of depreciated currency for coin upon the prosperity of the country. It has been witnessed in the fluctuations of business, in its occasional expansions and contractions, in the insolvencies and bankruptcies which have followed, and the unsettled, uncertain and demoralized condition of affairs in every part of the country. The present prostration of business, and the consequent embarrassment resulting therefrom is, in no small degree, traceable to the failure of the Government to restore the currency to a fixed value, equal to the coin of the country. That this might have been accomplished long ago there is no good reason to doubt. It cannot be possible that in a country of such ample resources there can be any necessity for conducting business with a medium of exchange intrinsically worthless, and to which the whole

credit of the Government cannot give a fixed and definite value.

In the fertility of our lands and the variety of our productions, no country on earth surpasses our own. Our mountains and valleys are rich in mineral treasures, and our gold and silver mines yield annually their full share of the precious metals. Our cotton fields are capable of supplying the manufactories of the world with that useful staple, so indispensable to the wants and comforts of mankind and in all the elements of national wealth and prosperity we rival the most favored portions of the earth. With such resources we ought to have been able to have redeemed the pledges of the Government, and to have placed the national currency upon a basis which would have given it a commercial value equal to gold. The accomplishment of this object has not had its proper influence in the councils of the nation, and has been delayed by the policy pursued by Congress and the Federal administration, in the lavish expenditures of the public moneys and in retarding the development of one portion of the country, and thus diminishing largely the national wealth.

Had the Government, upon the termination of the war, refrained from acts of oppression and permitted the Southern people to assume control of their own affairs, the wastings of the strife would have been measurably repaired and the former prosperity of the South restored. Improper interference, however, on the part of the Federal authorities, dictated from motives neither commendable nor excusable, has retarded the improvement of that section of the country, which has been sensibly felt in its reactionary influence by the people of the Northern and Middle States.

The South, instead of being a liberal purchaser in Northern markets, has been kept impoverished and unable to contribute, by the full development of its resources, to the wealth and prosperity of the country.

The commercial and manufacturing interests in the north have been of late impressed with this fact, and seem much more ready to heed an appeal addressed to their own interest than such as have been predicated on injustice and wrong.

A policy dictated by feelings of animosity engendered by strife might for a time find an excuse in human weakness and frailty, but the persistent purpose to oppress and ruin one part of the country, from no higher motive than such as emanates from party feelings, especially when it is producing its legitimate fruit in the prostration of business and enterprise everywhere, must be regarded not only as indefensible but as supreme folly and the very acme of crime. This policy, however, is, even after nearly ten years of peace, continued

in some of the Southern States. For nearly two years Louisiana has been ruled and robbed by a bogus usurping government, inaugurated by Federal interference and sustained by Federal bayonets, and in other States, under the pretense of preserving the public peace, the President has unwisely and illegally interposed the presence of a part of the army of the United States, if not for the purpose of controlling their local affairs at least with full knowledge that such presence would have an improper and potential influence upon them.

Recent indications, however, justify the belief that the American people are beginning to realize the great error of tolerating such wrongs. The result of the recent elections is understood by men of all parties as not only the expression of a decided disapproval, but an unqualified condemnation of the whole domestic policy and practice of the Government under the present administration. Regarding such result not so much in the light of partisan triumph as the declaration of a determination, on the part of the people of the country, to secure good government for themselves and their posterity, may we not indulge the hope that at an early day the management of public affairs will be entrusted to those who will observe the limitations upon Federal power, respect the just rights of the States in all that pertains to their domestic concerns, and administer the Government in a manner inspiring confidence at home and respect and admiration abroad.

In conclusion, permit me, gentlemen, to congratulate you on the confidence reposed in you by your fellow-citizens, and invoke for your guidance that Divine Providence which rules in the affairs of men and shapes alike the destinies of individuals and of States.

JAMES PONDER.

DOVER, January 5th, 1875.

## STATE TREASURER'S REPORT.

OFFICE OF STATE TREASURER,  
DOVER, DELAWARE, Dec, 22, 1874. }

*To His Excellency, James Ponder, Governor of Delaware :*

SIR—I have the honor to submit to your Excellency the following report of the transactions of this department of the State government, being a statement of the liabilities, and also of the assets of the State, together with a condensed statement of the receipts belonging to the several funds, and also of the expenditures from the same since my settlement with the Legislative Committee on the 12th day of January last :

## LIABILITIES.

At the beginning of the present administration of this department of the State government, the State debt amounted to the sum of one million four hundred and sixty-two thousand dollars, (\$1,462,000) as follows, viz :

War bonds issued to pay bounties to volunteers, commutation money to drafted men, and for substitutes.....	\$1,110,000
Internal improvement bonds loaned to the Junction and Breakwater Railroad Company, and secured by first mortgage.....	352,000
Total liabilities as above.....	\$1,462,000
Of this debt bonds have been bought and cancelled during the four years of your administration to date to amount of.....	\$292,000
Bonds due and will be paid January 1st, 1875.....	96,000
Total bonds cancelled to date.....	\$388,000
Bonds outstanding after January 1st, 1875.....	\$1,074,000
Amount Carried Forward.....	\$1,074,000

<i>Amount brought forward</i> .....	\$1,074,000
Bonds loaned to the Breakwater and Frankford Railroad Company under Act of Assembly entitled "An act to aid the Breakwater and Frankford Railroad Company to construct their road and for other purposes," passed at Dover, March 26, 1873, and secured by first mortgage, amounting to.....	150,000
Which makes a total outstanding liability of twelve hundred and twenty-four bonds of \$1,000 each amounting to the sum of.....	<u>\$1,224,000</u>

The said bonds will mature as follows, viz:	
January 1st, 1885, balance of war bonds...	\$798,000
January 1st, 1890, Junction and Breakwater Railroad internal improvement bonds....	276,000
January 1st, 1898, Breakwater and Frankford Railroad internal improvement bonds.	150,000
As above.....	<u>\$1,224,000</u>

There will be due the Breakwater and Frankford Railroad Company \$26,000 internal improvement bonds, upon the compliance by that company with the act giving it aid.

### ASSETS.

The State has investments from which revenue is derived to the General Fund as follows, viz:

Mortgage on Junction and Breakwater Railroad.....	\$400,000
Mortgage on Breakwater and Frankford Railroad.....	200,000
1275 shares Farmers' Bank stock at \$50 per share.....	63,750
20 shares of stock of Bank of Delaware valued at \$465.....	9,300
Total assets belonging to general fund.	<u>\$673,050</u>
<i>Amount carried forward</i> .....	\$673,050

*Amount brought forward*.....\$673,050

The State has investments from which revenue is derived for the support of Free Schools, as follows, viz:

5,000 shares Farmers' Bank stock at \$36 per share.....	\$180,000
Loan to Philadelphia, Wilmington and Baltimore Railroad Company.....	85,000
Loan to Sussex county.....	5,000
2439 shares of Farmer's Bank stock at \$50.	121,950
37 shares of stock of Bank of Delaware, valued at \$465 per share.....	17 205
114 shares of stock of Bank of Smyrna, valued at \$60 per share.....	6,840
254 shares of stock of Union National Bank valued at \$36 per share.....	9,144
Loaned to the New Castle and Wilmington Railroad Company, at 7 per cent .....	25,000

Total assets belonging to School Fund .....\$450,139

Grand total assets.....\$1,123,189

If this amount be deducted from the total liabilities, it will leave a net indebtedness of \$100,811

There will be required on the 1st day of January next, to meet the interest on the outstanding bonds.....\$39,600

To redeem the bonds due on that day.....96,000

Demands upon the Treasury Jan. 1, 1875, .....\$135,600

To meet this demand, there are taxes due from the several counties, subject to errors and commissions, about as follows:

New Castle County.....	\$56,000
Kent County.....	20,000
Sussex County.....	6,000

*Amount carried forward*.....\$82,000

<i>Amount brought forward.....</i>	<i>\$82,000</i>
Estimated probable receipts during the month of January next, as follows :	
Interest on Junction and Breakwater Railroad mortgage.....	12,000
Tax on Philadelphia, Wilmington and Baltimore Railroad Company.....	6,750
Bank Dividends belonging to general fund	2,272
Tax on Bank shares.....	3,844
Estimated Process tax.....	2,000
Interest on investments belonging to School Fund and which can be used and replaced	13,800
Estimated probable receipts to January 15, 1875.....	\$122,666
Cash in Treasury at this date.....	51,586
	<hr/>
	\$174,252

This amount will be amply sufficient to meet the demands upon the Treasury, viz: To pay the January interest on the outstanding bonds, to redeem the bonds then due, and to meet the necessary expenses of the State government to January 1st, 1875.

But if enough of this revenue shall not be available on that day to meet the demands upon the Treasury, it may be necessary to maintain the credit of the State by resorting to a temporary loan for that purpose, to do which I have ample authority, but I do not anticipate any such contingency.

The revenue under the act known as the Oyster Law, and which was created as a sinking fund, has not, so far as the Collector of that revenue has made returns, netted anything during the present year, but since it has been in operation it has been self-sustaining, and also yielded a surplus sufficient to purchase four thousand dollars Delaware State bonds for cancellation, which has been done and charged to that account.

As Trustee of Delaware College Fund—which said fund was derived from the sale of 90,000 acres of public land, donated to this State by the General Government for the purpose of establishing an Agricultural and Mechanical College, I have the honor to report, that the proceeds of the sale of the said land have been invested in Delaware State bonds to the amount of \$83,000, and



that the interest on the same has been paid semi-annually to the Treasurer of the Board of Trustees of Delaware College.

There has been received, to August last, from sources the income from which is applicable to the support of free schools, the sum of thirty-four thousand four hundred and seventy dollars and seventy-five cents, (\$34,470.75,) and the same distributed among the school districts entitled to receive it.

Under the act regulating the sale of intoxicating liquors, passed at the last session of the Legislature, the revenue of the School Fund has been materially decreased by the reduction of the number of licenses granted, and by the whole of the revenue under that act being applicable to the General Fund, whereas heretofore one-fourth was appropriated to the School Fund.

I regret to inform your Excellency that some of the railroad companies in the State are not prompt in the payment of taxes due from them.

The Wilmington and Western has never paid one cent into the Treasury of the State for taxes collected from passengers transported, as required by Chapter 458, Volume 12, Laws of Delaware, entitled "An act to raise revenue for this State;" nor under the act taxing shares of stock net earnings, as required by Chapter 392, Vol: 13, Laws of Delaware, entitled "Of the Revenue of the State." As the officers of that company have never made any statement of the number of passengers transported within the limits of the State, nor of the number or value of shares of stock, or of net earnings, I am unable to ascertain the amount of its indebtedness. I am, however, informed by the President of that company that there has never been any net earnings, and that the shares of stock have no value in the market, but that the company owes the State for tax collected from passengers, but is unable at this time to pay it.

The Wilmington and Reading Railroad Company, though heretofore prompt in the payment of passenger tax, is now in arrears for that tax, but I am assured it will be paid soon. It, too, has never paid any tax on net earnings and shares of stock.

The recent sale of the controlling interest in the Junction and Breakwater Railroad shows conclusively that the shares of stock or that road have intrinsic value. I have, therefore, renewed my demand for tax on shares. In compliance therewith, the Treasurer has made a formal statement of the number and value of shares, which was *so much* less than the price so recently sold at, that I refused to accept it. In conformity with law, I have assessed, according to the best information I could obtain, the shares of stock

of said company and levied the tax thereon, and issued the duplicate, with warrant annexed, to a county collector to collect the same.

### SUMMARY OF RECEIPTS.

There has been received since January 12th, 1874, the date of my settlement, under the various acts to raise revenue and from miscellaneous sources, belonging to the General Fund, as follows, viz.:

For Vacant Lands.....	\$ 96 00
Interest on Investments.....	26,272 50
Clerks of the Peace, for licenses.....	56,855 46
Fines and Forfeits.....	350 18
Tax on Railroads.....	41,604 93
Tax on Bank shares.....	4,693 18
State tax from County Treasurers.....	38,872 30
Process tax from County Officers.....	12,880 43
Tax from Insurance Companies.....	300 00
From sale of Revised Code.....	396 00
From Secretary of State for commission.....	577 50
Breakwater and Frankford Railroad Company, cost of internal improvement bonds.....	215 00
Conscience money.....	2 00
Total receipt to date .....	\$183,015 48
Amount in hand at settlement with Legislative Com- mittee.....	40,267 22
Grand total.....	\$223,283 70

### SUMMARY OF EXPENDITURES.

Disbursed from the General Fund since my settlement on the 12th day of January last, as follows, viz.:

Legislative Department, per order of Legislative Com- mittee.....	\$ 1,926 96
Judiciary Department.....	11,450 00
Executive.....	2,000 00
Secretary of State.....	800 00
Attorney-General.....	1,500 00
State Treasurer and Auditor .....	2,050 00
<i>Amount carried forward.....</i>	<i>\$19,726 96</i>

<i>Amount brought forward</i> .....	\$19,726 96
Librarian.....	112 50
Bonds and coupons.....	132,093 45
Revised Code and Laws.....	8,858 71
State Capitol.....	13,949 50
Printing.....	261 40
Delaware College.....	2,250 00
Miscellaneous.....	527 63
	<hr/>
	\$177,779 98
	<hr/>

In conclusion, I believe I have given your Excellency as precise a statement of the transactions of the Treasury Department of the State as could be done without going into minor details, and should your Excellency as well as the Legislature, that is soon to convene, desire further information, it will be my pleasure to give it.

I have the honor to be,

Very respectfully yours,

R. H. DAVIS,

*State Treasurer.*

**A LIST OF BOOKS RECEIVED FOR THE USE OF THE  
STATE LIBRARY, FROM JANUARY 1, A. D. 1873, TO  
JANUARY 1, A. D. 1875.**

<b>ALABAMA.</b>	<b>Vol.</b>	<b>No. of Vols.</b>
Reports, 1872.....	47	1
Acts and Resolves, 1873.....		1
<b>ARKANSAS.</b>		
Reports.....	27	1
Act and Resolves, 1871.....		1
Act of General Assembly, 1873.....		1
<b>CALIFORNIA.</b>		
Reports, (Tuttle).....	45	1
“ “ .....	46	1
“ “ .....	47	1
Senate Journal, 1871-2.....		1
House “ “ .....		1
Insurance Report, 1872.....		1
Surveyor General's Report, 1871-2....		1
School Law, 1873.....		1
Amendments to the Code, 1873-4.....		1
<b>CONNECTICUT.</b>		
Reports.....	38	1
“ .....	39	1
Public Acts, 1871.....		1
“ 1873.....		1
Special Acts, 1871.....		1
“ 1873.....		1
Legislative Documents, 1873.....		1
Colonial Record, 1726-35 .....	7	1
“ 1735-1743.. .....	8	1
Insurance Year Book, 1874.....		1
<b>FLORIDA.</b>		
Senate Journal, 1874.....		1

## GEORGIA.

	Vol.	No. of Vols.
Reports, (Hammond).....	44	1
“ “ .....	45	1
“ “ .....	46	1
“ (Jackson) .....	47	1
“ “ .....	48	1
“ “ .....	49	1
Revised Code, 1873.....		1
Laws, 1874.....		1
House Journal, 1874.....		1
Senate “ “ .....		1

## ILLINOIS.

Reports, (Freeman) .....	56	1
“ “ .....	57	1
“ “ .....	28	1
“ “ .....	58	1
“ “ .....	60	1
“ “ .....	61	1
“ “ .....	62	1
Laws, 1873.....	1	1
Senate Journal, 1871, 1873.....		3
House “ “ .....		3
House and Senate Journals, (special • session of 1871).....		1
Reports to General Assembly, 1871.....	3	1
“ “ “ “ ....	4	1
Report on Agriculture, 1871.....	9	1
“ R. R. Commissioners, 1872-73..		1
“ Trustees Indus. University, 1871	4	1
“ “ “ 1872	5	1
“ “ “ 1873	6	1
“ Canal Commissioners, 1871.....		1
Governor's Message, 1873.....		1
Geological Survey, 1873.....		1
Reports to General Assembly, 1873.....	1	1
“ “ “ “ ....	2	1
“ “ “ “ ....	3	1
“ “ “ “ ....	4	1
“ “ “ “ ....	5	1
Transaction Department of Agricul- ture, 1872-3—2 to 10.....		2

## INDIANA.

	Vol.	No. of Vols.
Reports, (Black) .....	35	1
“ “ .....	36	1
“ “ .....	37	1
“ “ .....	38	1
“ “ .....	39	1
“ “ .....	40	1
“ “ .....	41	1
“ “ .....	42	1
“ “ .....	43	1
Geological Survey, 1872.....		1
Maps of Geological Survey, 1872.....		1
Agricultural Report, 1872.....		1
Documentary Journal, 1872-3.....		1
Acts of Special and Regular Session, 1872-3.....		1
House Journal, Special and Regular Session, 1872.....		1
House Journal, Regular Session, 1873..		1
Senate “ “ “		1
“ “ Special Session, 1872..		1

## IOWA.

Reports, (Stiles).....	33	1
“ “ .....	34	1
“ “ .....	35	1
Catalogue of State Library, 1872.....		1
Code of Iowa, 1873 .....		2
House Journal, 1873.....		1
Senate “ “ .....		1
Acts and Resolves, 1873.....		1
Report of State Librarian.....		1

## KANSAS.

Reports, (Webb) .....	7	1
“ “ .....	8	1
“ “ .....	9	1
“ “ .....	10	1
Laws of 1873.....		1
Senate Journal, 1871.....		1
“ “ 1872 .....		1
House “ 1871 .....		1

## KANSAS—CONTINUED.

Vol. No. of Vols.

