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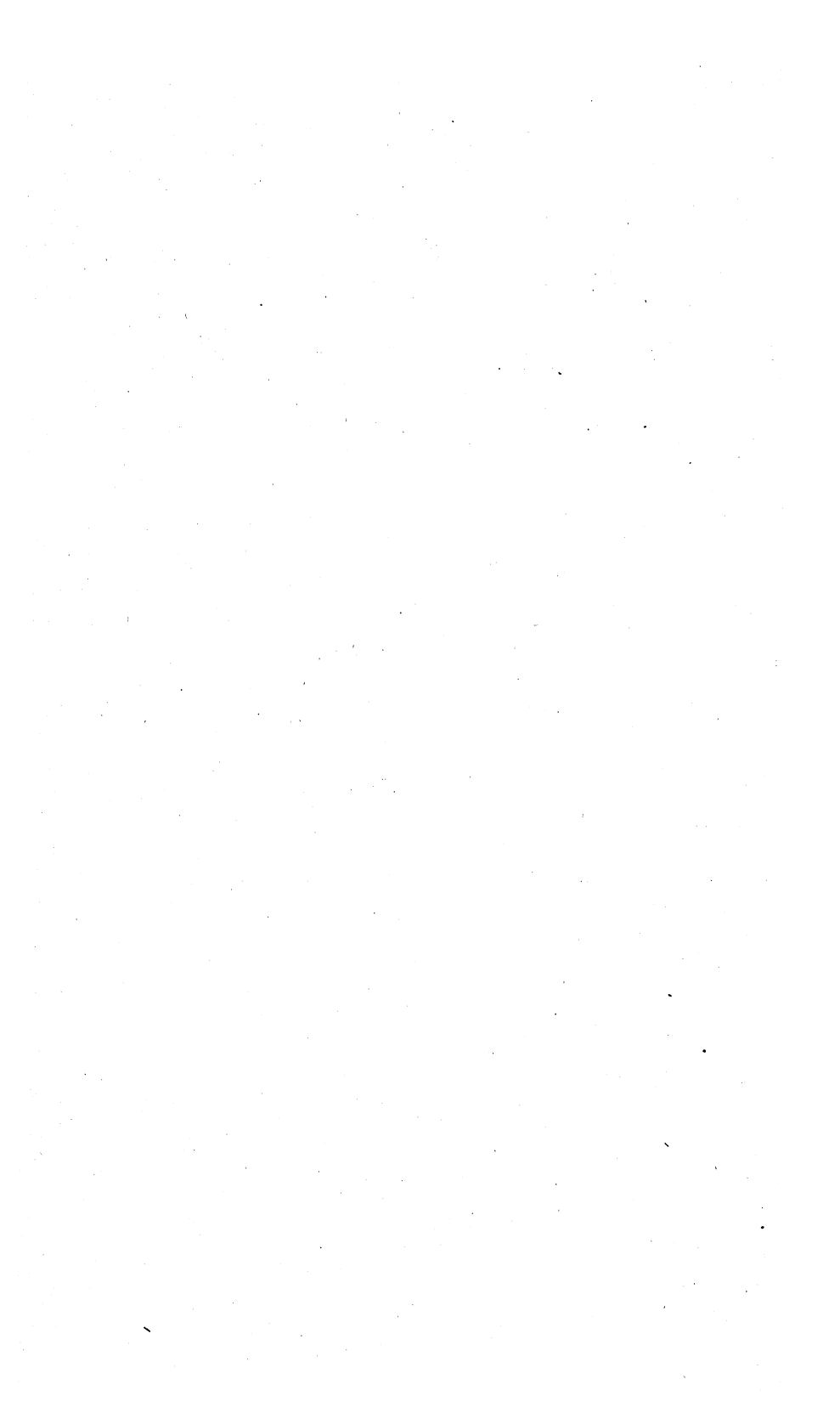




John Kenne  
10/1 1901







# STATE OF DELAWARE.

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## JOURNAL OF THE SENATE

AT A SESSION OF THE

## GENERAL ASSEMBLY

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

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# OFFICERS AND MEMBERS OF THE STATE SENATE.

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LIEUTENANT GOVERNOR,  
PHILIP L. CANNON, Bridgeville, Sussex Co.

PRESIDENT PRO TEM.,  
HENRY C. ELLISON, Summit Bridge, New Castle Co.

CLERK,  
HENRY E. CAIN, Dover, Kent Co.

READING CLERK,  
ROBERT J. MEARS, Milford, Kent Co.

ENROLLING CLERK,  
EDGAR T. HASTINGS, Millsboro, Sussex Co.

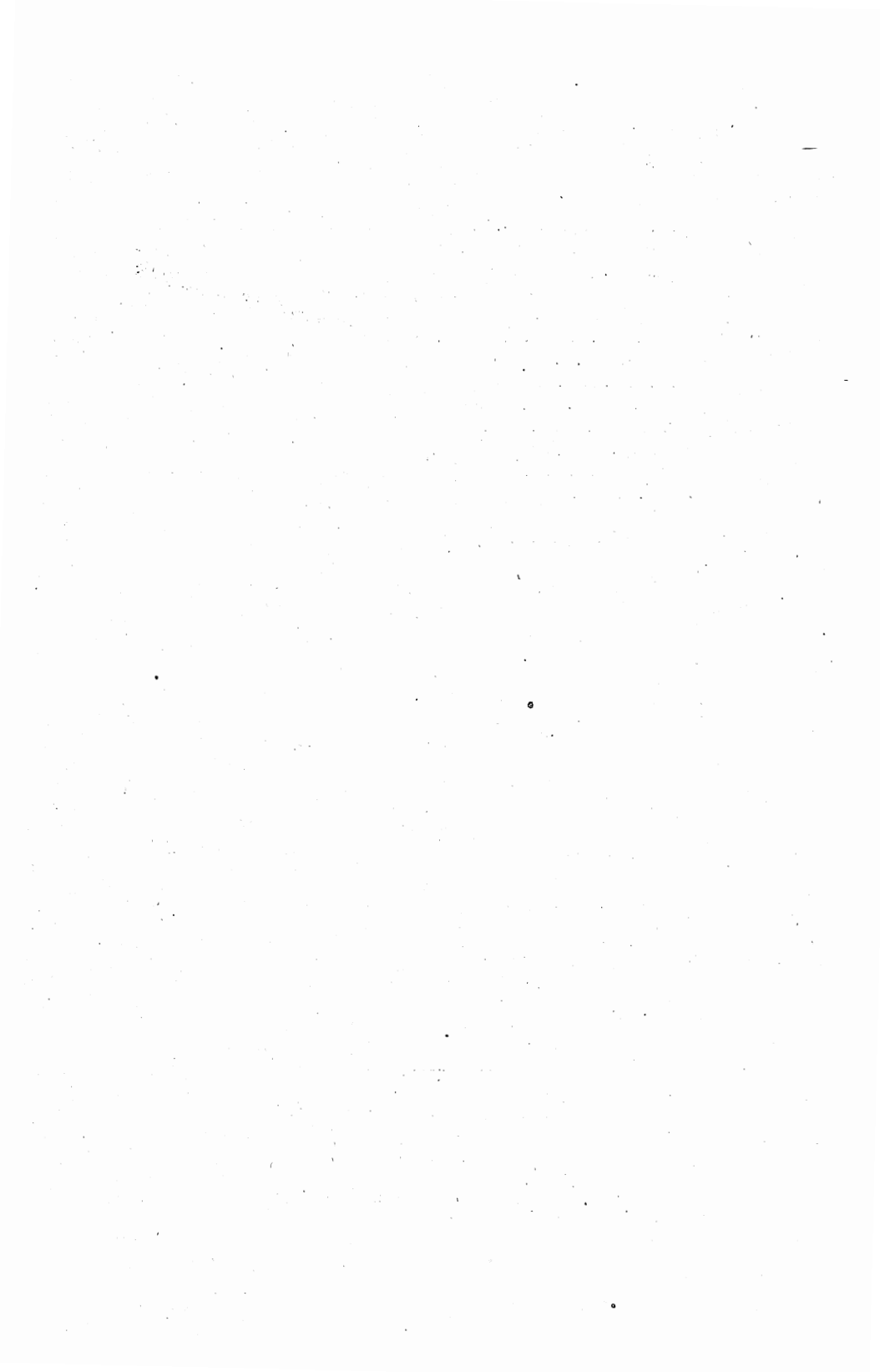
CHAPLAIN,  
REV. J. M. MITCHELL, Ellendale, Sussex Co.

SERGEANT-AT-ARMS,  
WILLIAM LEACH, New Castle Co.

PAGE,  
STANLEY PACKARD, Dover, Kent Co.

## MEMBERS,

~SAMUEL M. KNOX, New Castle Co., . . . . . Wilmington  
~FRANCIS J. McNULTY, New Castle Co., . . . . . Wilmington  
~WEBSTER BLAKELY, New Castle Co., . . . . . Henry Clay  
~BENJAMIN A. GROVES, New Castle Co., . . . . . Marshallton  
~ROBERT MCFARLIN, New Castle Co., . . . . . Farnhurst  
~HENRY C. ELLISON, New Castle Co., . . . . . Summit Bridge  
~GEORGE M. D. HART, New Castle Co., . . . . . Townsend  
~STEPHEN SLAUGHTER, Kent Co., . . . . . Dover.  
~JAMES R. CLEMENTS, Kent Co., . . . . . Clayton  
~J. FRANK ALLEE, Kent Co., . . . . . Dover  
~GEORGE D. HARRINGTON, Kent Co., . . . . . Farmington  
~S. JOHN ABBOTT, Kent Co., . . . . . Milford  
~SIMEON S. PENNEWILL, Sussex Co., . . . . . Greenwood  
~CHARLES WRIGHT, Sussex Co., . . . . . Seaford  
~E. H. F. FARLOW, Sussex Co., . . . . . Laurel  
~I. J. BRASURE, Sussex Co., . . . . . Selbyville  
~FRANKLIN C. MAULL, Sussex Co., . . . . . Lewes





# JOURNAL

OF THE

## STATE SENATE.

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Dover, Delaware, January 1, 1901.

At a session of the General Assembly of the State of Delaware, convened and held at Dover on Tuesday, the first day of January, in the year of our Lord one thousand nine hundred and one, and of the independence of the United States, the one hundred and twenty-fifth,

Messrs. Samuel M. Knox, Robert McFarlin, Webster Blakely and George M. D. Hart

Of New Castle County, and

Messrs. J. Frank Allee, S. John Abbott and Stephen Slaughter

Of Kent County, and

Messrs. Simeon S. Pennewill, Franklin C. Maull and Elisha H. F. Farlow

Of Sussex County,

Appeared and took their seats.

Clerk of the Senate C. W. Kenney called the Senate to order at 1.17 P. M.

On motion of Mr. Allee, the Senate proceeded to elect a temporary chairman.

Mr. Allee nominated Mr. Abbott.

Mr. Hart nominated Stephen Slaughter.

On motion of Mr. Pennewill, Clerk of the Senate appointed Messrs. Brasure and Clements as tellers.

Upon the votes being counted, it was found that

Mr. Abbott had received nine votes, and

Mr. Slaughter had received eight votes ;

Whereupon, Clerk of the Senate declared that Mr. Abbott having received a majority of all the votes cast, was duly elected temporary chairman of the Senate.

The Clerk of the Senate appointed Messrs. Allee and Slaughter as a committee to conduct Mr. Abbott to the chair.

On motion of Mr. Pennewill, the Senate proceeded to elect a temporary Secretary.

Mr. Pennewill nominated Mr. Brasure.

Mr. Harrington nominated Mr. Clements.

On motion of Mr. Knox, the chairman appointed Messrs. Allee and Harrington tellers.

Upon the votes being counted, it was found that

Mr. Brasure had received nine votes, and

Mr. Clements had received eight votes ;

Whereupon, the temporary chairman declared that Mr. Brasure having received a majority of all the votes cast, was duly elected temporary secretary.

The temporary chairman appointed Messrs. Pennewill and Harrington a committee to escort Mr. Brasure to his desk.

The certificates of election of the several Senators were presented and read.