House Journal, 1872.....		1
“ “ 1873.....		1
Agricultural Report, 1872 .....		1
Public Documents, 1872.....		1

## KENTUCKY.

Reports, (Bush).....	8	1
Auditor's Report, 1872.....		1
General Statutes.....		3

## LOUISIANA.

Annual Repors, 1872.....	24	1
“ 1873.....	25	1
Acts of 1873-4.....		1
Public Documents, 1873-4.....		1
Senate Journal, 1873-4.....		1
House “ “ .....		1
Illustrated Cresent City.....		1

## MAINE.

Reports.....	60	1
“ .....	61	1
Acts and Resolves, 1873.....		1
“ “ 1874.....		1
Report of Agriculture, 1872.....		1
“ “ 1873.....		1
“ “ 1874.....		1
“ Common Schools, 1872.....		1
Legislative Documents, 1874.....		1
Public Documents, 1874.....	1	1
“ “ “ .....	2	1

## MARYLAND.

Reports (Stockell) .....	36	1
“ “ .....	37	1
“ “ .....	38	1
Reports of Public Schools, (Baltimore)	1	1
Laws of 1874.....		1
Senate Journal, 1874.....		1
“ Documents, 1874.....		1
House Journal, 1874.....		1
“ Documents, 1874.....		1

## MASSACHUSETTS.

	Vol.	No. of Vols.
Reports, (Browne).....	105	1
“ “ .....	106	1
“ “ .....	107	1
“ “ .....	108	1
“ “ .....	109	1
Public Documents, 1871 .....	1 to 4.	1
“ “ 1871.....	5 to 31,	3
“ “ 1872.....	1 to 31.	4
Acts and Resolves, 1872.....		1
“ “ Special Session '72.		1
“ “ 1873.....		1

## MISSISSIPPI.

Reports, (Morris).....	43	1
“ “ .....	44	1
“ “ .....	47	1
“ “ .....	48	1
Catalogue of State Library 1872.....		1
Laws of 1873-4.....		6
Senate Journal, 1873-4.....		5
House “ “ .....		5
Appendix to Senate Journal, 1874.....		1

## MICHIGAN.

Reports, (Post).....	1	1
“ “ .....	2	1
“ “ .....	3	1
“ “ .....	4	1
“ “ .....	5	1
“ (Clark).....	4	1
Compiled Laws, 1871.....	1	1
“ “ .....	2	1
Territorial Laws, 1871.....	1	1
“ “ “ .....	2	1
Joint Documents, 1871.....	1	1
“ “ .....	2	1
Laws of 1872.....	1	1
Edwards' Impeachment Trial.....	1	1
“ “ “ .....	2	1
House Journal, 1872.....		1
Senate “ “ .....		1



## MICHIGAN—CONTINUED.

Vol. No. of Vols.

Impeachment Journal.....		1
Reports of Schools, 1871.....		1
“ Board of Agriculture, 1871-2...		2
“ Pomological Society, 1871.....		1
Catalogue of State Library, 1873-4....		1
Insurance Report, 1872.....	1	1
“ “ “ “ .....	2	1
Geological Survey, 1869, 1872, 1873...		4

## MINNESOTA.

Reports .....	16	1
“ .....	17	1
“ .....	18	1
“ .....	19	1
General Laws 1872.....		1
Executive Documents, 1872.....	1	1
“ “ “ .....	2	1
Senate Journal 1872.....		1
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*A LIST of Reprieves and Pardons granted by the Governor of the State of Delaware since the Seventh day of January, A. D., 1873.*

**JAMES PONDER, Governor.**

NAME.	CRIME.	In what Court convicted and sentenced.	SENTENCE.	Action Of Governor.	DATE.	Grounds of Reprieve, Pardon or Remission.
Thos. West.	Selling intoxicating liquor without license.	Court of General Sessions of the Peace and Goal Delivery.	To pay a fine one hundred dollars and the cost of prosecution.	Pardon.	1873. May 7.	The Governor granted this pardon upon the written recommendation of a large number of the most respectable citizens of Sussex county, who stated that the prisoner, from his poverty, would be compelled to suffer imprisonment for a much longer term than would be an adequate punishment for his offense; that there were great doubts as to whether he committed the crime himself, and that under all the circumstances surrounding the case the imprisonment he has already suffered has been a sufficient punishment.
Jacob H. Schurtz and John Dooning.	Larceny.	Court of General Sessions of the Peace and Goal Delivery.	To each pay six dollars restitution money, to be whipped with ten lashes, and to be imprisoned two months.	Remitted the Whipping	1873. June 7.	The Governor granted this remission upon the recommendation of several of the most responsible citizens of New Castle county, that the overcoat alleged to have been stolen, and which was put on by one of the prisoners, was left in the cars; that afterwards one of the said prisoners was found sitting by the stove in the depot at Wilmington, with no attempt at concealment whatever; that both the prisoners were young men of

# LIST OF REPRIEVES AND PARDONS—Continued.

NAME.	CRIME.	In what Court convicted and sentenced.	SENTENCE.	Action Of Governor.	DATE.	Grounds of Reprieve, Pardon or Remission.
Mary E. Meeker.	Murder in the second degree.	Court of Oyer and Terminer.	To pay a fine of five thousand dollars, to pay the cost of prosecution, to stand in the pillory for one hour, and to be whipped with sixty lashes.	Remitted the Whipping.	1873. June 7.	good appearance; that they were on their way to Baltimore to seek employment, and that there were great doubts as to the felonious intent of the said prisoners, or either of them. The Governor granted this remission on the representation of a large number of the most responsible citizens of New Castle county, that the prisoner was a young female; that from all the mitigating circumstances connected with the commission of the crime, which did not appear in the trial, but were known to said citizens, much sympathy was felt and expressed for the unfortunate woman; and that in view of all the circumstances of the case, coupled with the fact that the prisoner is a woman, the remainder of said sentence will be an adequate punishment without the whipping.
John Carpenter.	Burglary with intent to commit a rape.	Court of Oyer and Terminer.	To be hanged by the neck until dead, on the 27th day of June, A. D., 1873.	Postponed the execution until Dec. 26th, 1873.	1873. June 24.	The Governor postponed the said execution upon the representation of several of the most responsible citizens of Kent county, that there were great doubts as to whether the prisoner intended to commit a rape; that, further, if such was his intention, owing to his natural weak mind, there was doubt as to whether he

Jacob Ward,  
alias  
Geo. Wood,

Breaking in-  
to house with  
intent to com-  
mit larceny.

Court of General  
Sessions of the  
Peace and Goal  
Delivery.

To pay as res-  
titution money  
\$16.50 to pay  
the cost of  
prosecution, to  
stand in the  
pilory one hour  
to be whipped  
with twenty  
lashes and im-  
prisoned for  
six months.  
And the term  
of imprison-  
ment extended  
three months  
for default in  
paying restitu-  
tion money  
and costs.

Remitted the  
last three  
months im-  
prisonment  
on condition  
that he leave  
the State  
and never re-  
turn.

1873.  
Oct. 28.

ought to be held accountable, to the full extent of the law, for his acts. Upon these representations the Governor considered it his duty to postpone said execution that he might give the subject a more thorough investigation.

The Governor granted this remission for the reason that the prisoner could not pay the said restitution money and costs and at the end of said three months would have been released unconditionally; that he had already suffered the full penalty to which he had been originally sentenced, except the payment of restitution and costs; that the additional imprisonment would not pay the said money; that it was better to release him on said conditions than to discharge him with the liberty of remaining in the State, at the end of three months, and that the condition annexed to the remission would prove as adequate a punishment, under the circumstances as the imprisonment, whilst it rid the community of the prisoner.

55

Edward Sanders,

Breaking in-  
to shop in  
the night  
time.

Court of General  
Sessions of the  
Peace and Goal  
Delivery.

To pay as res-  
titution money  
\$247.00, to pay  
costs of prose-  
cution, to  
stand fifteen  
minutes in the  
the pilory, to  
be whipped  
with fifteen  
lashes, and to

Pardon.

1874.  
Mar. 18.

The Governor granted this pardon upon the representations of the sheriff and three ex-sheriffs of New Castle county, the Warden and the late Wardens of the jail of said county, and many of the most responsible citizens of said county, that the prisoner was well behaved, polite and obedient, and never caused any trouble in jail after his imprisonment. At the trial he was convicted by his plea of guilty, and though he was indicted jointly with several others, he

# LIST OF REPRIEVES AND PARDONS—*Continued.*

NAME.	CRIME.	In what Court convicted and sentenced,	SENTENCE.	Action Of Governor.	DATE.	Grounds of Reprieve, Pardon or Remission.
Edward Sanders.	Breaking in to store in the night time.	Court of General Sessions of the Peace and Goal Delivery.	<p>be imprisoned for the term of three years.</p> <p>To pay as restitution money \$180.00, to pay the cost of prosecution, to stand fifteen minutes in the pillory, to be whipped with fifteen lashes, and to be imprisoned for three years.</p>	Pardon.	1874. Mar. 18.	<p>was the only one who so pleaded, and his conviction resulted solely from said plea; that he expressed repentance and contrition for the crime; that his mother resides in the State of California, and that he expressed his intention to proceed to said State, which he considered his home, immediately upon his release, and that taking into consideration all the mitigating circumstances of his conviction, and under which the crime was committed, his voluntary confession, his exemplary conduct in prison, and his promises to lead a better life, he has already suffered sufficient punishment.</p> <p>The reasons are the same as in the preceding case.</p>



Edward Sanders.

Breaking in-  
to shop by  
night and  
larceny.

Court of General  
Sessions of the  
Peace and Goal  
Delivery.

To pay as res-  
titution money  
\$309, to pay  
the costs of  
prosecution, to  
stand seven  
minutes in the  
pillory, to be  
whipped with  
seven lashes  
and to be im-  
prisoned for  
three years.

Pardon.

1874.  
Mar. 18.

The reasons are the same as in the pre-  
ceding case.

Edward Sanders.

Breaking in-  
to shop by  
night time,  
and larceny.

Court of General  
Sessions of the  
Peace and Goal  
Delivery.

To pay as res-  
titution money  
\$48, to pay  
the costs of  
prosecution, to  
stand eight  
minutes in the  
pillory, to be  
whipped with  
eight lashes,  
and to be im-  
prisoned for  
three years.

Pardon.

1874.  
Mar. 18.

The reasons are the same as in the pre-  
ceding case.

# LIST OF REPRIEVES AND PARDONS—Continued.

NAME.	CRIME.	In what Court convicted and sentenced.	SENTENCE.	Action Of Governor.	DATE.	Grounds of Reprieve, Pardon or Remission.
Edward Sanders.	Conspiracy to break and enter banking house.	Court of General Sessions of the Peace and Goal Delivery.	To pay as restitution money \$38, to pay the costs of prosecution, to stand fifteen minutes in the pillory, to be whipped with fifteen lashes, and to be imprisoned for three years.	Pardon.	1874. Mar. 18.	The reasons are the same as in the preceding case.
Jas. Adams.	Breaking into house with intent to commit larceny.	Court of General Sessions of the Peace and Goal Delivery.	To pay a fine of one thousand dollars, to pay costs of prosecution, to be imprisoned for four years.	Pardon.	1874. Mar. 19.	The Governor granted this pardon upon the representations of the President and Directors of the National Bank of New York (which said bank was the subject of said alleged conspiracy) that there were three or four others involved in said conspiracy; that two of them were not prosecuted because they turned State's evidence; that another was indicted with the prisoner, and upon the trial was acquitted, that notwithstanding the said persons were said to be conspirators with the prisoner, it resulted in his alone suffering all the punishment, that the prisoner has served more than one of his four years' imprisonment, and has promised to leave the State if pardoned, and that under all the circumstances of the case, the law has been fully vindicated and the ends of justice answered, to the protection of the public.

Geo. Howard

Breaking  
house with  
intent to com-  
mit larceny.

Court of General  
Sessions of the  
Peace and Goal  
Delivery.

To pay as res-  
titution money  
fifty cents, to  
pay the costs  
of prosecution,  
to stand one  
hour in the  
pillory and be  
imprisoned for  
two years.

Pardon.

1874.  
June 15.

The Governor granted this pardon upon the representation of the Jail Physician and Attorney-General, that the said George Howard has been in a precarious condition of health during the whole of his term of imprisonment, and at the present time is in a very feeble state, that his longer imprisonment will continue to aggravate the disease, viz: prostration from confinement, that he has already suffered the greater part of the penalty of the law, and that taking into consideration all the circumstances of the case, his punishment has already been sufficient.

Joseph Hill.

Breaking in-  
to house with  
intent to com-  
mit larceny.

Court of General  
Sessions of the  
Peace and Goal  
Delivery.

To pay as res-  
titution money  
the sum of \$32  
dollars, to pay  
the costs of  
prosecution, to  
stand in the  
pillory one  
hour, to be im-  
prisoned for  
six months, to  
be whipped  
with ten lashes  
and to wear  
the convict's  
jacket for six  
months.

Pardon.

1874.  
Novem-  
ber 5.

The Governor granted this pardon upon the representation of a large number of the most reliable citizens of Kent county, that the prisoner, at the time the offense was committed, was about eighteen years of age, that the offense was committed in company with other boys, and that the prisoner was the only one arrested and tried, that he is very poor, that he admits his error and is penitent and desirous of going out into the world as a citizen, promising to conduct himself with propriety in the future, that in consideration of his good behavior during his incarceration, and that all of said sentence except the payment of restitution money and costs, and the wearing of the convict's jacket, has already been executed the Governor considered that the law had already been vindicated.