By the certificate of returns approved by the Judges of the Superior Court of New Castle County, 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 the holding of the election in and for said county, Benjamin A. Groves, Henry

C. Ellison and Francis J. McNulty 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 certificate of returns approved by the Judges of the Superior Court of Kent County, 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 the holding of the election in and for said county, James R. Clements and George D. Harrington were duly chosen to represent the said county in the Senate of the State of Delaware for the ensuing four years.

By the certificate of returns approved by the Judges of the Superior Court of Sussex County, 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 the holding of the election in and for said county, Isaiah J. Brasure and Charles Wright were duly chosen to represent the said county in the Senate of the State of Delaware for the ensuing four years.

On motion, the Senate took recess until three o'clock.

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Same Day—3 o'clock P. M.

Senate reassembled at expiration of recess.

Senators elect Henry C. Ellison, Benjamin A. Groves, Francis J. McNulty, James R. Clements, George D. Harrington, Isaiah J. Brasure and Charles Wright, appeared and took the following oath of office :

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Senator in the General Assembly from Senatorial District No. 4, in New Castle County, according to the best of my ability ; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed, or offered or promised to contribute, any

money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

BENJAMIN A. GROVES.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Senator in the General Assembly from Senatorial District No. 6, in New Castle County, according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed, or offered or promised to contribute, any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

H. C. ELLISON.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Senator in the General Assembly from Senatorial District No. 2, in New Castle County, according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed, or offered or promised to contribute, any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

FRANCIS J. McNULTY.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Senator in the General Assembly from Senatorial District No. 4, in Kent County, according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed, or offered or promised to contribute, any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

GEORGE D. HARRINGTON.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Senator in the General Assembly from Senatorial District No. 2, in Kent County, according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay,

contributed, or offered or promised to contribute, any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.  
JAMES R. CLEMENTS.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Senator in the General Assembly from Senatorial District No. 2, in Sussex County, according to the best of my ability ; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed, or offered or promised to contribute, any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.  
CHAS. WRIGHT.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Senator in the General Assembly from Senatorial District No. 4, in Sussex County, according to the best of my ability ; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed, or offered or promised to contribute, any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.  
ISAIAH J. BRASURE.

On motion of Mr. Knox, the Senate proceeded to elect, by ballot, a President pro tempore.

Mr. Knox nominated Henry C. Ellison.

Mr. Hart nominated Stephen Slaughter.

On motion of Mr. Allee, the temporary chairman appointed Messrs. Pennewill and Slaughter as tellers.

Upon the votes being counted it was found that

Henry C. Ellison had received nine votes, and

Stephen Slaughter had received eight votes ;

Whereupon, the temporary chairman declared that Henry C. Ellison, having received a majority of all the votes cast, was duly elected President pro tempore of the Senate.

The temporary chairman appointed Messrs. Groves and Harrington a committee to conduct the President pro tempore-elect to the chair.

Mr. Ellison, the President pro tempore-elect, was conducted to the chair by the committee appointed for that purpose.

The President pro tempore and members elect were then qualified according to the Constitution of the State and the provisions of the act of Congress entitled :

“An act to regulate the time and manner of administering certain oaths.”

As appears by the following certificates, to wit :

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Senator in the General Assembly according to the best of my ability ; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed, or offered or promised to contribute, any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office, and that I will perform the duties as President pro tempore of the Senate of the State of Delaware with fidelity.

H. C. ELLISON.

I, S. John Abbott, a member of the Senate of the State of Delaware, from the County of Kent, do hereby certify that Henry C. Ellison, a member of the Senate from New Castle County, was, previous to taking his seat as President pro tempore, duly sworn by me to support the Constitution of the United States, to support the Constitution of the State of Delaware, and to perform the duties as President pro tempore of the Senate of the said State with fidelity.

And I, Henry C. Ellison, President pro tempore of the Senate of the State of Delaware, do hereby certify that Benjamin A. Groves and Francis J. McNulty, both of New Castle County, members elect and present of the Senate, were, previous to entering upon any other business and previous to taking their seats, sworn by me, in due form of law, that they and each of them would respectively support the Constitution of the United States, support the Constitution of the State of Delaware, and perform their duties as members of the General Assembly of the said State with fidelity.

And I, Henry C. Ellison, President pro tempore of the Senate of the State of Delaware, do hereby certify that James R. Clements and George D. Harrington, both of Kent County, members elect and present of the Senate, were, previous to entering upon any other business, and previous to taking their seats, sworn by me, in due form of law, that they and each of them would respectively support the Constitution of the United States, support the Constitution of the State of Delaware, and perform their duties as members of the General Assembly of the said State with fidelity.

And I, Henry C. Ellison, President pro tempore of the Senate of the State of Delaware, do hereby certify that Charles Wright and Isaiah J. Brasure, both of Sussex County, members elect and present of the Senate, were, previous to entering upon any other business, and previous to taking their seats, sworn by me in due form of law that they and each of them would respectively support the Constitution of the United States, support the Constitution of the State of Delaware, and perform their duties as members of the General Assembly of the said State with fidelity.

Witness our hands this first day of January, in the year of our Lord one thousand nine hundred and one.

S. JOHN ABBOTT,  
HENRY C. ELLISON.

On motion of Mr. Allee, the Senate proceeded by ballot to elect a Clerk.

Mr. Allee nominated Henry E. Cain of Kent County.

Mr. Slaughter nominated William H. Colbourne of Sussex County.

The President pro tempore appointed as tellers, Messrs. Penne-will and Maull.

Upon the votes being counted, it was found that

Henry E. Cain had received nine votes, and

William H. Colbourne had received eight votes;

Whereupon, the President pro tempore of the Senate declared that Henry E. Cain, having received a majority of all the votes cast, was duly elected Clerk of the Senate.

The President pro tempore of the Senate appointed Messrs. McFarlin and Clements a committee to wait upon and inform him of his election, and conduct him to the Senate chamber.

Mr. Cain, being introduced, was duly qualified and assumed the duties of his office, after having taken the following oath :

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Clerk of the Senate of the State of Delaware with fidelity according to the best of my ability.

On motion of Mr. McFarlin, the Senate proceeded to elect, by ballot, a Reading Clerk.

Mr. McFarlin nominated R. J. Mears.

Mr. Slaughter nominated W. L. Gooding.

The President pro tempore appointed as tellers, Messrs. Pennewill and Clements.

Upon the votes being counted, it was found that

R. J. Mears had received nine votes, and

W. L. Gooding had received seven votes, and

One blank ballot appeared ;

Whereupon, the President pro tempore of the Senate declared that R. J. Mears, having received a majority of all the votes cast, was duly elected Reading Clerk of the Senate.

The President pro tempore of the Senate appointed Messrs. Brasure and Harrington as a committee to notify him of his election, and conduct him to his seat, and he was duly qualified and assumed the duties of his office after having taken the following oath :

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Reading Clerk of the Senate of the State of Delaware with fidelity according to the best of my ability.

On motion of Mr. McFarlin, the Senate proceeded to elect, by ballot, a Sergeant-at-Arms.



Mr. Abbott nominated William Leach.

Mr. Slaughter nominated Gove S. Milbourn.

The President pro tempore appointed as tellers, Messrs. McFarlin and Hart.

Upon the votes being counted, it was found that

William Leach had received nine votes, and

Gove S. Milbourn had received eight votes;

Whereupon, the President pro tempore of the Senate declared that William Leach, having received a majority of all the votes cast, was duly elected Sergeant-at-Arms of the Senate.

The President pro tempore of the Senate appointed Messrs. McFarlin and Harrington as a committee to notify Mr. Leach of his election.

Mr. Leach, being introduced, was duly qualified and assumed the duties of his office, after having taken the following oath:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Sergeant-at-Arms of the Senate in the General Assembly according to the best of my ability.

On motion of Mr. Brasure, the Senate proceeded to elect, by ballot, a Chaplain.

Mr. Knox nominated Rev. J. M. Mitchell.

Mr. Harrington nominated Rev. J. B. Turner.

The President pro tempore of the Senate appointed as tellers, Messrs. Pennewill and Clements.

Upon the votes being counted, it was found that

Mr. Mitchell had received nine votes, and

Mr. Turner had received seven votes, and

One blank ballot appeared ;

Whereupon, the President pro tempore of the Senate declared that Mr. Mitchell, having received a majority of all the votes cast, was elected Chaplain of the Senate.

The President pro tempore appointed Messrs. Abbott and Maull as a committee to notify him of his election.

On motion of Mr. Pennewill, the Senate proceeded to elect, by ballot, an Enrolling Clerk.

Mr. Pennewill nominated Edgar T. Hastings.

Mr. Hart nominated M. A. Scott.

The President pro tempore of the Senate appointed Messrs. Groves and Maull as tellers.

Upon the votes being counted, it was found that

Edgar T. Hastings had received nine votes, and

M. A. Scott had received eight votes.

Whereupon, the President pro tempore of the Senate declared that Edgar T. Hastings, having received a majority of all the votes cast, was duly elected Enrolling Clerk of the Senate.

On motion of Mr. Knox, the Senate proceed to elect, by yeas and nays vote, a page.

Mr. Knox nominated Stanley Packard.

Mr. Slaughter nominated Homer Anderson.

The yeas and nays were ordered by Mr. President pro tempore.

On being taken, were as follows :

Yeas—Messrs. Allee, Abbott, Blakely, Brasure, Groves, Knox, McFarlin, Pennewill, and Mr. President pro tempore—9.

Nays—Messrs. Clements, Farlow, Hart, Harrington, McNulty, Maull, Slaughter, Wright—8.

The yeas having received a majority, Mr. President pro tempore declared Stanley Packard elected Page.

Mr. Knox offered the following resolution :

"Be it resolved by the Senate, that the Clerk of the Senate is instructed to notify the House that the Senate is duly and regularly organized, and has elected Henry C. Ellison President pro tempore, and Henry E. Cain Clerk, and is ready to proceed to business".

And further, on his motion,

The resolution was

Adopted.

Mr. Knox offered a resolution authorizing the President pro tempore to appoint a committee to wait upon the Governor, and notify him of the organization of the General Assembly.

And further, on his motion,

The resolution was

Adopted.

Mr. President pro tempore appointed Mr. Allee and Mr. Maull, a committee to notify the Governor.

Mr. Knox offered the following resolution :

"Resolved, That the following standing committees be appointed by the President pro tempore, to act as standing committees :

A Committee on Corporations,

A Committee on Cities and Towns,

A Committee on Enrolled Bills,

A Committee on Elections,

A Committee on Accounts,

A Committee on Claims,

A Committee on Finance,

A Committee on Vacant Lands,

A Committee on Judiciary,

A Committee on Revised Statutes,

A Committee on Agriculture,

A Committee on Printing,

A Committee on Education,

A Committee on Fish, Oysters and Game."

Which, on motion of Mr. Allee,

Was

Adopted.

Mr. Knox offered joint resolution No. 1, convening the Senate and House of Representatives of the General Assembly in the hall of said House of Representatives at 11 o'clock A. M., Tuesday, January 8, to be present at the opening of certificates of the General Election for offices of Governor and Lieutenant Governor.

Mr. Allee reported that the Committee appointed to notify the Governor had performed their duty and the Governor would send his secretary with his biennial message.

A message was received from the House, by the Clerk, notifying the Senate that the House was duly and regularly organized and had elected James V. McCommons, Speaker, and William T. Deighton, Clerk, and was ready to proceed to business.

Also,

A House resolution providing for a committee on the part of the House to act with a committee on the part of the Senate to notify the Governor that both Houses of the General Assembly are duly organized and are ready to receive any communication he may send them.

And that the Speaker of the House had appointed as committee on the part of the House, Messrs. Baynard, Moore and Holcomb.

Mr. Knox presented the petition of contest of Howard D. Ross versus Francis J. McNulty.

Which, on his motion,

Was referred to Committee on Elections (to be appointed.)

Mr. Slaughter presented the answer of Francis J. McNulty to the petition of Howard D. Ross.

Which, on his motion,

Was referred to Committne on Elections (to be appointed.)

Hon. James H. Hughes, Secretary of State, was announced, and on being admitted, presented the biennial message of Governor Tunnell and accompanying documents.

On motion of Mr. Knox, the Senate adjourned until 11 o'clock Friday morning.

Friday, January 4, 1901, 11.10 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Abbott, Allee, Brasure, Clements, Groves, Harrington, Pennewill, Slaughter.

Being no quorum, Mr. Abbott adjourned Senate until 11 o'clock to-morrow morning.