# ACCOUNTS OF JOHN H. PAYNTER, SECRETARY OF STATE, FOR THE YEARS 1873 AND 1874.

*John H. Paynter, Secretary of State, in account with Contingent  
Expenses of his Office.*

## DEBTOR.

1873.		DOLLS.	CTS.
February 3.	To this amount, it being the appropriation made by the General Assembly by joint resolution adopted January 17, 1873, for expenses of the Secretary's office...	600	00
		<u>\$600</u>	<u>00</u>

## CREDITOR.

1872.		DOLLS.	CTS.
Dec. 17.	By balance overpaid contingent fund as per last settlement with the Auditor of Accounts, page 259.....	28	08
1873.			
January 1.	By cash paid James W. Lynch, for postage. Voucher No. 1.....	9	70
January 8.	By cash paid J. B. Smith, for postage. Voucher No. 2.....	99	
January 22.	By cash paid J. B. Smith, for postage. Voucher No. 3.....	1	15
January 30.	By cash paid Z. L. Butler, for attending to office. Voucher No. 4.....	10	00
Feb. 10.	By cash paid James Cowgill & Son, for stationery. Voucher No. 5.....	5	00
Feb. 10.	By cash paid James Cowgill & Son, for stationery. Voucher No. 6.....	1	46
Feb. 25.	By cash paid James Kirk, for printing licenses. Voucher No. 7.....	68	00
March 19.	By cash paid J. B. Smith, for postage. Voucher No. 8 .....	1	60
	<i>Amount carried forward.....</i>	<u>\$125</u>	<u>98</u>

		<i>Amount brought forward.....</i>	<i>\$125 98</i>
April	5.	By cash paid Boughman, Thomas & Co., for stationery. Voucher No. 9.....	16 75
April	17.	By cash paid J. B. Smith, for postage. Voucher No. 10.....	3 00
May	2.	By cash paid J. B. Smith, for postage. Voucher No. 11.....	1 00
May	22.	By cash paid James B. Wingate, for work. Voucher No. 12.....	2 00
June	22.	By cash paid James Kirk, for printing. Voucher No. 13.....	78 60
	30.	By cash paid James Lynch, for postage. Voucher No. 14.....	2 20
October	4.	By cash paid Charles P. Tunnell, for tele- gram. Voucher No. 15.....	60
Nov.	11.	By cash paid H. J. Enright, for transcrib- ing the laws for publication, copying acts for the Courts, Levy Courts, &c., and other work for the State in the Secretary's office. Voucher No. 16.....	193 98
	27.	By cash paid Charles P. Tunnell, for tele- gram. Voucher No. 17.....	68
Dec.	17.	Balance in hand of contingent fund.....	175 21
			<hr/>
			600 00
			<hr/>

December 17, 1873. Examined and approved.  
 ROBERT G. ELLEGOOD,  
*Auditor of Accounts.*

}

*John H. Paynter, Secretary of State, in account with Contingent Expenses of his Office*

DEBTOR.

1873.		DOLLS.	CTS.
Dec.	17.	To balance in-hand of the contingent fund as per account approved by the Auditor of Accounts, Dec. 17, 1873, on page 260.	
			175 21
	14.	Balance overpaid contingent fund.....	
			62 52
			<hr/>
			\$237 73
			<hr/>

CREDITOR.

1874.		DOLLS.	CTS.
January	12.	By cash paid James Kirk, for printing licenses. Voucher No. 1.....	
			29 09
	20.	By cash paid Z. L. Butler, for attending to office. Voucher No. 2.....	
			10 00
	22.	By cash paid James Cowgill & Son, for stationery. Voucher No. 3.....	
			29 39
April	11.	By cash paid David F. Burton, express bill. Voucher No. 4.....	
			163 96
			<hr/>
			\$237 73
			<hr/>

December 14, 1874. Examined and approved.

ROBERT G. ELLEGOOD,  
Auditor of Accounts.

}

*John H. Paynter, Secretary of State, in account with the State of Delaware.*

## DEBTOR.

		DOLLS.	CTS.
1872.			
Dec.	19. To cash from Peter B. Vandever, for commission as Justice of the Peace.....	10	00
1873.			
January	7. To cash from John F. Young, for commission as Commissioner of Deeds.....	10	00
	To cash from S. R. Goodale, for commission as Commissioner of Deeds.....	10	00
	16. To cash from Hermon L. Emmons, commission as Commissioner of Deeds.....	10	00
	21. To cash from Daniel Mulherin, for commission as Justice of the Peace.....	10	00
	22. To cash from William B. Hill, for commission as Commissioner of Deeds.....	10	00
	To cash from John C. Pennewill, for commission as Register of Wills.....	50	00
	30. To cash from Peter P. Vandever, for copy of act of incorporation.....	20	00
	To cash from George V. Massey, for copy of two acts..	20	00
Feb.	12. To cash from James Bradford, for copy of private act.....	10	00
	13. To cash from Henry Reed, for commission as Commissioner of Deeds.....	10	00
	20. To cash from Joshua Maris, for copy of divorce act.....	10	00
	To cash from J. B. Nickerson, for copy of divorce act.....	10	00
	21. To cash from Catherine Killen, for copy of divorce act.....	10	00
	22. To cash from John R. Boas, for commission as Commissioner of Deeds.....	10	00
	24. To cash from Joel Thompson, for copy of act of incorporation.....	20	00
	To cash from Edward Ridgely, for copy of divorce act.....	10	00
	<i>Amount carried forward.....</i>	\$240	00

		<i>Amount brought forward</i> .....	\$240 00
Feb.	24.	To cash from Edward Betts, for copy of act of incorporation, (paid by J. Maris).	20 00
	26.	To cash from George V. Massey, for copy of two private acts.....	20 00
		To cash from George S. Hagany, for commission as Justice of the Peace.....	10 00
		To George V. Massey, for copy of act of incorporation.....	20 00
	28.	To cash from Joshua Maris, for copy of act of incorporation.....	20 00
		To cash from Joshua Maris, for copy of divorce act.....	10 00
		To cash from Joshua Maris, for copy of act of incorporation.....	10 09
		To cash from Joshua Maris, for copy of supplement to act of incorporation.....	10 00
		To cash from Joshua Maris, for copy of divorce act.....	10 00
March	6.	To cash from John C. Wilson, for commission as Justice of the Peace.....	10 00
		To cash from John C. Wilson, for commission as Notary Public.....	10 00
	13.	To cash from Daniel Green, for commission as Notary Public.....	10 00
		To cash from Richard H. Ewbanks, for commission as Notary Public.....	10 00
		To cash from Andrew Hero, for commission as Commissioner of Deeds.....	10 00
		To cash from Edward J. Jones, for commission as Commissioner of Deeds.....	10 00
	17.	To cash from John B. Pennington, for copy of divorce act.....	10 00
		To cash from Thomas E. Records, for copy of private act.....	10 00
		To cash from Joshua Maris, for copy of act of incorporation.....	10 00
	18.	To cash from George W. Bright, for commission as Notary Public.....	10 00
	19.	To cash from S. P. Houston, for commission as Notary Public.....	10 00
		<i>Amount carried forward</i> .....	\$480 00



		<i>Amount brought forward</i> .....	\$480 00
March	19.	To cash from Charles M. Rawlins, for commission as Justice of the Peace.....	10 00
		To cash from John Van Gasken, for copy of act of incorporation.....	20 00
	21.	To cash from George V. Massey, for copy of act of incorporation.....	20 00
		To cash from William Silver, for copy of two divorce acts.....	20 00
	27.	To cash from John H. Bewley, for copy of divorce act.....	10 00
		To cash from Joshua Maris, for copies of five private acts.....	50 00
March	27.	To cash from Solomon Cooper, for copy of act of incorporation.....	10 00
		To cash from Delmonia Manufacturing Company, for copy of charter.....	20 00
		To cash from George V. Massey, for copy of divorce act.....	10 00
		To cash from Daniel Farra, for commis- sion as Notary Public.....	10 00
	31.	To cash from Samuel B. Sutton, for com- mission as Justice of the Perce.....	10 00
		To cash from Samuel B. Sutton, for com- mission as Notary Public.....	10 00
		To cash from Samuel Jennison, for com- mission as Commissioner of Deeds.....	10 00
April	3.	To cash from Thomas E. Records, for copy of act of incorporation.....	20 00
	4.	To cash from Henry S. Truitt, for com- mission as Constable.....	5 00
		To cash from William Deaney, Jr., for copy of act of incorporation.....	20 00
		To cash from H. B. McIntire, for copy of act of incorporation.....	10 00
		To cash from Lewis Thompson, for copies of two acts of incorporation.....	20 00
		To cash from Joshua Maris, for copy of act of incorporation.....	10 00
	7.	To cash from J. L. Killgore, for copy of act of incorporation.....	20 00
		<i>Amount carried forward</i> .....	\$795 00

	<i>Amount brought forward</i> .....	\$795 00
April	8. To cash from William J. Fell, for copy of act of incorporation.....	20 00
	To cash from Ignatius C. Grubb, for copy of act of incorporation.....	20 00
	To cash from Ignatius C. Grubb, for copy of act of incorporation.....	20 00
	To cash from H. B. Roche, for commis- sion as Commissioner of Deeds.....	10 00
	10. To cash from George V. Massey, for copy of act of incorporation.....	20 00
	To cash from Lewis Thompson, for copy of private act.....	10 00
	10. To cash from John Mantz, for copy of divorce act.....	10 00
	11. To cash from A. V. Lesley, for copy of private acts.....	30 00
	To cash from J. B. Nickerson, for copy of divorce act.....	10 00
	To cash from George V. Massey, for copy of act of incorporation.....	20 00
	To cash from William Silver, for copy of divorce act.....	10 00
	19. To cash from Victor du Pont, for copy of act of incorporation.....	20 00
	To cash from Victor du Pont, for copy of private act.....	10 00
	To cash from Victor du Pont, for copy of divorce act.....	10 00
	22. To cash from John C. Patterson, for copy of private act.....	10 00
	23. To cash from E. D. Cleaver, for commis- sion as Notary Public.....	10 00
	23. To cash from J. Maris, for copy of act of incorporation.....	20 00
	To cash from J. Maris, for copy of private act.....	10 00
	To cash from J. B. Clarkson, for copy of act of incorporation.....	20 00
	25. To cash from John Cooper, for copy of divorce act.....	10 00
	<i>Amount carried forward</i> .....	\$1,095 00

		<i>Amount brought forward.....</i>	\$1,095 00
April	29.	To cash from George O'Neill, for commission as Justice of the Peace.....	10 00
	30.	To cash from James Bradford, for copy of private act.....	10 00
May	7.	To cash from Samuel M. Harrington, for copy of act of incorporation .....	20 00
		To cash from Samuel M. Harrington, for copy of act of incorporation.....	10 00
		To cash from Samuel M. Harrington, for copy of act of incorporation.....	10 00
		To cash from Emanuel Rey, for commission as Commissioner of Deeds.....	10 00
		To cash from R. C. Fraim, for copy of act of incorporation.....	20 00
	24.	To cash from Charles M. Vandever, for commission as Register in Chancery.....	10 00
		To cash from Charles M. Vandever, for commission as Clerk of the Orphans' Court .....	25 00
		To cash from A. Williams, for copy of act of incorporation.....	10 00
		To cash from Joseph E. Parker, for copy of act of incorporation.. ..	20 00
		To cash from Sylvester Solomon, for copy of act of incorporation.....	10 00
		To cash from E. J. Kelley, for copy of act of incorporation.....	10 00
	26.	To cash from Lucius W. How, for commission as Commissioner of Deeds.....	10 00
		To cash from J. Spencer Smith, for commission as Commissioner of Deeds.....	10 00
		To cash from Joseph Ward, for commission as Notary Public.....	10 00
	27.	To cash from John Hickman, for commission as Notary Public.....	10 00
June	23.	To cash from P. A. Hoyne, for commission as Commissioner of Deeds .....	10 00
	28.	To cash from Lemuel W. Waples, for commission as Justice of the Peace.....	10 00
		<i>Amount carried forward.....</i>	\$1,330 00

		<i>Amount brought forward.....</i>	<i>\$1,330 00</i>
July	1.	To cash from George A. Messick, for commission as Constable.....	5 00
	10.	To cash from Mark M. Kirby, for commission as Justice of the Peace.....	10 00
		To cash from Mark M. Kirby, for commission as Notary Public.....	10 00
	26.	To cash from Henry N. Clark, for commission as Constable.....	5 00
August	5.	To cash from Elihu G. Phillips, for commission as Justice of the Peace.....	10 00
		To cash from Alexander Ramsey, for commission as Commissioner of Deeds.....	10 00
	9.	To cash from William H. Shryock, for commission as Commissioner of Deeds.....	10 00
	18.	To cash from James H. Ray, for commission as Notary Public.....	10 00
		To cash from Joshua Spering, for commission as Commissioner of Deeds. ....	10 00
Sept.	1.	To cash from Benjamin F. Fleming, for commission as Justice of the Peace.....	10 00
	10.	To cash from Thomas S. Harper, for commission as Notary Public.....	10 00
		To cash from Charles A. Rawlins, for commission as Notary Public.....	10 00
	26.	To cash from George W. Smith, for commission as Notary Public.....	10 00
Nov.	4.	To cash from William Meredith, for commission as Notary Public.....	10 00
	14.	To cash from Thomas M. Ogle, for commission as Recorder.....	50 00
Dec.	3.	To cash from H. T. Downing, for commission as Notary Public.....	10 00
		To cash from James H. Boyce, for commission as Justice of the Peace.....	10 00
		To cash from James H. Boyce, for commission as Notary Public.....	10 00
	8.	To cash from Henry Todd, for commission as Register in Chancery.....	10 00
		To cash from Henry Todd, for commission as Clerk of the Orphans' Court.....	25 00
		<i>Amount carried forward.....</i>	<i>\$1,575 00</i>

		<i>Amount brought forward</i> .....	\$1,575 00
Dec.	8.	To cash from Henry Todd, for commission as Notary Public.....	10 00
			<hr/> \$1,585, 00 <hr/>

## CREDITOR.

1873.			DOLLS. CTS.
Dec.	17.	By cash, as per receipt below .....	1,585 00
			<hr/>

Received, December 17th, 1873, of John H. Paynter, Secretary of State, the sum of one thousand five hundred and eighty-five dollars, in full of the above account.

R. H. DAVIS,  
*State Treasurer.*

December the 17th, 1873. Examined and approved.  
ROBERT G. ELLEGOOD, }  
*Auditor of Accounts.* }

*John H. Paynter, Secretary of State, in account with the State of Delaware.*

## DEBTOR.

1873.			DOLLS. CTS.
Dec.	19.	To cash from Henry Ewbanks, for commission as Constable.....	5 00
	20.	To cash from James M. Cassaday, for commission as Commissioner of Deeds.....	10 00
	22.	To cash from Joseph S. Perot, for commission as Commissioner of Deeds.....	10 00
		To cash from William F. Lett, for commission as Commissioner of Deeds.....	10 00
			<hr/> \$35 00 <hr/>
		<i>Amount carried forward</i> .....	