Saturday, January 5, 1901, 11 o'clock, A. M.

Senate met pursuant to adjournment.

Roll called. Members present—Mr. Allee.

Being no quorum, Mr. Allee adjourned Senate until 12.30 P. M.,  
Monday, January 7.

Monday, January 7, 1901, 12.45 o'clock, P. M.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Abbott, Allee, Blakely, Brasure, Clements, Farlow, Groves, Harrington, Hart, Knox, Maull, McFarlin, McNulty, Pennewill, Slaughter, Wright, Mr. President pro tempore.

Journal read and approved.

Mr. Abbott offered the following resolution :

“Be it resolved by the Senate of Delaware, that the Clerk of the Senate be, and is hereby authorized to have printed for the use of the Senate, the necessary blanks, forms and record books.”

On motion of Mr. Allee,

The resolution was

Adopted.

Mr. Knox moved that the rules governing the last session be adopted until new rules can be reported,

Which motion

Prevailed.

Mr. Abbott offered the following resolution :

“Resolved, That the privileges of the floor be accorded to ex-members of the Senate, members and ex-members of the House of Representatives, Governor and other State officials, members of the bar, women, and representatives of the press.”

On motion of Mr. Pennewill,

The resolution was

Adopted.

Mr. Slaughter presented a joint resolution, entitled :

Senate Joint Resolution No. 2,



For the purchase of Moore house and Temple farm, at Yorktown, Va.,

Which, on his motion,

Was read.

Mr. Slaughter moved that the joint resolution be adopted.

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

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

Yeas—Messrs. Abbott, Blakely, Brasure, Clements, Farlow, Groves, Harrington, Hart, Knox, Maull, McFarlin, McNulty, Pennewill, Slaughter, Wright, Mr. President pro tempore.

So the question was decided in the affirmative,

And the joint resolution having received the required constitutional majority,

Was declared

Adopted.

Ordered to the House for concurrence.

Mr. Pennewill offered the following resolution:

"Be it resolved by the Senate of the State of Delaware, That the President pro tempore authorize the Clerk, by written order, to procure stamps, stamped wrappers and postal cards for the use of the Senate."

On motion of Mr. Abbott,

The resolution was

Adopted.

Mr. Abbott offered the following resolution:

"Resolved, That the Clerk of the Senate be and is hereby authorized to have printed 300 copies of the Senate manual, containing the names, residences and post office addresses of the officers and members of both houses, the standing committees of both houses, the rules of the Senate and the joint rules governing intercourse between the two houses.

On motion of Mr. Pennewill,

The resolution was

Adopted.

Mr. McNulty presented a petition from Wilmington City Council, asking that no act authorizing the expenditure of money, and especially acts for the further increase of the bonded indebtedness of the City, should be considered by the Legislature until an act, providing for an increase of revenue, thereby relieving the taxables of the City, shall have been passed.

And was ordered filed.

Mr. Abbott offered the following resolution :

“Be it resolved by the Senate of the State of Delaware, That the Clerk be and he is hereby authorized to order all daily State papers, three weekly papers from each county for each member, and one daily paper out of the State.”

On motion of Mr. Pennewill,

The resolution was

Adopted.

Mr. Pennewill offered the following resolution :

“Be it resolved by the Senate of the State of Delaware, That the Clerk of the Senate be and is hereby authorized to procure for the use of the officers and members of the Senate, copies of Smith's Diagram of Parliamentary Rules.”

On motion of Mr. Abbott,

The resolution was

Adopted.

On motion of Mr. Allee, the Senate took recess until 2.30 P. M.

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Same Day—2.30 P. M.

Senate re-assembled at expiration of recess.

On motion of Mr. Blakely, the Governor's Message was read, as follows :

STATE OF DELAWARE, EXECUTIVE DEPARTMENT.

*Gentlemen of the Senate and House of Representatives :*

My Constitutional duty and a long established custom in this State make it necessary that I should on this occasion bring to your attention such information concerning the State and recommend to your consideration such measures as I shall judge expedient. In attempting to comply with this duty, permit me to remind you that while I differ from a majority of you in political beliefs and party affiliations, we are representatives of the same people, bound by the same oath and should be guided by the same light, the highest welfare of our constituents. The best interest of the whole people should be first in our thoughts and we should so shape our actions as to best serve the general good. The duty of legislators is not merely the enactment into laws, the wishes of constituents, for you will have many requests and demands from your constituents for the passage of unwise laws and the granting of unfair privileges. It is for you to discriminate between those measures which look to the general good and welfare and the schemes of selfish and designing persons who would make you the instrument of their greed or ill-founded theories. The value of your services will not be measured by the number of laws you may enact but by the wisdom of such laws. Let me impress on you the necessity of a careful and cautious consideration of every proposed measure.

In the brief period during which it is my duty as Executive to share with you a part of your labors, I assure you that I shall endeavor to carefully and conscientiously perform my part with due regard for the interests of the State and my fellow citizens.

It will be my privilege in a few days to lay aside the duties of office and yours to be associated with my successor. In this connection, I want to thank you and the rest of my fellow citizens for the kindness and forbearance with which my duties have been lightened and my mistakes condoned.

FINANCES.

While the report of the State Treasurer, which will come to your hands later, will give you full information on this subject, I deem it my duty to call your attention briefly to the more important mat-

ters relative to the public funds and especially to such matters as may need your attention at this session. The following is a brief statement of the assets and liabilities of the State and the estimates of the State Treasurer of receipts and expenditures for the fiscal year 1901.