		<i>Amount brought forward.....</i>	<i>\$35 00</i>
Decr	24.	To cash from Philip Burnett, for commission as Notary Public.....	10 00
	25.	To cash from D. Taylor Bradford, for commission as Notary Public.....	10 00
		To cash from Harold A. Bagley, for commission as Commissioner of Deeds.....	10 00
	26.	To cash from Henry Baird, for commission as Notary Public .....	10 00
		To cash from Robert Boyce, for commission as Constable. ....	5 00
		To cash from Thomas F. Bayard, for copy of act.....	20 00
	23.	To cash from Peter B. Vandever, for copy of private act.....	10 00
1874.			
January	6.	To cash from William Neal, for commission as Constable.....	5 00
	13.	To cash from William A. Phillips, for commission as Constable.....	5 00
	17.	To cash from John L. Thompson, for commission as Justice of the Peace.....	10 00
		To cash from John L. Thompson, for commission as Notary Public. ....	10 00
		To cash from James B. Clarkson, for commission as Notary Public.....	10 00
	20.	To cash from John B. Penington, for copy of an act....	10 00
		To cash from Henry W. Barker, for commission as Notary Public.....	10 00
		To cash from Kendal J. Graham, for commission as Constable.....	5 00
February	1.	To cash from H. W. McColley, for copy of divorce act.....	10 00
	5.	To cash from James P. Petit, for commission as Commissioner of Deeds.....	10 00
	7.	To cash from William W. Latimer, for commission as Commissioner of Deeds.	10 00
	11.	To cash from Edwin F. Eckel, for copy of private act.....	10 00
		<i>...Amount carried forward.....</i>	<i>\$215 00</i>

		<i>Amount brought forward</i> .....	\$215 00
Feb.	16.	To cash from J. P. W. Kollock, for commission as Justice of the Peace.....	10 00
March	5.	To cash from Henry Eckel, for copy of private act.....	10 00
	11	To cash from Robert J. Beswick, for commission as Justice of the Peace.....	10 00
		To cash from Robert J. Beswick, for commission as Notary Public.....	10 00
	12.	To cash from John H. Puhl, for copies of acts.....	20 00
	24.	To cash from Marvin J. Merchant, for commission as Commissioner of Deeds.	10 00
	25.	To cash from J. Duval Rodney, for commission as Commissioner of Deeds.....	10 00
April	14.	To cash from William W. Torbert, for commission as Notary Public.....	10 00
	22.	To cash from Edmund Stout, for commission as Justice of the Peace. ....	10 00
		To cash from Edmund Stout, for commission as Notary Public.....	10 00
	25.	To cash from Joseph Roberts, for commission as Notary Public.....	10 00
	28.	James L. Wolcott, for copy of divorce act	10 00
May	18.	To cash from Ruben Haines, for commission as Commissioner of Deeds.....	10 00
		To cash from William McPherson, for commission as Commissioner of Deeds.	10 00
June	8.	To cash from C. Knobelsdorf, for commission as Commissioner of Deeds.....	10 00
		To cash from A. H. Morgan, for commission as Commissioner of Deeds. ....	10 00
		To cash from Thomas B. Clifford, for commission as Commissioner of Deeds.	10 00
	15.	To cash from Joseph G. Brown, for commission as Notary Public.....	10 00
	20.	To cash from Harriet L. Cannon, for copy of private act. ....	10 00
July	4.	To cash from William T. Potter, for commission as Constable.....	5 00
		<i>Amount carried forward</i> .....	\$420 00

		<i>Amount brought forward.....</i>	<b>\$420 00</b>
July	28.	To cash from James A. Plunket, for commission as Notary Public .....	10 00
Sept.	29.	To cash from Jonathan Carrow, for commission as Justice of the Peace.....	10 00
		To cash from Jonathan Carrow, for commission as Notary Public.....	10 00
October	8.	To cash from L. Montgomery Bond, for commission as Commissioner of Deeds.	10 00
	12.	To cash from John B. Penington, for commission as Attorney General.....	10 00
	30.	To cash from Sewell C. Biggs, for commission as Register of Wills.....	50 00
		To cash from William Jenks Fell, for copy of act of incorporation .....	20 00
Nov.	9.	To cash from William J. Melson, for commission as Coroner of Sussex County...	10 00
	11.	To cash from William H. Lambson, for commission as Sheriff of New Castle county.....	50 00
		To cash from Richard Groves, for commission as Coroner of New Castle county.....	10 00
	12.	To cash from Peter L. Cooper, for commission as Sheriff of Kent county.....	50 00
		To cash from Peter Creadick, for commission as Coroner of Kent county.....	10 00
	19.	To cash from Thomas J. Hunt, for commission as Commissioner of Deeds.....	10 00
		To cash from Thomas Deakyne, for commission as Justice of the Peace.....	10 00
Dec.	8.	To cash from William Gray, for commission as Sheriff of Sussex county .....	50 00
		To cash from Elwood Matlack, for commission as Commissioner of Deeds .....	10 00
	9.	To cash from James Springer, for commission as Justice of the Peace.....	10 00
		To cash from Richard Ashhurst, for commission as Commissioner of Deeds .....	10 00
			<hr/>
			<b>\$770 00</b>



## CREDITOR.

1874. DOLLS. CTS.  
 Dec. 14. By check to the State Treasurer, as per  
 receipt of this date ..... \$770 00

Received, December 14, 1874, of John H. Paynter, Secretary of State, the sum of seven hundred and seventy dollars, in full of the amount of State taxes received by him as Secretary of State, and with which he is charged on the books of said office for the year ending at this date.

[Signed]

R. H. DAVIS,  
*State Treasurer.*

December 14, 1874. Examined and approved.

[Signed] ROBERT G. ELLEGOOD,  
*Auditor of Accounts.*

I, John H. Paynter, Secretary of State, of the State of Delaware, do hereby certify that the foregoing is a true and correct copy of my account as Secretary of State.

In witness whereof I have hereunto set my hand and, [L. s.] affixed my official seal, at Dover, this fifth day of January, in the year of our Lord one thousand eight hundred and seventy-five.

JOHN H. PAYNTER,  
*Secretary of State.*

*John H. Paynter, Secretary of State, in account with the Contingent Expenses of his Office.*

## CREDITOR.

1874. DOLLS. CTS.  
 Dec. 14. By amount overpaid contingent fund, as  
 per settlement with the Auditor of Accounts, of this date..... 62 52  
 \$62 52

*John. H. Paynter, Secretary of State, in account with the State of Delaware.*

## DEBTOR.

1875.		DOLLS.	CTS.
January 6.	To cash from John S. Crouch, for commission as Notary Public.....	10	00
	To cash from David Green, for commission as Justice of the Peace.....	10	00
	To cash from Joseph T. George, for commission as Justice of the Peace.....	10	00
	To cash from Joseph T. George, for commission as Notary Public.....	10	00
7.	To cash from James Springer, for commission as Notary Public.....	10	00
	To cash from Edward Chatten, for commission as Commissioner of Deeds.....	10	00
9.	To cash from E. R. Paynter, for copy of act.. ..	10	00
10.	To cash from H. P. Rumford, for commission as Notary Public.....	10	00
14.	To cash from Isaac F. Warren, for commission as Justice of the Peace.....	10	00
	To cash from George O'Neill, for commission as Notary Public.....	10	00
	To cash from Lewellen Tharp, for commission as Justice of the Peace.....	10	00
	To cash from Lewellen Tharp, for commission as Notary Public.....	10	00
18.	To cash from H. J. Enright, for copies of various acts received by him.....	60	00
		<hr/> \$180 00 <hr/>	

## CREDITOR.

	DOLLS. CTS.
1875.	
January 19. By this amount paid R. H. Davis, State Treasurer, in full as per receipt.....	180 00

Received January 19, 1875, of John H. Paynter, Secretary of State, one hundred and eighty dollars, in full of the above account.

ROBERT H. DAVIS,  
*State Treasurer.*

January 19, 1875. Examined and approved.    )  
                             ROBERT G. ELLEGOOD,        )  
   *Auditor of Accounts.*        )

I, John H. Paynter, Secretary of State, of the State of Delaware, do hereby certify that the above and foregoing is a true and correct copy of my accounts as Secretary of State, from December 14, 1874, the time of my last settlement with the Auditor of Accounts and State Treasurer, to this date

In witness whereof, I have hereunto set my hand, and [L. s.] affixed my official seal, at Dover, this 19th day of January, A. D. 1875.

JOHN H. PAYNTER,  
*Secretary of State.*

On motion of Mr. Causey,

The Clerk was instructed to have five hundred copies of the Governor's Message printed for the use of the Senate.

On motion of Mr. Moore,

The rules governing the last Senate were re-adopted until the committee report standing rules.

Mr. Riddle offered a joint resolution,

Which,

On his motion,

Was read, as follows :

*Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, That there be appointed a joint committee of three on behalf of the Senate, and four on*

behalf of the House, to prepare and report to the General Assembly such rules as they may deem necessary for the regulation and preservation of the Capitol Building.

And further,

On his motion,

The resolution was

*Adopted.*

Whereupon,

Messrs. Riddle, Shakespeare and Ray, were appointed said Committee on the part of the Senate.

*Ordered* to the House for concurrence.

Mr. Hazel, Clerk of the House, being admitted, informed the Senate, that the House had concurred in the Senate joint resolution for the regulation and preservation of the Capitol Building.

Mr. Davis offered a joint resolution,

Which,

On his motion.

Was read, as follows:

*Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met,* That there be appointed a joint committee of two on the part of the Senate, and two on the part of the House to prepare joint rules for the government of intercourse between the two Houses.

And further,

On his motion,

The resolution was

*Adopted.*

Whereupon,

Messrs. Davis and Causey were appointed said Committee.

*Ordered* to the House for concurrence.

Mr. Causey offered a resolution,

Which,

On his motion,

Was read, as follows :

*Resolved*, That the Clerk of the Senate be, and he is hereby authorized to furnish each member of the Senate with a copy of the Revised Code.

And further,

On his motion,

The resolution was

*Adopted.*

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

“An act for the relief of Robert Granless.”

On motion of Mr. Ray,

The Senate adjourned until 10 o'clock to-morrow morning.

WEDNESDAY, January 6, 1875—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain

Roll called. Members present—Messrs. Causey, Davis, Fiddeman, Moore, Ray, Riddle, Sapp, Shakespeare—Mr. Speaker.

Journal read and approved.

John H. Paynter, Esq., Secretary of State, being admitted, presented to the Senate the report of the State Librarian of a

“List of Books received for use of the State Library, from January, 1st, 1873, to January, 1st, 1875,”

Which

On motion of Mr. Moore,

Was read.

[For copy see page 34.]

Mr. Hazel, Clerk of the House being admitted, informed the Senate that the House had concurred in the Senate joint resolution, appointing a joint committee on joint rules, and had appointed Messrs. Biggs and McNeal said committee on the part of the House.

On motion of Mr. Moore,

The Report of the State Treasurer accompanying the Governor's Message was read.

[For a copy of the Report see page 27.]

Mr. Fiddeman moved,

That,

Five hundred copies of the Financial Report of the State Treasurer, be printed for the use of the Senate.

Which motion

*Prevailed.*

On motion of Mr. Moore,

The report of the Secretary of State, accompanying the Governors Message was read.

Mr. Hazel, Clerk of the House, being admitted informed the Senate, that the House had adopted a "Joint resolution tendering the old State House bell to the Historical Society of Delaware," and presented the same for the concurrence of the Senate.

On motion of Mr. Fiddeman,

The House joint resolution just received, was read,

And,

On motion of Mr. Riddle,

Was

*Concurred in*

Mr. Ray, moved that the vote by which the Senate concurred in the House joint resolution, tendering the State House bell to the Historical Society of Delaware.

Be reconsidered,

Which motion

*Prevailed.*

And further,

On motion of Mr. Moore,

The joint resolution was laid on the table.

*Ordered* that the report of the State Treasurer accompanying the Governor's Message be presented to the House for their information.

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

"An act to amend chapter 89, Sec. 1, of the Revised Code."

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

An act to establish an Inferior Court, to be entitled "The Court of Quarter Sessions of New Castle county."

On motion of Mr. Causey,

So much of the Governor's Message as relates to Finance, was referred to the committee on Finance.

Mr. Shakespeare, on behalf of the Commissioners for remodeling and repairing the State Capitol and other purposes, offered a report of their proceedings, under the act entitled "An act to provide for the acquisition of the entire title to the State Capitol, and for repairing the same, and for other purposes."

Which,

On motion of Mr. Causey,

Was read.

Mr. Fiddeman offered a joint resolution,

Which,

On his motion,

Was read, as follows:

*Resolved.* That the report and accompanying papers of the joint committee on Public Buildings submitted and read, be referred to a joint committee of two on the part of the Senate, and three on the part of the Senate.

And further,

On his motion,

The resolution was

*Adopted.*

*Ordered* to the House for concurrence.

Messrs. Fiddeman and Causey were appointed said committee.

On motion of Mr. Riddle,

The Clerk was ordered to present to the House the report of the Commissioners just received.

Mr. Davis presented a petition from Samuel Townsend and thirty-one others, praying the passage of an act prohibiting live stock from running at large in School District No. 81, Appoquinimink hundred, New Castle county.

There being no objection, the petition was read, and,

On motion of Mr. Davis,

Was referred to a special committee of three.

Messrs. Davis, Moore and Shakespeare were appointed said committee.

Mr. Ray gave notice that he would on to-morrow, or some future day ask leave to introduce an act entitled,

"An act to amend Chapter 551, Section 1, of the Laws of the State of Delaware, passed April 8, 1873."

Mr. Riddle gave notice that he would on to-morrow, or some future day ask leave to introduce an act entitled,

"An act increasing the number of the Senators and Representatives in the General Assembly."

On motion of Mr. Fiddeman,

Mr. Shakespeare was authorized to procure a suitable clock, and have it placed in the Senate chamber.

On motion of Mr. Causey,

The Senate adjourned until 3 o'clock this afternoon.



SAME DAY—3 o'clock, P. M.

The Senate met pursuant to adjournment.

Roll called—members present—Messrs. Causey, Davis, Fiddeman, Moore, Ray, Riddle, Sapp, Shakespeare, Mr. Speaker.

Mr. Hazel, Clerk of the House, being admitted, informed the Senate that the House had concurred in the Senate joint resolution referring the report and accompanying papers of the joint committee on public buildings to a joint committee, with an amendment, and requested the concurrence of the Senate in said amendment.

On motion of Mr. Causey,

The amendment was read as follows:

IN HOUSE, {  
January 6, 1875. }

“Amend the Joint Resolution in last line by striking out ‘Senate’ and inserting ‘House.’

Extract from Journal,  
For Concurrence,

W. D. HAZEL,  
Clerk of the House.

And,

On motion of Mr. Fiddeman,

The amendment was

*Concured in.*

*Ordered* that the House be informed thereof.

Mr. Moore offered a Joint Resolution in relation to the constitutional amendment,

Which,

On his motion,

Was read.

Mr. Moore moved,

That the Joint Resolution just read be adopted.

At the request of Mr. Riddle the Resolution was laid over until to-morrow.

Mr. Riddle from the committee appointed to draft rules for the government of the Senate, on their behalf submitted a report.

Which,

On his motion,

Was read, as follows :

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

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

RULE 3. No member shall be allowed to speak upon any subject more than three times, except in explanation, without leave obtained through the Speaker.

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

RULE 5. All motions shall be subject to debate, except motions to adjourn and for the previous question.

RULE 9. Questions of order shall be determined by the Speaker without debate, from whose decision an appeal may be had to the Senate at the request of any member.

RULE 7. The Speaker shall appoint all committees, unless the Senate shall otherwise direct.

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

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

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

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

RULE 12. When a question has been decided in the affirmative or negative, any member who voted in the majority may move for reconsideration thereof at any time within three days of actual session of the Senate, and the word "majority" shall, in the application of this rule, be constructed to mean, not the greater number of votes, but such number as was sufficient to prevail in the decision of the original question.

RULE 13. Every bill shall be introduced by motion for leave, by order of the Senate, or by report of a committee, and one days notice at least shall be given of an intended motion for leave to bring in a bill.

RULE 14. The following shall be special orders of the Senate, daily, at the hours mentioned, viz :

10.30 A. M., Second Reading of Bill,

11.30 A. M., First Reading of Bills,

3.30 P. M., Third Reading of Bills.

The Speaker shall call up the orders of the day at the time named, and the Senate may proceed to the consideration thereof without motion, unless there shall be objection on the part of any member.

RULE 15. Every bill shall receive three readings in the Senate previous to its passage, and no bill shall be read twice on the same day without special order of the Senate; and every bill, whether reported by a committee or otherwise, shall be taken up for consideration before passing to its third reading.

RULE 16. All bills ordered to be engrossed shall be certified by the Clerk, noting the day of passing at the foot thereof.

RULE 17. All messages from the Senate to the House of Representatives shall be conveyed by the clerk or a member.