## ASSETS.

*Investments, benefit of General Fund.*

## Bank Stock.

20 shares of National Bank of Delaware, at \$500 per share, . . . . .	\$ 10,000 00	
	<hr/>	\$ 10,000 00

## Mortgages.

Junction and Breakwater Railroad Co., at 3 per cent., . . . . .	\$185,000 00	
Breakwater and Frankford Railroad Co., at 3 per cent., . . . . .	200,000 00	
	<hr/>	385,000 00

*Benefit of School Fund.*

## Bank Stock.

5,700 shares of Farmers' Bank, at \$65.00 per share, . . . . .	\$ 370,500 00	
37 shares of National Bank of Dela- ware, at \$500 per share, . . . . .	18,500 00	
114 shares National Bank of Smyrna, at \$70.00 per share, . . . . .	7,980 00	
254 shares of Union National Bank, at \$78.00 per share, . . . . .	19,812 00	
	<hr/>	416,792 00

## Bonds.

One bond, State of Delaware, at 6 per cent., . . . . .	\$ 156,750 00	
One bond, Sussex County, at 6 per cent., . . . . .	5,000 00	
	<hr/>	161,750 00
		<hr/>
		\$ 973,542 00

In addition to the assets of the State given above, the State in the last few years has acquired and added in improvements the following property, viz :

State Hospital, at Farnhurst, . . . . .	\$ 105,000 00
Farm adjoining Hospital, about . . . . .	4,500 00
Armory at Wilmington, . . . . .	10,000 00
Addition to State Library, . . . . .	10,000 00
Repairs and improvements to State House, . . . . .	15,467 16
<hr/>	
Total extraordinary expenditures for property and improvements, . . . . .	\$ 144,967 16
Other Assets, . . . . .	973,542 00
<hr/>	
Total Assets, . . . . .	\$1,118,509 16

#### LIABILITIES.

250 bonds, \$1,000 each, at 3 per cent., issue of 1887, payable June 1, 1907, redeemable at option of the State on any June 1 or December 1, in or after 1897, . . . . .	\$ 250,000 00
35 bonds, \$1,000 each, at 3½ per cent., issue of 1895, payable July 1, 1915, redeemable at option of the State on any January 1 or July 1, in or after 1906, . . . . .	35,000 00
245 bonds, \$1,000 each, at 3 per cent., issue of 1897, payable December 1, 1927, redeemable at option of the State on any June 1 or December 1, after December 1, 1922, . . . . .	245,000 00
<hr/>	
	\$ 530,000 00
One bond to School Fund, issued in 1881, at 6 per cent., payable July 1, 1906, . . . . .	\$ 156,750 00
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Amount carried forward, . . . . .	\$156,750 00 \$530,000 00

Amount brought forward, . . . . .	\$156,750 00	\$530,000 00
Certificate of indebtedness to Delaware College, at 6 per cent., perpetual, . . . . .	83,000 00	
	<hr/>	239,750 00

Total Liabilities, . . . . . \$ 769,750 00

Excess of Assets over Liabilities, . . . . . \$ 348,759 16

From the estimates of the State Treasurer of the Receipts and Expenditures for the fiscal year 1901, it appears as follows:

General Fund.

Receipts of the General Fund, . . . . .	\$ 386,600 97
Estimated Expenditures, . . . . .	319,336 20

School Fund.

*Estimated Receipts.*

Income from Investments, . . . . .	\$ 34,296 50
Appropriation from General Fund, . . . . .	100,000 00
Total, . . . . .	<hr/> \$ 134,296 50

*Estimated Expenditures.*

Free Text Books, . . . . .	\$ 14,500 00
Apportionment of Dividends, . . . . .	124,696 50

It should be borne in mind that under Chapter 275 of Volume 21, Laws of Delaware, The Farmers' Bank paid into the Treasury for the General Fund, \$82,875.00, and for the School Fund, \$22,035.00. These amounts have previously been a part of the investments of the State and if used for general purposes are an impairment of the capital of the State. The latter sum is a part of the investments for the benefit of the School Fund and should not be used for general purposes if it can be safely invested for the School Fund.

The State Treasurer received from the Secretary of State in 1899, for State Tax on Corporations, about \$69,000, and has collected under the Annual Franchise Tax Law, \$8,281.77. The amount received from State Tax on Corporations during 1900 is

about \$38,500, and the Annual Franchise Tax, which will be due next month, should amount to much more than last year. The State Treasurer has paid off the \$85,000 of indebtedness which was incurred under Chapter 17 of Volume 21, and Chapter 165 of Volume 21, Laws of Delaware. From the estimated receipts and expenditures given by the State Treasurer, it appears that there will be in the State Treasury a surplus of about \$70,000. I recommend that this surplus, or so much as may be left in case the annual appropriation to schools be increased, be devoted to the redemption of the bonds of the State. There are \$250,000 of 3 per cent. bonds of the issue of 1887, which are redeemable on any first of June or December, and it would be wise and provident to discharge interest-bearing indebtedness of the State rather than incur new obligations.

There is, I apprehend, a general impression among our people that the State Treasury is suddenly overflowing from the income from our corporation law and many schemes will be advanced for your assistance by appropriations. While the State in less than two years has received from corporations formed under the Act of 1897 about \$115,000, the State Treasurer has found this sum little more than sufficient to meet the deficiency that has existed for several years in other revenues. Besides, the revenue from corporations is uncertain and it would be unwise indeed for a Legislature to make any permanent or continuous appropriation, or undertake any public improvement, however beneficial, on the expectation of such an uncertain income.

#### APPROPRIATION FOR DELAWARE VOLUNTEERS.

In 1898, anticipating the call of the President for troops for carrying on the war with Spain, I asked the Legislature, then in session, for the appropriation of \$30,000 to cover the expenses of an encampment, believing that to be the best means of mobilizing our troops and procuring volunteers. From that movement a well equipped regiment was organized and responded to the call.

By a careful and economical management but \$23,150.36 was expended out of this appropriation. During the month of July, 1898, the Federal Government passed an Act to reimburse the Governors of the various States for certain of the expenses directly connected with raising the troops for the Spanish War, and authorized payment to be made upon presentation of the proper vouchers by the Governors or their duly authorized agents. In

order to secure the reimbursement for the moneys expended by the State of Delaware, it was necessary that the accounts of the State should be arranged, and our claims presented with proper vouchers, and urged before the proper officers at Washington. To secure this, I appointed as agents to take charge of the matter, Adjutant General Garrett J. Hart and Colonel Andrew C. Gray, of my Staff, who have, during the last two years, spent much time and labor in the matter. To them is due much of the success in obtaining the return of this money to the State. Their efforts have been untiring and the result is that a larger share of Delaware's claim has been paid than that of any other State. They have secured, in cash, from the vouchers presented to the Federal Government covering the above expenditure by the State from the said appropriation, the sum of \$20,870.83, and in addition thereto have secured the return to the State, in kind, various ordinance supplies, which the General Government refused to return in cash.