RULE 18. All bills and resolutions which the standing rules of the Senate require to be three several times read, may be amended at any time before they are taken up for the third or final reading and no amendment shall afterwards be made so as to materially change or alter their meaning.

**RULE 19.** When a message is brought to the Senate by a member of the House, or any officer of the State, the members shall rise upon their feet.

**RULE 20.** The rules of Parliamentary practice, comprised in Jefferson's manual, shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with the standing rules of the Senate.

**RULE 21.** A vote of the majority shall prevail, except in special cases to the contrary.

**RULE 22.** A special order, as provided for in rule 15, shall be granted upon a vote of a majority of all the members.

**RULE 23.** All resolutions offered in the Senate shall, at the request of any member, be laid over for at least one day of actual session.

**RULE 24.** Unless otherwise ordered by a majority, the Senate shall meet every day (Sundays excepted) at 10 o'clock in the morning and 3 o'clock in the afternoon.

And further,

On motion of Mr. Fiddeman,

The report was

*Adopted.*

On motion of Mr. Causey,

Fifty copies of the above report were ordered to be printed for the use of the Senate.

Mr. Fiddeman offered a resolution,

Which,

On his motion,

Was read, as follows:

*Resolved,* That the Governor, and the Governor elect of this State, be invited by the Speaker to seats upon the floor of the Senate chamber.

And further,

On motion of Mr. Causey,

The resolution was

*Adopted.*

Mr. Riddle presented a petition from Robert Gramlees praying for relief,

Which, there being no objection, was read.

And on his motion,

Was referred to a special committee of three,

Messrs. Riddle, Moore and Davis, were appointed said committee.

On motion of Mr. Ray,

The Senate adjourned till 10 o'clock to-morrow morning.

THURSDAY, January 7th, 1875—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Causey, Davis, Fiddeman, Moore, Ray, Riddle, Sapp, Shakespeare and Mr. Speaker.

Mr. Moore offered a joint resolution,

Which,

On his motion,

Was read, as follows:

*Resolved by the Senate and House of Representatives, of the State of Delaware, in General Assmby met: That when the two houses adjourn, they adjourn to meet on Monday next, at 3 o'clock P. M.*

And further,

On motion of Mr. Ray,

The resolution was

*Adopted.*

*Ordered* to the House for concurrence.

Mr. Riddle, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Davis,

Obtained leave to introduce a bill entitled,

"An act to increase the number of Senators and Representatives in the General Assembly."

Which,

On the further motion of Mr. Riddle,

Was read.

Mr. Hazel, Clerk of the Senate, being admitted, informed the Senate that the House had concurred in the Senate joint resolution relation to the adjournment to Monday next, at 3 o'clock P. M., with an amendment, and requested the concurrence of the Senate in said amendment.

On motion of Mr. Fiddeman,

The amendment was read as follows:

IN HOUSE, }  
January 7th, 1875. }

Amend the joint resolution in the last line by striking out "Monday," and inserting "Tuesday."

Extract from Journal.

WM. D. HAZEL.

For concurrence.

*Clerk of House.*

And,

On motion of Mr. Moore,

The amendment was

*Non-concurred in.*

*Ordered* that the House be informed thereof and the resolution together with the amendment be returned to that body.

Mr. Hazel, Clerk of the House being admitted, informed the

Senate that the House had receded from its amendment to the Senate joint resolution in relation to the adjournment to Monday next, and had concurred in said joint resolution, and returned the same to the Senate.

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

“An act to amend Chapter 11 of the Revised Code.”

On motion of Mr. Causey,

The Senate adjourned till Monday next at 3 o'clock P. M.

MONDAY, January 11, 1875—3 o'clock P. M.

The Senate met pursuant to adjournment.

The Speaker being absent,

On motion of Mr. Fiddeman,

Mr. Shakespeare was elected Speaker *pro tempore*.

Prayer by the Chaplain.

Roll called—members present—Messrs. Causey, Davis, Fiddeman, Moore, Ray, Riddle and Shakespeare.

On motion of Mr. Causey,

The Hon. James Williams, Representative in Congress, elect from this State, was invited to a seat on the floor of the Senate.

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

“An act to amend the act, entitled, ‘an act, to provide for the Recording of Leases of the Potter Charity Estate,’ passed at Dover, March 28, 1873.”

Mr. Riddle offered a joint resolution,

Which,

On his motion,

Was read, as follows:

*Resolved, by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That so much of the Governor's message as relates to the celebration of the Centennial of American Independence, be referred to a joint committee of two on behalf of the Senate, and two on behalf of the House of Representatives, with instructions to report by bill or otherwise, what action should be taken by the State of Delaware, in relation to said Centennial Celebration.*

And further,

On his motion,

The resolution was

*Adopted.*

Whereupon,

Messrs. Riddle and Ray, were appointed said Committee on the part of the Senate.

*Ordered* to the House for concurrence.

Mr Davis, from the committee on joint rules made a report,

Which,

On his motion,

Was read, as follows:

The joint committee appointed to draft rules from the government of intercourse between the two Houses, respectfully beg leave to submit the following report:

#### JOINT RULES FOR THE GOVERNMENT OF INTERCOURSE BETWEEN THE TWO HOUSES.

RULE 1. In every case of an amendment to a bill, or any other matter agreed to in one House, and dissented to in the other—if either House shall request a conference, and appoint a committee for that purpose, and the other House shall also appoint a committee to confer—such committee shall, at a convenient hour, to be 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 to confer freely thereon.

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

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

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

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

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

RULE 6. 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.

HENRY DAVIS,

J. W. CAUSEY,

*Committee on part of Senate.*

W. P. BIGGS,

JOSEPH G. McNEAL,

*Committee on part of House.*

And further,

On motion of Mr. Davis,

The report was

*Adopted.*

*Ordered* that the House be informed thereof.

Mr. Hazel, Clerk of the House being admitted, informed the Senate, that the House had adopted the report of the joint committee on joint rules.

Mr. Ray, in pursuance of previous notice, introduced a bill entitled,

An act to amend chapter, 89 of the Revised Code of 1852.

Which,

Was read.

On motion of Mr. Moore, so much of the Governor's Message as refers to the Collection of Taxes, was referred to the committee on Finance.

Mr. Ray moved,

That the Revised Code as amended be referred to the committee on Revised Statutes

On motion of Mr. Moore, the motion just made by Mr. Ray, was laid upon the table.

On motion of Mr. Moore,

The joint resolution in relation to the proposed constitutional amendment,

Was taken up for consideration;

Mr. Moore, offered an amendment to the joint resolution;

Which

Was read, as follows:

"Amend the resolution by striking out all after the word amendment, in the eleventh line of said resolution,"

And moved that the amendment be adopted.

Which motion

*Prevailed.*

The question then recurring on the adoption of the resolution as amended, the resolution as amended,

Was

*Adopted.*

Mr. Riddle in pursuance of previous notice,

Asked,

And,

On motion of Mr. Moore,

Obtained leave to introduce a bill entitled,

"An act to establish a Superior Court to be entitled the Court of Quarter Sessions of New Castle county."

Which,

On motion of Mr. Riddle,

Was read;

And further,

On motion of Mr. Fiddeman,

Was referred to the Committee on Revised Statutes.

On motion of Mr. Moore,

Fifty copies of the Bill just introduced by Mr. Riddle were ordered to be printed.

On his motion,

The Senate adjourned till 10 o'clock, to-morrow morning.

TUESDAY, January 12, 1875—10 o'clock A. M.

The Senate met pursuant to adjournment.

Roll called. Members present—Messrs. Causey, Davis, Fiddeman, Moore, Ray, Riddle, Shakespeare—Mr. Speaker.

Journal read and approved.

The Speaker appointed Messrs. Moore and Fiddeman committee on part of Senate on Constitutional amendment.

Mr. Riddle, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Davis,

Obtained leave to introduce a bill entitled,

“An act to amend Chapter 11 of the Revised Statutes.”

Which,

On the further motion of Mr. Riddle,

Was read;

And,

On motion of Mr. Fiddeman,

Was referred to the committee on Revised Statutes.

Mr. Hazel, Clerk of the House, being admitted, informed the Senate that the House had concurred in the Senate joint resolution referring so much of the Governor's Message as relates to the Centennial Exposition to a joint committee, with an amendment, and had appointed Messrs. Bird, Broadway and Frame said committee on the part of the House, and requested the concurrence of the Senate in the said amendment.

On motion of Mr. Fiddeman,

The amendment of the House to the Senate joint resolution was read as follows:

Amend the joint resolution of the Senate, by striking out the word 'two' on the part of the House, and inserting in lieu thereof the word 'three.'

And,

On motion of Mr. Causey,

Was

*Concurred in.*

*Ordered* that the House be informed thereof.

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

"An act in relation to Usury."

Mr. Ray moved,

That the Senate bill entitled,

"An act to amend Chapter 89 of the Revised Code,

Be read a second time by its title.

Which motion

*Prevailed.*

Mr. Hazel, Clerk of the House, being admitted informed the Senate, that the House had adopted a joint resolution appointing a joint committee to make arrangements for the inauguration of the Governor elect, and presented the same to the Senate with a request that they concur therein, and informed the Senate that Messrs. Todd, Newland and McNeal were appointed said committee on the part of the House.

Mr. Causey moved,

That the House joint resolution last presented be read.

Which motion

*Prevailed.*

On motion of Mr. Shakespeare,

The House joint resolution was

*Concurred in.*

Messrs. Causey and Ray were appointed said committee on the part of the Senate.

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

Mr. Moore, offered a resolution,

Which,

On his motion,

Was read, as follows:

*Resolved by the Senate of the State of Delaware,* That the Secretary of State be, and is hereby requested and directed to furnish to the Senate a tabular list of appointments, setting forth the names of the persons appointed to office by the Executive authority of the State, from the seventeenth day of January, A. D. 1871, until the nineteenth day of January, A. D. 1875, inclusive; also the date of their commissions, the office to which each person was appointed, mode of compensation, amount of compensation, and the place of their residence as near as practicable; and that a reasonable allowance be made to the said Secretary of State, for the performance of the duty hereby enjoined upon him.

*Resolved further,* That a copy of the foregoing resolution be immediately transmitted to the said Secretary of State, by the Clerk of the Senate.

And further,

On his motion,

The resolution was

*Adopted.*

On motion of Mr. Davis,

The bill entitled,

"An act to amend Chapter 89 of the Revised Code, was referred to the committee on Revised Statutes.

Mr. Hazel, Clerk of the House, being admitted, informed the Senate, that the House had adopted a joint resolution, convening a joint session to be present at the opening and publishing the vote of for Governor, and presented the same to the Senate with a request that they concur therein.

Mr. Moore moved,

That the House joint resolution just received be read,

Which motion

*Prevailed.*

Mr. Riddle offered a joint resolution,

Which,

On his motion.

Was read, as follows:

*Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That there be appointed a joint committee of two on behalf of the Senate, and three on behalf of the House of Representatives, which committee shall be empowered, and hereby is empowered to purchase a United States flag, for the use of the State, and arrange for having said flag raised over the Capitol while the Legislature is in session.*

Mr. Riddle further moved,

That the joint resolution just read be adopted,

Mr. Riddle moved,

That the joint resolution be amended by striking out the word 'raised' and inserting the word "displayed,"

Which motion

*Prevailed.*

The question then recurring on the adoption of the joint resolution as amended, the joint resolution as amended,

Was

*Adopted.*

Messrs. Shakespeare and Riddle were appointed said committee on part of the Senate,

*Ordered to the House for concurrence.*

On motion,

The Senate adjourned till 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The Senate met pursuant to adjournment.

Mr. Hazel, Clerk of the House being admitted, returned to the Senate the following joint resolution.

"The Joint Resolution appointing a Joint Committee to purchase a flag for the use of the State."

And,

"The joint resolution in relation to the proposed Constitutional amendment."

With the information that the House had concurred therein, and had appointed Messrs. Conwell, Learned and Hanby, committee on the part of the House to purchase the flag, and Messrs. Biggs, Conwell and Collins, committee on the part of the House in relation to the Constitution amendment.

Mr. Hazel, Clerk of the House being admitted, requested that the Joint Resolution in relation to the convening of both Houses to count the votes for the Governor elect, presented to the Senate this morning from the House, be returned to the House.

On motion of Mr. Fiddeman,

The joint resolution just asked for was directed to be returned to the House.

Mr. Moore, offered a resolution,

Which,

On his motion,

Was read, as follows:

*Resolved*, That the Clerk of the Senate be, and he is hereby directed to furnish each member of the Senate with one copy of the 14, Vol., of the Laws of the State.



And further,

On motion of Mr. Causey,

The resolution was

*Adopted.*

Mr. Riddle offered a joint resolution,

Which,

On motion of Mr. Causey,

Was read, as follows :

*Resolved by the Senate and House of Representatives of the State of Delaware in General assembly met, That both Houses of the Legislature will adjourn on Thursday, February 4, 1875, sine die.*

Mr. Hazel, Clerk of the Senate being admitted, informed the Senate that the House had adopted a joint resolution, adjourning both Houses *sine die* on the nineteenth of February, and presented the same with a request that the Senate concur therein.

On motion of Mr. Riddle,

The joint resolution just received from the House,

Was read,

Mr. Hazel, Clerk of the House being admitted, informed the Senate that the House had adopted a joint resolution, concerning a joint session to be present at the opening, and publishing the vote for Governor, had appointed Isaac C. Pyle Teller, on the part of the House and requested the concurrence of the Senate in said joint resolution.

On motion of Mr. Moore,

The joint resolution just received from the House,

Was read,

And further,

On his motion,

The joint resolution was

*Concured in*

*Ordered* that the House be informed thereof.

The Speaker appointed John T. Moore, Teller on the part of the Senate.

Mr. Hazel, Clerk of the House being admitted, informed the Senate that the House had adopted joint resolutions, condemning the recent interference with the organization of the Legislature of the State of Louisiana, by the Federal Executive, and presented the same to the Senate with a request that they concur therein.

Mr. Causey moved,

That the joint resolution just received from the House, be read.

Which motion

*Prevailed.*

And the joint resolution was read.

Mr. Causey presented a petition from A. Short, and five others in relation to a certain road at Ellendale.

Which,

There being no objection,

Was read.

And,

On motion of Mr. Causey,

Was referred to the committee on Roads and Highways.

On motion,

The Senate adjourned til 10 o'clock to-morrow morning.

WEDNESDAY, January 13, 1875—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Roll called. Members present—Messrs. Causey, Fiddeman, Moore, Ray, Riddle, Shakespeare, Mr. Speaker.

Journal read and approved.

Mr. Shakespeare offered a joint resolution,

Which,

On his motion,

Was read as follows:

*Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, That the committee appointed to purchase a United States flag be instructed also to purchase a State flag, and have it put in proper position.*

Mr. Shakespeare moved that the joint resolution just read be adopted.

On the question, "Shall the joint resolution be adopted,"

Mr. Riddle called for the yeas and nays;

Which being taken were as follows:

*Yeas*—Messrs. Causey, Davis, Fiddeman, Moore, Ray, Shakespeare, and Mr. Speaker—7.

*Nays*—Mr. Riddle—1.

So the question was decided in the affirmative,

And the joint resolution was

*Adopted.*

*Ordered* to the House for concurrence.

Mr. Moore presented a petition from Isaac G. Phillips asking to be changed from School District No. 168, to School District No. 50, in Sussex county.

Which,

On his motion,

Was read.

And further,

On his motion,

Was referred to a special committee of three.

Messrs. Moore, Riddle and Davis were appointed said committee.

Mr. Riddle, from the committee to which was referred the petition of Robert Granlees, praying for relief, reported a joint resolution authorizing the State Treasurer to pay Robert Granlees three hundred dollars.

Which,

On his motion,

Was read;

And further,

On his motion,

Was postponed till Monday next, at 4 o'clock.

Mr. Davis presented a petition from Samuel Townsend, and thirty others, praying that Appoquinimink hundred, in New Castle county, be divided into two hundreds.

Which,

There being no objection,

Was read.

And,

On motion of Mr. Davis,

Was referred to a special committee of three.

Messrs. Davis, Shakespeare and Fiddeman, were appointed said committee.

Mr. Riddle, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Moore,

Obtained leave to introduce a bill entitled,

"An act in relation to Usury."

Which,

On his motion,

Was read.

Mr. Riddle offered a resolution,

Which,

On his motion,

Was read, as follows :

*Resolved*, That such part of the Governor's Message as relates to the enacting of a law, creating a sinking fund for the redemption of the debt of this State at maturity, be referred to the Finance committee with instructions to report to the Senate whether it be expedient and advisable to enact such law.

And further,

On his motion,

The resolution,

Was

*Adopted.*

Mr. Hazel Clerk of the House, being admitted, presented for the signature of the Speaker of the Senate, the enrolled House joint resolution convening a joint session to be present at the opening, and publishing the vote for Governor, it having received the signature of the Speaker of the House; Mr. Hazel also informed the Senate that the House would be ready in ten minutes to receive the Senate in the hall of the House of Representatives, in joint meeting, for the purpose of opening and publishing the returns of the election for Governor.

Mr. Causey, from the committee on Enrollment reported the following enrolled House joint resolutions as duly and correctly

enrolled, and presented the same for the signature of the Speaker of the Senate, to wit:

“Joint resolution convening a joint session to be present at the opening, and publishing the vote for Governor.”

The Senators in conformity with the joint resolution convening the two Houses in joint meeting to open and publish the vote for Governor proceeded to the Hall of the House of Representatives, preceded by their Speaker and accompanied by their Clerk.

### JOINT MEETING.

HALL OF THE HOUSE OF REPRESENTATIVES,

January 13, 1875—11 o'clock A. M.

The two Houses being convened in joint meeting,

On motion of Mr. Nowland of the House of Representatives,

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

*Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met,* That the members of the Senate and members of the House of Representatives, assemble in the Hall of the House of Representatives at 11 o'clock, A. M., on Wednesday next, the 13th inst., to be present at the opening and publishing, according to the Constitution of this State, of the returns of the election holden in the several counties of the State on the Tuesday next after the first Monday in November last, for Governor, and that two tellers be appointed to wit: One on the part of the Senate, and one on the part of the House of Representatives to make a list of the votes as the same shall be published from said returns.

*Resolved,* That upon opening and publishing the returns of said Election by the Speaker of the Senate in the presence of both Houses of the Legislature assembled as aforesaid, two certificates shall be made according to the following form, to wit:

STATE OF DELAWARE, ss.

Be it known that the General Assembly, having met at Dover, C. C. Stockley Esq., Speaker of the Senate on the 13th day of January, in the year of our Lord one thousand eight hundred and seventy-five, (1875), did open and publish in the presence of the

members of the Senate and of the House of Representatives, according to the Constitution of the said State, the returns of the elections holden in the several counties of the said State, on the Tuesday next after the first Monday in November last for Governor, and by said returns it appears that John P. Cochran was, on the Tuesday next after the first Monday in November last, duly chosen Governor of the State of Delaware, according to the Constitution and Laws of the State, to hold said office of Governor during four years, from the third Tuesday of January, instant, agreeably to the Constitution.

Charles C. Stockley, Esq., Speaker of the Senate, thereupon opened and published the official returns of the elections in the several Counties of this State for Governor, from which it appeared that on the Tuesday next after the first Monday in November last, A. D. 1874, there were given

#### FOR JOHN P. COCHRAN,

In New Castle county.....	5,796	votes.
" Kent county.....	3,178	"
" Sussex county.....	3,514	"
Total.....	12,488	"

#### FOR ISAAC JUMP,

In New Castle county .....	5,625	votes.
" Kent county.....	2,751	"
" Sussex county .....	2,883	"
Total.....	11,259	"
Majority for John P. Cochran.....	1,229	votes.

#### FOR JAMES R. LOFLAND.

In Kent county.....	1	vote.
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John P. Cochran, having a majority of the votes, was declared by the Speaker of the Senate to have been duly elected Governor of the State of Delaware on the Tuesday next after the first Monday in November last, for the constitutional term of four years from the third Tuesday of January, instant.

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

On motion of Mr. Moore, of the Senate,

The certificates, as signed and attested,

Were read.

On motion of Mr. Causey, of the Senate,

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

On motion of Mr. Moore, of the Senate,

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

On motion,

The Senate adjourned till this afternoon at 3, o'clock.

SAME DAY—3 o'clock, P. M.

Mr. Shakespeare, moved,

That the House Joint resolution condemning the recent interference, with the organization of the Legislature of the State of Louisiana by the Federal Executive be taken up for consideration.

Which motion

*Prevailed.*

Mr. Shakespeare, moved,

That the House Joint resolution just taken up for consideration be concurred in,

On the question, "Shall the House Joint resolution be concurred in?"

Mr. Riddle called for the yeas and nays,



Which, being taken, were as follows :

*Yeas*—Messrs. Causey, Davis, Fiddeman, Moore, Ray, Shakespeare and Mr. Speaker—7,

*Nays*—Mr. Riddle—1.

So the question was decided in the affirmative,

And the House Joint resolution was *Concurred in.*

*Ordered* that the House be informed thereof and the Joint resolution, be returned to that body.

Mr. Hazel, Clerk of the House being admitted, informed the Senate that the House had adopted the following Joint resolutions which he presented to the Senate for concurrence, viz, to wit :

“Joint resolution in relation to the disposition of certificates of the election of Governor.”

“Joint resolution appointing a Joint Committee to examine the accounts of the State Treasurer.”

“Joint resolution convening the two House in Joint meeting on Tuesday, 19, inst., at 12, o'clock, to attend the inauguration of the Governor elect.”

And also, had concurred in the Senate Joint resolution, to purchase a State flag.

Which he was directed to return to the Senate.

Mr. Davis from the special committee to which was referred the petition of Samuel Townsend, and others, praying the passage of an act to prevent live stock from running at large in School District, No. 81 Appoquinimink hundred, reported a bill entitled,

“An act to prohibit live stock from running on the highway in School District, No. 81 in New Castle county.”

There being no objection,

The bill was read.

Mr. Hazel, Clerk of the House being admitted, informed the Senate that the House had adopted a Joint resolution, in relation to having each days proceedings published.

Which on motion of Mr. Riddle,

Was read,

And on his further motion,

Was

*Concurred in.*

*Ordered* that the House be informed thereof, and the Joint resolution be returned to that body.

On motion of Mr. Moore,

The House Joint resolution convening the two Houses in joint meeting, on Tuesday, 19. inst; at 12, o'clock, to attend the inauguration of the Governor elect.

Was read,

And further,

On his motion,

Was

*Concurred in.*

On motion of Mr. Causey,

The House Joint resolution appointing a joint committee to examine the accounts of State Treasurer.

Was read,

And further,

On his motion,

Was

*Concurred in.*

*Ordered* that the House be informed thereof, and the Joint resolution returned to that body.

Messrs. Ray and Riddle were appointed said committee on the part of the Senate.

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

“An act to re-incorporate Keokuk Tribe, No. 3 Improved Order of Red Men.”

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

"An act to change the time of holding the Court of Chancery and Orphans' Court in Sussex County."

On motion of Mr. Moore,

The House Joint resolution convening the two Houses in joint meeting on Tuesday, 19, inst., at 12, o'clock, to attend the inauguration of the Governor elect,

Was read,

And on his further motion.

Was

*Concurred in.*

*Ordered* that the House be informed thereof.

On motion,

The Senate adjourned till 10 o'clock, A. M., to-morrow morning.

THURSDAY, January 14, 1875—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Causey, Davis, Fiddeman, Moore, Ray, Riddle, Shakespeare and Mr. Speaker.

Journal read and approved.

Mr. Causey, from the Committee on enrolled bills, reported as having been duly and correctly enrolled, and presented for the signature of the Speaker of the Senate, the following Senate Joint resolutions viz:

"Joint resolution relating to the Centennial Celebration of American Independence."

"Joint resolution appointing a joint Committee, to wait upon his Excellency, and inform him of the organization of the two Houses."

"Joint resolution appointing a joint Committee to prepare rules for government of intercourse between the two Houses."

"Joint resolution appointing a joint Committee to report rules for the regulation and preservation of the Capitol Building."

"Joint resolution in relation to Public Buildings."

"Joint resolution in relation to adjournment of both Houses."

"Joint resolution appointing a joint Committee to purchase a flag for the use of the State."

On motion of Mr. Ray,

That part of the Governor's message which relates to rewards,  
Was referred to the committee on claims.

Mr. Davis, moved,

That the Senate bill entitled,

"An act to prohibit live stock from running on the highway in School District No. 81, in New Castle county."

Be read a second time by its title,

Which motion

*Prevailed.*

Mr. Riddle, from the Joint committee to which was referred the joint resolution, relating to the printing of daily proceedings of the Legislature, submitted a report.

Which,

On motion of Mr. Causey,

Was read, as follows :

The Joint committee to inquire into the cost of printing the proceedings of the Legislature daily, respectfully report ;

That the *Delawarean* office will print fifty copies per day of such Legislative proceedings for the sum of \$4 dollars per day.

And,

On motion of Mr. Riddle,

Was

*Adopted.*

On motion of Mr. Riddle,

Fifty additional copies of the bill entitled, "An act to establish an Inferior Court to be entitled "The court of Quarter Sessions of New Castle," were ordered to be printed.

On motion of Mr. Ray,

So much of the Governor's Message as relates to the Supreme Court decisions,

Was referred to the Committee on claims.

Mr. Fiddeman, from the Joint committee, to which was referred the report of the Commissioners of Public Buildings, appointed at the last Sessions, submitted a report.

Which,

On his motion,

Was read,

And,

On motion of Mr. Ray,

Was

*Adopted.*

*Ordered* that the report be presented to the House with the information that it had been adopted by the Senate.

Mr. Moore in pursuance of previous notice,

Asked,

And,

On motion of Mr. Causey,

Obtained leave to introduce a bill entitled,

"An act to change the time of holding the Court of Chancery and Orphans' Court in Sussex county."

Which,

On the further motion of Mr. Moore,

Was read,

Mr. Riddle moved,

That the Senate bill entitled,

"An act in relation to Usury."

Be read a second time by its title,

Which motion

*Prevailed.*

And,

On the further motion of Mr. Riddle,

The act just read,

Was referred to the Committee on Revised Statutes.

Mr. Moore, from the Joint committee to whom was referred the joint resolution relating to the proposed constitutional amendment, reported a bill entitled,

"An act to ratify a proposed amendment to the Constitution of this State."

Which,

On his motion,

Was read.

On motion,

The Senate adjourned till 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

Mr. Riddle, in pursuance of previous notice,

Asked,

And,

On motion of Mr. Causey,

Obtained leave to introduce a bill entitled,

"An act to re-incorporate Keokuk Tribe, No. 3, Improved Order of Red Men, of the State of Delaware, in the city of Wilmington."

Which,

On the further motion of Mr. Riddle.

Was read;

And further;

On his motion,

Was read a second time by its title, by special order;

And,

On his further motion,

Was referred to the Committee on Corporations.

On motion of Mr. Ray,

So much of the Governor's message as relates to the reduction of taxes, was referred to the Committee on Finance.

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

"An act to amend Chapter 106, of the Revised Code."

Mr. Hazel, Clerk of the House, being admitted, informed the Senate that the House had adopted a joint resolution adjourning both Houses till Monday, the 18th inst.

Which,

On motion of Mr. Causey,

Was read.

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

On the question, "Shall the House joint resolution be concurred in,"

It was decided in the negative,

And,

The joint resolution was

*Non-concurred in.*

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

On motion,

The Senate adjourned till 10 o'clock, to-morrow morning.

FRIDAY, January 15, 1875—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Causey, Davis, Fiddeman, Moore, Ray, Riddle, Shakespeare and Mr. Speaker.

Journal read approved.

On motion of Mr. Davis,

The Senate bill entitled,

"An act to prohibit Live Stock from running on the highway in School District No. 81, in New Castle county."



Was taken up for consideration.

And further,

On his motion,

The bill under consideration was read a third time; by paragraphs, in order to pass the Senate.

And, on the question, "Shall this bill pass the Senate?"

It was decided in the affirmative,

And the bill

*Passed the Senate.*

*Ordered* to the House for concurrence.

Mr. Moore from the special committee to whom was referred the petition of Isaac G. Phillips, praying to be transferred from School District No. 168, to School District No. 50, in Sussex county, reported a bill entitled,

"An act transferring the Home and Mansion farm of Isaac G. Phillips, from School District No. 168, in Sussex county, to School District No. 50 in Sussex county,"

Which,

On his motion,

Was read.

Mr. Hazel Clerk of the House, being admitted, informed the Senate that the House had adopted the report of the joint committee appointed under the joint resolution in relation to Public Buildings and returned the same to the Senate.

Mr. Fiddeman offered a joint resolution,

Which,

On his motion,

Was read, as follows:

Joint resolution to pay joint committee on Public Buildings compensation for services.

*Resolved by the Senate and House of Representatives, of the State of Delaware, in General Assmblly met:* That the State Treasurer be, and he is hereby directed to pay to each of the commissioners on

Public Buildings for their services on said commission as amended in the report of the committee to whom was referred the report and accompanying papers of the said commissioners as follows: To William M. Shakespeare the sum of \$500; to Dr. Hugh Martin the sum of \$350; to Charles C. Stockley the sum of \$300; to Leander F. Riddle the sum of \$250; to Lewis Thompson the sum of \$250; and to John VanGasken the sum of \$250.

And further,

On his motion,

The resolution was

*Adopted.*

*Ordered* to the House for concurrence.

On motion of Mr. Riddle, three hundred copies of the report of the joint committee on Public Buildings were ordered to be printed.

Mr. Hazel, Clerk of the House, being admitted, informed the Senate that the House had concurred in the Senate joint resolution to pay joint committee on Public Buildings compensation for services, and returned the same to the Senate.

Mr. Shakespeare, from the committee on corporations, reported back without amendment, the bill entitled,

“An act re-incorporate Keokuk Tribe, No. 3, Improved Order of Red Men of the State of Delaware, in the city of Wilmington.”

And moved that the bill be taken up for consideration,

Which motion

*Prevailed.*

And further,

On his motion,

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

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

The yeas and nays were ordered,

Which being taken were as follows:

*Yeas*—Messrs. Causey, Davis, Fiddeman, Moore, Ray, Riddle, Shakespeare and Mr. Speaker—8.

*Nays*—None.

So the bill having received the required constitutional majority

*Passed the Senate.*

*Ordered* to the House for concurrence,

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

“An act to exempt wages from execution attachment process.”

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

“An act relating to the Recording of Leases of the Potter Charity Estate.”

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

“An act to make evidences of value subjects of Larceny.”

Mr. Moore moved,

That when the Senate adjourns, it adjourn till 3 o'clock P. M., on Monday next.

Which motion

*Prevailed,*

On motion,

The Senate Adjourned,

MONDAY, January 18, 1875—3 o'clock P. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Causey, Davis, Fiddeman, Moore, Ray, Riddle, Shakespeare—Mr. Speaker.

Journal read and approved.

Mr. Fiddeman presented the petition of C. C. W. Collins and twelve others praying the passage of an act to allow J. Turpin Moore, Esq., to change the course of a road leading through his lands, and to place a gate across the same.

Which,

On his motion,

Was read;

And further,

On his motion,

Was referred to the Committee on Roads and Highways.

Mr. Hazel, Clerk of the House, being admitted, informed the Senate that the House had adopted a joint resolution and presented the same for the concurrence of the Senate, as follows, to wit: A Joint resolution that the two Houses meet in joint meeting on Tuesday, 19th, inst., to attend his Excellency while the oaths of office are being administered.