I have paid to these officers, for their fees and expenses, out of the said moneys secured by them, in presenting the said claim to the Federal Government, and securing the said allowance, the sum of \$3,100. I now hold the remainder, the sum of \$17,770.83, which I will pay into the State Treasury, or otherwise, as you may direct.

#### INTER-STATE RELATIONS.

Our relations with our neighboring States have been most cordial. In the last two years I have issued nineteen requisitions upon Governors of other States for criminals who have escaped from the jurisdiction of this State. I have been requisitioned by Governors of other States for the surrender of seven criminals who have escaped into this jurisdiction. While we have a statute providing for a hearing of such fugitives before a judge of the State, I have, where I found the requisition papers to be in proper form, uniformly surrendered such fugitives without such hearing. In my judgment the Constitution and statutes of the United States contain all necessary regulations on this subject and I think it would be wise to amend or repeal our statute. If the Executive of this State should refuse to surrender fugitives on requisitions from other States until such fugitives had a hearing before a judge of this State, it would cause endless trouble and the amicable relations now existing between this and our neighboring States would become much strained. If other States have statutes similar to ours, they are not



enforced, as requisitions by me on governors of such other States have been promptly honored.

#### DEAF, DUMB, BLIND AND IMBECILE CHILDREN.

As we have no institutions for the maintenance and instruction of these unfortunates, under the laws of this State a limited number are sent to institutions of other States at the expense of the State. At this time there are in the Columbia Institution for the Deaf and Dumb, six pupils from New Castle County, three from Kent and two from Sussex. These pupils are maintained and instructed at an expense to the State of \$250 per annum each. There are in the Pennsylvania Institution for the Deaf and Dumb two pupils from New Castle County who are maintained and instructed at an expense to the State of \$260 per annum each. There are in the Pennsylvania School for the Feeble Minded, six pupils from New Castle County, three pupils from Kent County and one pupil from Sussex County, who are maintained and instructed at an expense of \$200 per annum each. The present statutes limit the number of deaf, dumb and blind children who can be sent from this State to 5 from each county, and the number of feeble minded or imbecile children at 14 from the State. Hence, the annual cost of supporting these 29 pupils who may be sent from this State is about \$6,700 per annum. The last Legislature erroneously appropriated for this purpose but \$2,800 per annum. Of this appropriation but \$335.89 remains, and there are unpaid bills as follows:

Pennsylvania Institution for the Blind at Overbrook, Pa., due \$325.

Columbia Institution for the Deaf and Dumb at Kendall Green, Washington, due last June, \$2,500.

To the Pennsylvania Institution for the Deaf and Dumb at Philadelphia, there was due last June, \$520.

To the Pennsylvania Training School for Feeble Minded Children, there was due on December 31, 1900, \$2,000.

In view of the deficiency of the appropriation for the years 1899 and 1900, I have declined to issue warrants for admission of other pupils to these institutions. It has been a condition humiliating to me as well as to the State Treasurer and I recommend that an appropriation be made at once to cover the deficiency and that a suf-

ficient appropriation be provided in the General Appropriation bill to cover further expenses. I herewith transmit the report of Dr. John J. Black, President of the Board of Trustees of the Delaware State Hospital at Farnhurst, relating to his annual visit to these institutions and recommend to you the careful consideration of the valuable suggestions contained in such report.

#### PUBLIC SCHOOLS.

There is no other public interest that appeals to all the people of the State so forcibly as that of our public schools. Here is the foundation of good citizenship, intelligent manhood and moral growth. The public school system in Delaware has been of slow growth. Ignorance, selfishness and a lack of appreciation of the great benefits derived from higher education, have retarded its progress and crippled its usefulness. The lack of enthusiasm for education peculiar to most agricultural communities has made the efforts of teachers and educators alike less effective. The State, considering its revenues, has been most liberal, the dividend from that source amounting this year to \$134,296.30 but the people of the districts have not done their share, raising by taxation less than three-fourths of that amount. The great need of our schools is more money. Last year many schools were unable to keep open the required one hundred and forty days, without running in debt or raising extra money by contribution. This is a decided drawback in two important particulars. Seven months of school is not sufficient to give the children the necessary advantages and is too short a time to permit teachers to earn a living salary. The result is that many children remain at home at that season of the year when they could most easily attend school and good teachers are unable to earn a livelihood in their profession in so short a school year and are driven from our State or compelled to seek other means of livelihood. Under the present most excellent law and efficient school management, the text book list has been revised, giving to the schools the very best books published, and the standard of teachers has been raised so that our schools with adequate salaries can be supplied with well trained and progressive teachers.

I would recommend that the appropriation for schools be increased but that the amount required to be raised by taxation in each District be proportionately increased. The State's liberality springing from a desire to increase the intelligence of her citizens, should not relieve the Districts from their share of the burden, making

them less keenly interested in the careful management of their schools.

Under the act passed at the last session of the Legislature authorizing the Farmers' Bank to reduce its capital stock, there was paid to the State Treasurer, for stock held as a part of the investment of the School Fund, \$22,035. This sum has not been reinvested for the benefit of the School Fund and I recommend that it be so invested.

I herewith submit the report of the State Board of Education, which you will find most interesting. The statistics thereto appended are the first complete and accurate statistics of our schools that have ever been obtained, and form a basis of information of great value in dealing with the school question.

I heartily concur in the Board's recommendation of a different system of distribution of the State dividend. In my judgment you will have before you no more important measure than the bill to carry out such recommendation.

#### ELECTIONS.

Purity of the ballot and freedom of the voter to cast his ballot, without influence by money or intimidation, has been the aim of good citizens in Delaware for a generation, and when the Constitutional provisions, containing the most stringent safeguards, were adopted, it was sincerely hoped and confidently believed that elections in Delaware would be again the free and uninfluenced expression of the wishes of the voters. Such is not the case. Bribery, corruption and intimidation walked brazenly through our State at the last election, and the only barrier in the way of the shameless and open violation of law and decency was our present system of voting. I am aware that the present ballot law is criticised by many voters and a few careful changes may be beneficial, but I wish to warn you against the clamor of the vote buyer and corruptor of the franchise for its repeal. It is the most successful guarantee of good order and decency at the polls, and gives every voter a chance to go alone and undisturbed and prepare his ballot and deposit it without the surging mob at his back or the prying eye or interfering hand of the corruptor or intimidator. The system is now familiar to the voters and even slight changes would puzzle more than aid them. The ascertainment of the qualifications of voters by registration and the present ballot law make our elec-

tions at least orderly, and we must await a quickening of the public conscience and a higher intelligence to enforce the law and secure the free and uninfluenced expression of the voter.