Which,

On motion of Mr. Fiddeman,

Was read;

And further,

On motion of Mr. Causey,

Was

*Concurred in.*

*Ordered* that the House be informed thereof, and the joint resolution be returned to that body.

On motion of Mr. Ray,

The House bill entitled,

"An act to exempt wages from Execution Attachment process."

Was read,

And further,

On his motion.

Was read a second time by its title, by special order,

And,

On his further motion,

Was referred to the Committee on Revised Statutes.

Mr. Riddle called up for consideration of the Senate, the joint resolution authorizing State Treasurer to pay Robert Granless, three hundred dollars, and moved that the same be amended.

Which motion

*Prevailed.*

And the joint resolution was amended.

And further,

On his motion,

The joint resolution was

*Adopted.*

*Ordered* to the House for concurrence.

On motion

The Senate adjourned till 10 o'clock to-morrow morning.

TUESDAY, January 19, 1875—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Causey, Davis, Fiddeman, Moore, Ray, Riddle, Shakespeare and Mr. Speaker.

Journal read and approved.

Mr. Causey, from the Committee on Enrollment, reported as duly and correctly enrolled the following Senate joint resolution and presented the same for the signature of the Speaker of the Senate to wit:

“Joint resolution directing the State Treasurer to pay to Joint Commissioners on Public Buildings, the sum of eight thousand four hundred and forty-six dollars, and sixty-three cents, amount of unpaid bills, and also to pay the Joint Committee certain sums, and in relation to the old bell, and a joint resolution to pay Joint Committee on Public Buildings compensation for their services,”

John H. Paynter, Esq., Secretary of State being admitted, presented the following communications:

A list of Executive appointments by James Ponder, Governor.

A list of orders for printing since January 7, 1873, to January 19, 1875.

And the account of John H. Paynter, Secretary of State with the contingent expense of his office.

Mr. Moore offered a resolution,

Which,

On his motion,

Was read, as follows:

*Resolved by the Senate of the State of Delaware, That the Clerk of the Senate be authorized to have printed, three hundred copies of the tabular list of appointments, to office made by the Executive*

authority of this State, from the 17, day of January A. D., 1871, to the 19, day of January A. D., 1875 inclusive, two hundred copies for the use of the State, and one hundred copies thereof, for the use of the Secretary of State.

And on his further motion,

Was

*Adopted.*

Mr. Causey, on behalf of the Joint Committee on Inaugural ceremonies made a report,

Which,

On his motion,

Was read, as follows:

The committee on inauguration beg leave to report that they have waited upon the county Commissioners of Kent county, for the purpose of procuring the use of the Court House for the inaugural ceremonies. In response to the said Committee the Honorable the Levy Court, forward to us through Messrs. How and Martin, members of said Court, the following resolutions:

*Resolved*, by the Levy Court of Kent county, at an adjourned October Session held January 14th A. D., 1875. That the court Room and the Hall of the Court House of Kent county, are hereby tendered to the Legislature of the State of Delaware, to be used for the Inaugural ceremonies, and reception of the Governor elect, on Tuesday the 19th inst.

*Resolved* further, that Messrs. Henry M. How and James A. Martin, be and they are hereby appointed a Committee to deliver an attested copy of these resolutions to the Legislative committee of arrangements.

CHAS. H. REGISTER, P. L. C. *Pro Tem.*

Adopted January 14, A. D. 1875.

ATTEST: WM. A. MOORE, Clerk.

And on his further motion,

Was

*Accepted.*

*Ordered* that the report be presented to the House.

Mr. Hazel, Clerk of the House being admitted, returned to the Senate the following enrolled Senate joint resolutions, the same having received the signature of the Speaker of the House to wit:

Joint resolution directing the State Treasurer to pay to the Joint Commissioners on public buildings the sum of eight thousand, four hundred and forty-six dollars and sixty-three cents, amount of unpaid bills and also to pay the Joint Committee certain sums, and in relation to the old bell.

Joint resolution in relation to adjournment of both Houses.

Joint resolution to pay joint Committee on public buildings, compensation for their services ;

He also presented for the signature of the Speaker of the Senate, the following enrolled House joint resolution, the same having received the signature of the Speaker of the House, to wit :

Joint resolution convening the two Houses in joint meeting, on Tuesday the 19th inst., to attend the inauguration of the Governor elect ;

Joint resolution in relation to having each day's proceedings published ;

Joint resolution appointing a joint Committee, to examine the accounts of State Treasurer ;

Joint resolution convening the two Houses in joint meeting, on Tuesday the 19th inst., to attend his Excellency while the oaths of office are being administered.

On motion of Mr. Moore,

The Senate bill entitled,

"An act to ratify a proposed amendment to the Constitution of this State."

Was read a second time by its title.

On motion of Mr Causey,

The Senate bill entitled,

"An act relating to the recording of Leases of the Potter Charity Estate."

Was read a second time by its title,

On motion of Mr. Moore,

The Senate bill entitled.



"An act to change the time of holding the Court of Chancery and Orphans' Court in Sussex county."

Was read a second time by its title,

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

"An act to amend Chapter 389 Vol., 14 Laws of Delaware."

Mr. Hazel, Clerk of the House being admitted, returned to the Senate the following Senate enrolled joint resolutions, the same having received the signature of the Speaker of the House; to wit:

Joint resolution appointing a joint Committee to report rules for the regulation, and preservation of the Capitol Building.

Joint resolution appointing a joint Committee to prepare rules for the Government of Intercourse between the two Houses.

Joint resolution appointing a joint Committee, to wait upon his Excellency, and inform him of the organization of the two Houses.

Joint resolution appointing a joint Committee to purchase a flag for the use of the State.

Joint resolution relating to the Centennial Celebration of American Independence.

Joint resolution in relation to Public Buildings.

Mr. Hazel, Clerk of the House being admitted, informed the Senate that the House had passed the following bill, which he presented to the Senate for concurrence, to wit:

"An act defining the duties of Constables in certain cases,

Which,

On motion of Mr. Fiddeman,

Was read.

Mr. Hazel, Clerk of the House being admitted, informed the Senate that the House had passed the following bill, which he presented to the Senate for concurrence, to wit:

"An act to prevent stock from running at large in School District No. 83 New Castle county."

Which,

On motion of Mr. Ray,

Was read.

On motion of Mr. Fiddeman,

The Senate proceeded by a *vive voce* vote to choose a United States Senator to represent this State in Congress for the Constitutional term commencing on the 4th of March next;

Which vote was as follows:

Mr. Causey,	voted for Thomas F. Bayard.
Mr. Davis,	voted for Thomas F. Bayard.
Mr. Fiddeman,	voted for Thomas F. Bayard.
Mr. Moore,	voted for Thomas F. Bayard.
Mr. Ray,	voted for Thomas F. Bayard.
Mr. Riddle,	voted for Edward W. Gilpin.
Mr. Shakespeare,	voted for Thomas F. Bayard.
Mr. Speaker,	voted for Thomas F. Bayard.

Thomas F. Bayard having received a majority of the votes, was declared the choice of the Senate for the United States Senator, to represent this State in Congress for the constitutional term commencing on the 4th of March, next.

Mr. Hazel, Clerk of the House, being admitted, informed the Senate that the House would be ready, in ten minutes, to accompany the Senate to the County Court Room, in pursuance of the joint resolution adopted January 18th, inst., to attend the Governor elect in his inauguration.

#### JOINT MEETING.

The hour having arrived for the joint meeting of the General Assembly, the two Houses jointly proceeded to the County Court Room and took the seats prepared for their reception.

The General Assembly being thus convened, the Governor elect, attended by the joint committee of the two Houses, His Excellency Governor Ponder, Hon. Willard Saulsbury, Chancellor of the State of Delaware; Hon. John W. Houston, one of the Judges of the Superior Court of the State of Delaware; John H. Paynter, Esq., Secretary of State; Ignatius C. Grubb, Esq.; and the Revs. Cyrus Huntington, and L. W. Gibson, entered the Court Room and took the seats prepared for them.

On motion of Mr. Fiddeman, of the Senate,

The joint resolution convening the two Houses was read by the Clerk of the Senate.

Prayer by the Rev. Cyrus Huntington.

The Hon. Willard Saulsbury, Chancellor of the State of Delaware, then administered the following oaths of office to the Governor elect, to wit;

I, John P. Cochran, do solemnly swear on the Holy Evangels of Almighty God, that I will support the Constitution of the United States of America. So help me God.

I, John P. Cochran, do solemnly swear, on the Holy Evangels of Almighty God, that I will support the Constitution of the State of Delaware. So help me God.

I, John P. Cochran, do solemnly swear on the Holy Evangels of Almighty God, that I will perform the duties of the office of Governor of the State of Delaware with fidelity. So help me God.

His Excellency, the Governor, then delivered his Inaugural Address to the two Houses of the General Assembly, as follows:

*Gentlemen of the Senate and House of Representatives:*

FELLOW CITIZENS: Having been elected Governor of the State of Delaware, and, in your presence, having taken the oaths of office prescribed by the Constitutions of the United States and of this State, I propose to address you briefly upon those questions of public interest which the proprieties of this occasion and the exigencies of the times seem to render important.

In assuming the duties of the high office I have received at the hands of my fellows citizens, I desire to make public acknowledgment of the obligations I feel for this gratifying proof of their confidence and regard.

To be chosen by the people of my native State, in the closing years of a long life passed in their midst, to occupy the highest station of trust and honor in their gift, fills me with the most grateful emotion.

But while I appreciate the distinction conferred upon me, I am not unmindful of the duties and grave responsibilities with which it is accompanied.

To merit that honor and to retain that confidence, by a faithful discharge of the duties of the office to which I have been chosen, shall be my constant aim and effort.

Viewing official power as a public trust, and not a private perquisite, I shall exercise it conscientiously, and to the best of my ability, for public and not for personal ends; for the welfare of the entire State and people, and not in the interest of any particular section or class.

#### APPOINTING POWER.

By virtue of express provisions of the Constitution of Delaware, the supreme executive powers of the State are invested in the Governor.

Among these is the power to appoint all officers whose offices are established by the Constitution, or shall be established by law, and whose appointments are not therein otherwise provided for.

This Constitutional power lies at the root of all good government, and should be exercised with the most careful discrimination, and with the view of selecting only honest, capable and zealous public servants.

Public offices are created for the benefit of the people and not for selfish and individual ends.

This consideration should always be kept in view both in the creation of offices and the appointments to fill them.

New offices should be created only as urgent necessity requires, and should be abolished promptly when it ceases.

"A multitude of new offices and swarms of officers to harass our people and eat out our substance," should be as odious to us as they were to our ancestors.

The disposition of the present times to multiply unnecessary offices, and the deplorable consequences resulting therefrom, have occasioned disquietude in the minds of all true friends of economical and well ordered government.

Fortunately, the offices in this State are comparatively few and limited to the requirements of strict necessity.

So that, whilst flagrant and wide spread official corruption has existed elsewhere, it has been our just pride that it is unknown in the administration of our State affairs.

With proper care in the selection of appointees to office this enviable distinction may be maintained, and I shall earnestly strive to preserve a reputation so honorable to our people.

#### PARDONING POWER.

Our State Constitution also provides that the Governor "shall have power to remit fines and forfeitures, and to grant reprieves and pardons, except in cases of impeachment."

This high prerogative is entrusted to the Executive in order that the rigorous execution of the law may be tempered with mercy.

Its object is to provide a remedy against possible error in the administration of public justice, and to save the deserving subject of Executive clemency from otherwise irremediable injury. Human punishments are designed to prevent the commission of crime by reforming or deterring the offender, or by depriving him of the power of mischief.

If, therefore, the pardoning power be either carelessly or corruptly exercised, it becomes an instrument of evil to defeat the objects of public justice and place society at the mercy of the evil doer.

The demands of the public safety should be at least as cogent as the appeals of private sympathy, and both require that executive clemency shall be carefully and conscientiously exercised.

The Constitution further provides that the Executive "shall from time to time give to the General Assembly information of affairs concerning the State and recommend to their consideration such measures as he shall judge expedient."

My predecessor, having complied so recently with this Constitutional requirement, I shall restrict myself to the consideration of a few questions of public interest which seem of present importance.

#### FINANCIAL AFFAIRS.

Our community, in common with the other States of the Union, is suffering from stagnation in almost every branch of business, and wide-spread distress is consequent among all classes of our citizens.

The causes for this depression and paralysis of industry may, in great degree, be found in the destruction of the natural market for our manufactures and other products in the Southern States, which, by deplorable misrule, have become unsafe for the investment of capital, and so impoverished and prostrated as to be unable to purchase our commodities or to supply their own in exchange; and in the enormous outlay of capital upon distant and premature railway, and other enterprises, from which no return could, or can reasonably be expected until the lapse of many years.

This large outlay of capital must, therefore, so far as the business of the country is concerned, be considered as utterly sunk for the present generation at least, and its absence must be supplied by the same methods whereby capital is alone created—patient industry, accompanied by rigid economy.

Fortunately for our people this State enjoys a remarkable exemption from the burthens of local taxation, which so heavily oppress

other communities. And I trust that the example of honesty and strict care in the expenditure of public money (which, after all, is only the money of private individuals drawn by taxation into the treasury of the State), will be continued for the benefit of the individual citizen, and as an assurance to our public creditors of that integrity which is their best reliance for the fulfillment of our pecuniary obligations.

It is greatly to be regretted that the annihilation of our well secured State bank issues, by the ruthless exercise of Congressional power of taxation, is continued, and that thereby our supply of the paper money of the United States—our only circulating medium—is continually floating off to the great money centres and leaving our rural districts denuded of a necessary medium of exchange which, but for Federal taxation, would be safely and conveniently supplied by our State banks.

It is to be hoped that the interests of the workingman, as well as of all the legitimate commercial, manufacturing and agricultural industries, may be secured upon the basis of gold and silver coin, as was designed by the framers of our constitutional government and from which Congress, in an evil hour for the country, has seen fit to depart, and be still unwilling honestly to return.

#### ATTACHMENT OF WAGES.

Owing to the general prostration of business to which I have referred, the necessities of workingmen have demanded the use of every dollar of their wages to supply their families with food and shelter.

Existing laws of this State authorize the attachment, in the hands of his employer, of the wages of the working man.

This procedure is productive of great distress to the working man by taking away his only means to pay for the necessities of life, while it also burdens the fund created by his wages with oppressive legal costs, embarrasses the employer by compelling his attendance as an involuntary party to a litigation in the result of which he has no interest, and, moreover, tends to drive many excellent mechanics from our State, thus depriving the community of their skilled labor and the employer of their most valuable workmen.

In view of these facts, and in the light of our own experience of the law, and of the successful examples of neighboring States, I deem it advisable that so much of the existing laws as authorize the attachment of wages should be repealed.

#### INCREASE OF REPRESENTATION.

The rapid increase of the population and property of New Castle County, as compared with that of Kent and Sussex counties, of late

years, has necessitated an increase of the representation of that county in the General Assembly for the protection and promotion of its various interests.

So urgent has the necessity for this become, and so decided the current of public sentiment in its favor, that a fair adjustment of the present inequality should no longer be postponed.

I therefore feel it to be my duty, on this occasion, to advert to the subject and to urge early and favorable action upon it.

To fully appreciate the force and justice of the claim of New Castle county to an increase of representation in the General Assembly, it is necessary to compare her present representation, population and resources with those of the other counties.

By reference to the Federal Census of 1870 it appears that the population of New Castle county was sixty-three thousand five hundred and fifteen (63,515), of Kent county twenty-nine thousand eight hundred and four (29,804), and of Sussex county thirty-one thousand six hundred and ninety-six (31,696); thus showing that the population of the former was greater than that of the two latter combined.

By the same census it appears that the assessed value of real estate in New Castle county was as great, and the assessed value of personal property more than three times as great as that of the other two counties combined, and that she paid more than twice the amount of taxes paid by both of them together for State purposes.

Also her total of annual wages paid in farming operations and the total value of all her farm productions, respectively, were quite equal to the aggregate totals, respectively, paid or produced by both Kent and Sussex.

In the mechanical and manufacturing industries, the capital invested, the wages paid, and the value of the articles produced, respectively, were at least ten times more in New Castle county than in Kent and Sussex counties combined.

And yet, with this great disproportion of population and taxable property, the legislative representation of that county is equal only to that of each of the other counties, while the City of Wilmington, with a population greater than that of either Kent or Sussex county, has never had a representative of her vast local interest in both houses of the General Assembly at the same time.

When our State Constitution of 1792, which established the present apportionment between the three counties, was framed, the population of each of them was nearly equal in numbers: That of New Castle being nineteen thousand six hundred and eighty-six, (19,686), of Kent, eighteen thousand nine hundred and twenty (18,-

920), and of Sussex, twenty thousand four hundred and eighty-eight (20,488).

It is, therefore, reasonable to presume that, at this early period of our State history, it was designed that the ratio of representation should be in general accord with population.

Even so late as the adoption of the Constitution of 1831, the disparity between the populations of the respective counties was not so important as to occasion any pressing need for a change in the established apportionment of 1792.

But within a comparatively recent period the increase of the population of the City of Wilmington has entirely overthrown the numerical equality which previously existed between the several counties, and thus necessitated a change in that apportionment.

Whether this change shall be upon the basis of population alone, and to the full extent of that principle, is worthy of grave consideration.

To my mind, in view of all the peculiar circumstances surrounding the question in this State, the adoption of such a rule, particularly for both branches of the Legislature, would be as unsound in principle as it would prove detrimental in practice.

When our early Constitutions, recognizing population as the basis of representation, were adopted, no great center of population existed in our State. But with the rapid growth Wilmington in recent years this is no longer the case. It would be exceedingly unwise, in a small State like ours, to accord representation in full proportion to population to a growing city whose inhabitants might quickly outnumber all the other people of the State.

To do so, would be to enable a city to overshadow and control not only the county in which it might be situated, but also the entire State, and through its particular representatives, to favor and foster its special and local interests at the expense of all other localities.

Besides, it would disregard that distinction between an urban and a rural population which has always been recognized by all practical statesmen in prescribing a just rule of representation.

So well settled is this distinction that it may be safely asserted that in no State Legislature in the Union is representation accorded in full proportion to urban population.

It would, therefore, seem that the rule in question, if adopted in this State, should be applied with such wholesome modifications and limitations as would not suffer any city, or indeed any county, to overshadow and control the rest of the State.

With these considerations borne in mind there appears no sufficient



reason why a fair and reasonable increase of representation should not be accorded to New Castle county.

In making such increase it would seem most advisable to confine it to the House of Representatives, leaving the Senate with an equal representation from each county as at present.

This would recognize the principle of territorial representation, as well as that of population, and would establish a conservative check upon the popular branch of the Legislature.

It would also harmonize with the long settled habit of considering each county as of equal dignity in respect to territorial representation, and so allay any sectional prejudice or feeling which might otherwise be arrayed against the project.

Among the various plans for effecting the desired result, there are two which seem most practicable. First, by a division of New Castle county in two separate counties, thus making four counties in all, each having representation in both branches of the Legislature. Second, by a reasonable addition to the present representation of New Castle county coupled with the district system, so that each district shall vote only for the representatives of its particular local interests.

This would introduce the principle of local representation and at the same time confine the influence of a large city population within its proper limits.

To accomplish either of these plans it seems that a Constitutional amendment will be required, to be adopted by a Constitutional Convention, or to be proposed by two thirds of each House of the General Assembly, with the approbation of the Governor, and ratified by three-fourths of each branch of the next succeeding Legislature after having been duly published for the consideration of the people.

Hence it would appear to be impossible to secure the desired increase by the action of a single Legislature. For, although the present General Assembly may, by law, with the concurrence of two-thirds of each branch thereof increase their whole number by an equal addition to each county, yet it is at least doubtful whether they can add to one county alone without granting a corresponding increase to each of the others.

Wherefore, it seems to me that both necessity and true policy require that either the first or the second plan I have suggested should be adopted.

The proposed division of New Castle county would require a change in the judicial system of the State, and the construction of proper county buildings for one of the new counties resulting from such division.

or introducing to

On the other hand, a reasonable addition of representation to New Castle county, in connection with the district system, would be practically a division of the county so far as concerns the separate election of representatives of distinctly local interests.

If this latter plan should be adopted, and the full increase in proportion to population granted to New Castle County, the number of Senators would then be less than one-third the number of Representatives.

In this event the provisions of the Constitution would require an increase in the number of Senators.

It would then devolve upon the Legislature, with the concurrence of two-thirds of each branch thereof, to create by law such an equal increase in each county as would comply with the constitutional requirement that "the number of Senators shall never be greater than one-half, nor less than one-third of the number of Representatives."

It is to be questioned whether the present number of Senators is not now too small for our rapidly increasing population and resources, and whether a larger number is not necessary adequately to serve public interests.

If the number of Senators should be enlarged, in conjunction with the proposed increase of Representatives which I have suggested, few will deny that the advantage thereby gained will be an ample recompense for the small increase of expense it may occasion.

But, whatever differences of opinion may exist respecting the particular plan to be adopted for accomplishing the required increase of representation, there should be none regarding the urgent need of the increase itself.

And, therefore, believing that the time has now come when a just public sentiment, as well as the continued harmony and real welfare of the entire people of our State, demands it, I shall cordially favor any practicable plan to attain the desired object which may be devised by the General Assembly and submitted for my approbation.

#### FEDERAL RELATIONS.

It is deeply to be regretted that the attitude of the National administration, of late years, towards the people and institutions of the several States of the Union, has been of a character to excite grave apprehensions in the public mind.

Recent alarming occurrences have aggravated these apprehensions and aroused the suspicion that a premeditated design has existed on the part of those entrusted with Federal authority to

invade the States and usurp control of those powers expressly reserved to them by the Federal Constitution.

Under such circumstances it is of vital importance that every citizen should pause, in the engrossing pursuit of private interests, to consider the nature of our Federal system and rebuke any and every encroachment upon the domain of State government.

Unhappily there are facts, which cannot be denied, but which the American people would fain disbelieve, which must convince every candid mind that the plainest principles governing the relations between the States and Federal governments have been openly disregarded.

Within a brief period those in control of the national authority have inaugurated and argued a series of measures at variance with the design and subversive of the structure of that constitutional system of government so carefully devised by its framers.

For, where it was designed for the protection of the liberties of the people; the writ of *habeas corpus*, at the will and pleasure of one man, has been suspended and American citizens subjected to martial law in time of peace.

Where it was intended that the States should have control of their local affairs, the dominant majority in Congress has attempted to pass a measure, known as the "Civil Rights Bill," which was designed to interfere with social relations, and with the jury and school systems, and other matters of interior regulation belonging to the States alone.

Under the recent amendments to the Constitution and the unwarranted enactments passed under color of their authority, the General Government has intermeddled in State elections and authorized Federal officials to interfere with them in a manner which has already produced an embarrassing conflict of State and Federal authority in our own State, as well as elsewhere; while, in our sister State of Louisiana, the officers elected by her citizens to conduct their own government have been stripped of their rightful authority by shameful fraud and ruthless force, and the national army and navy have been employed to uphold these acts of undeniable usurpation and maintain the virtual disfranchisement of her downtrodden people.

If these acts of aggression against the liberties of the people and the rights of the States are suffered to go unrebuked, then they become precedents for further encroachments which may yet prove fatal to local self-government.

Of late a disposition seems to be growing among some State officials to call upon the National authority to suppress local violence.

and disorder that could, and should be corrected by vigorous action on the part of the State itself.

If the Federal government shall, in such cases evince and indulge an inclination to take advantage of every opportunity to interfere in State affairs, then there will be imminent danger of its final absorption of the reserved powers of the States. For such a course must inevitably lead to the obliteration of the States and the failure of our Federal system of government.

It is of supreme importance, then, that these deplorable tendencies should be arrested, and that there should be a return to constitutional principles as transmitted to us by our ancestors and expounded by our highest judicial authority.

Every citizen should lend his influence to bring the government back to a strict observance of constitutional rights and obligations.

Experience has demonstrated that more danger to our Federal system is to be apprehended from the National than from the State governments. It is, therefore, indispensable that the true dividing line between them should be restored and that their equilibrium should be maintained.

The true friends of the States are not unfriendly to the Federal government and do not entertain those doctrines which would reduce it to impotency or produce the disintegration of the Union.

"They seek no denial of the supremacy of the National government within its legitimate sphere. They seek only to define that sphere by a system and a habit of constitutional interpretation that will both develop its extent and save it from encroaching upon the prerogatives of the people and the States."

The highest considerations of duty and patriotism require that the sound principles of Constitutional interpretation, by which the powers of the Federal government ought to be measured, shall not be overthrown for the purpose of enacting laws which enforce social equality, or enable Federal officers to control State elections or intrude impertinently into the regulation of the local institutions and internal affairs of the States.

Happily the desire and demand of the people, as emphasized in the recent elections, seem to be in accord with these views, and to justify the belief that, with the advent of the second century of our Independence, there will dawn a new era of liberty and prosperity during which the rights of the people shall be protected, the reserved powers of the States preserved, and our matchless system of government perpetuated in all its perfection of proportion and harmony of movement.

On motion of Mr. Moore, of the Senate,

The Journals of the joint meeting were read and compared.

On motion of Mr. Causey, of the Senate,

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

On motion of Mr. Causey,

Five hundred copies of the Inaugural Address were ordered to be printed for the use of the Senate.

On motion,

The Senate adjourned till 10 o'clock, to-morrow morning.

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WEDNESDAY, January 20, 1875—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Causey, Davis, Fiddeman, Moore, Ray, Riddle, Shakespeare and Mr. Speaker.

Journal read and approved.

Mr. Riddle from the committee on Revised Statutes to whom was referred the House bill entitled,

"An act to exempt wages from execution attachment process."

Reported the bill back to the Senate with an amendment.

Which,

On his motion,

Was read, as follows :

Amend the bill by adding to Section 2 the words, "All laws or parts of laws inconsistent with the provisions of this act, are hereby repealed, made null and void."

And further,

On his motion,

The amendment was

*Adopted.*

Mr. Fiddeman offered a further amendment to the bill,

Which

On his motion,

Was read, as follows :

Amend Section 1 by striking out the words 'New Castle county,' and inserting in lieu thereof the words 'this State.'

And further,

On his motion,

The amendment was

*Adopted.*

And,

On the further motion of Mr. Riddle,

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

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

Mr. Ray called for the yeas and nays,

Which being taken were as follows :

*Yeas*—Messrs. Davis, Fiddeman, Ray, Riddle and Shakespeare—5.

*Nays*—Messrs. Causey, Moore, and Mr. Speaker—3.

So the question was decided in the affirmative,

And the House bill as amended,

*Passed the Senate.*

*Ordered* that the House be informed thereof and the bill as amended be returned to that body.

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

"An act a supplement to Chapter 371, Volume 14, Delaware Laws."

"An act to amend Chapter 372, Delaware Laws."

Mr. Moore presented a petition from David W. Moore, and one hundred and seventy-nine others, praying the passage of An act prohibiting live stock from running at large within certain districts in Broad Creek hundred, Sussex county.

Which,

On his motion,

Was read;

And further,

On his motion,

Was referred to a special committee of three with leave to report by bill or otherwise.

Whereupon,

The Speaker appointed Messrs. Moore, Causey and Ray said committee.

Mr. Moore also presented a remonstrance against the passage of said act, signed by James A. Coulson and fifty-one others.

Which,

On his motion,

Was referred to the special committee just appointed.

Mr. Shakespeare offered a petition from Ruhama Buck, age 93, Ellen Jones, age 86, and two hundred and twenty-three others, in relation to the sale of intoxicating liquors.

Which,

On his motion,

Was read;

And on his further motion,

Was referred to a special committee of three on Temperance, with leave to report by bill or otherwise

Whereupon,

The Speaker appointed Messrs. Shakespeare, Moore and Ray said committee.

Mr. Riddle offered a similar petition to the one just read, from seven hundred and twenty-five women of the city of Wilmington.

Which,

On his motion,

Was read ;

And on his further motion,

Was referred to the special committee on Temperance just appointed,

Mr. Davis offered a petition from John B. Keeler and twenty-two others, praying the passage of an act to bound School District No. 81, in Appoquinimink hundred, New Castle county.

Which,

On his motion,

Was read ;

And on his further motion,

Was referred to a special committee of three with leave to report by bill or otherwise.

Whereupon,

The Speaker appointed Messrs. Davis, Shakespeare and Moore said committee

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

"An act to aid Delaware College, and to provide therein for the education of Teachers for the Free Schools of this State."

On motion of Mr. Moore,

The Senate bill entitled,



"An act transferring the Home and Mansion Farm of Isaac G. Phillips, from School District No. 168 in Sussex county, to School District No. 50 in Sussex county,"

Was read a second time by its title.

Mr. Shakespeare offered a petition from Z. Horsey and one hundred and twenty others relating to the tonnage tax on oyster boats.

Which,

On his motion,

Was read;

And further on his motion,

Was referred to a special committee of three with leave to report by bill or otherwise.

Whereupon the Speaker appointed Messrs. Shakespeare, Ray and Moore said committee.

Mr. Hazel, Clerk of the House, being admitted, informed the Senate that the House would be prepared to receive the Senate in joint meeting, in five minutes, in the Hall of the House of Representatives, for the purpose of comparing the Journal of the two Houses, in obedience to the act of Congress, entitled, "An act to regulate the times and manner of holding elections for Senators in Congress, passed July 25, A. D. 1866."

#### JOINT MEETING TO ELECT U. S. SENATOR.

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, proceeded to the Hall of the House of Representatives, and took the seats prepared for them.

The two Houses being thus convened in joint meeting,

Mr. Moore of the Senate moved,

That the Journals of the two Houses be read and compared,

Which motion

*Prevailed.*

Whereupon,

The Clerks of the respective Houses proceeded to read the Journals.

It appeared that Thomas F. Bayard had received a majority of 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 fourth of March next.

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

Which,

On motion of Mr. Fiddeman of the Senate,

Was read, as follows to wit:

STATE OF DELAWARE, ss.

Be it known that the Legislature of the State of Delaware did, on the 20th day of January, in the year of our Lord one thousand eight hundred and seventy-five, 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 day of March next.

Given under our hands the 20th day of January, Anno Domini one thousand eight hundred and seventy-five.

CHARLES C. STOCKLEY,

*Speaker of the Senate,*

THOMAS HOLCOMBE,

*Speaker of the House of Representatives.*

ATTEST:

A. P. ROBINSON,

*Clerk of the Senate.*

WILLIAM D. HAZEL,

*Clerk of the House of Representatives.*

On motion of Mr. Moore of the Senate,

The certificate was entered upon the Journals.

On motion of Mr. Causey of the Senate,

The Journals of the joint meeting were read and compared.

On motion of Mr. Shakespeare of the Senate,

The two Houses separated and the Senators returned to their chamber.

On motion,

The Senate adjourned till this afternoon at 3, o'clock.

SAME DAY—3 o'clock, P. M.

The Senate met pursuant to adjournment.

The Speaker being absent,

On motion of Mr. Moore,

Mr. Fiddeman was chosen Speaker *pro tempore*.

Mr. Riddle, from the committee on Revised Statutes reported back, with amendments, the Senate bill entitled,

“An act to establish an Inferior Court to be entitled the Court of Quarter Sessions of New Castle County.”

And moved that the bill be taken up for consideration,

Which motion *Prevailed.*

Amendment No. 1 was read,

And,

On motion of Mr. Riddle,

Was *Adopted.*