#### FISH.

For a people blessed as we are with such natural advantages of sea coast and streams supplying us with an abundance of valuable food fish, we do not show a proper appreciation of these advantages. Our laws protecting fish and regulating their catch are scattered through several statutes, difficult to find and so full of inconsistencies as to be hard to understand. Owing to such misunderstanding and the lack of enforcement, many statutes are dead letters and go unenforced. The fish in our streams and bays are a means of livelihood to many of our citizens and a delicious food supply to all. Yet the very people who depend on fishing for support, by carelessness and foolish waste of the young and unmarketable fish, destroy the source of their supply.

I recommend that the laws relating to fish and fishing be carefully revised and the most stringent provisions be enacted for the protection of our fish. I also recommend that the Fish Commissioner be provided with a reasonable contingent fund for defraying expenses of enforcement of the laws. His present salary is not sufficient to justify him in traveling over the State and sending men to ferret out violations of the laws.

#### STATE PRINTING AND SUPPLIES.

I called the attention of the last Legislature to this subject but no action was taken. I deem it of so much importance that I quote from my message to the last Legislature the part referring to this subject.

"Section 8 of Article 15 of the Constitution provides: 'All stationery, printing, paper and fuel used in the legislative and other departments of government shall be furnished, and the printing, binding and distribution of the laws, journals, official reports, and all other printing, binding, and the repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its committees, shall be performed under contract to be given to the lowest responsible bidder below such maximum price and under such regulations as shall be prescribed by law. Such bids shall be opened in the presence of the persons making the bids or their representatives.

"No member or officer of any department of the government shall be in any way interested in any such contract when awarded to or by any such member, officer or department."

You will readily see the motive that dictated this provision of the Constitution. The public printing and supplies of the different departments of the government are important items in the expenditure of the public funds. A law under which the benefits of a healthy competition may be secured would not only afford the State better service and greater economy, but would prove generally more satisfactory to the several departments and to those who stand ready to render the service.

The State Librarian has complied with the spirit of this provision of the Constitution in purchasing the coal to heat the State House and some other officers have felt bound to do the same with printing, but until a proper law is enacted the State cannot derive the benefits that the makers of the Constitution intended.

The State has been imposed upon not only in excessive charges for printing and supplies, but in the quality of the material used and the execution of the work.

I recommend that you provide that all printing to be done and supplies furnished, be done and furnished by contracts awarded on bids made on specifications duly advertised, and that a board, composed of persons who have no printing to award or supplies to be furnished, be created for that purpose. In this connection I suggest for your consideration that it would be in the interest of economy and better work and material if a member of such board should be a practical printer, whose knowledge would prevent imposition and secure a better grade of work. Such a member could be designated a Public Printer or otherwise, as you think best, and should be compensated with a moderate salary. His duties would not be arduous and his salary need not be large. Such members should be prohibited from bidding for contracts or being in any manner interested in their award. The money thus saved to the State would, I am sure, much more than pay the expenses of such a system.

You should also provide for the immediate payment for such supplies. The bills for coal now furnished for heating the State House and the lighting are not provided for, but wait the biennial

session of the Legislature. Bids would be lower if immediate payment could be made. I urge you to take the necessary action on this matter.

#### BOARD OF HEALTH.

I call your attention to the Eleventh Biennial Report of the State Board of Health which is herewith submitted. This report contains valuable information carefully and ably compiled and presented. We can scarcely overestimate the importance of the work of this Board. The seven prominent physicians of the State who compose the Board and who perform their duties without compensation are entitled to the gratitude and commendation of every citizen.

The Board requests that instead of printing six hundred copies of this report, as heretofore, you authorize the printing of half that number and cause the same to be bound in durable cloth.

Appended to the report is the first report of the Bacteriological and Pathological Laboratory at Delaware College, established under the Act approved March 23, 1899. This report is most interesting and satisfactory, demonstrating the great importance of the wise action of the Legislature in establishing such Laboratory. The Board of Health suggests and I recommend that provision be made for larger and more convenient rooms at Delaware College for such Laboratory. The present rooms are inconvenient and inadequate for the purpose.

#### REPORTS.

In addition to the reports hereinbefore referred to I herewith submit the report of the Adjutant-General.

#### REPRIEVES, PARDONS AND REMISSIONS.

In accordance with the provisions of the Constitution I now lay before you a list of reprieves, pardons and remissions granted by me since my last message to the General Assembly, with the grounds therefor fully set forth.

EBE W. TUNNELL.

Mr. Blakely moved that the Governor's Message be adopted and spread upon the minutes of the Journal.

Which motion

Prevailed.

Mr. Deighton, Clerk of the House, being admitted, informed the Senate that the House had concurred in Senate joint resolution No. 1, entitled :

“Joint Resolution convening the Senate and House of Representatives of the General Assembly of the State of Delaware of the session commencing on the first Tuesday in January, A. D. 1901, in joint session, for the purpose of ascertaining and certifying the votes given for the offices of Governor and Lieutenant-Governor respectively, at the general election held in the State of Delaware on the Tuesday next after the first Monday in the month of November, A. D. 1900.”

And returned the same to the Senate.

Mr. Knox moved that the President pro tempore appoint a committee of two on Enrolled Resolutions until standing committees were announced.

Which motion

Prevailed.

Mr. President pro tempore appointed Messrs. Knox and McNulty, Committee on Enrolled Resolutions.

Mr. Knox, on behalf of the Committee on Enrolled Resolutions, reported as duly and correctly enrolled and ready for the signature of Mr. President pro tempore, the following resolution :

Senate joint resolution No. 1, entitled,

“Joint Resolution convening the Senate and House of Representatives of the General Assembly of the State of Delaware of the session commencing on the first Tuesday in January, A. D. 1901, in joint session, for the purpose of ascertaining and certifying the votes given for the offices of Governor and Lieutenant-Governor respectively, at the general election held in the State of Delaware on the Tuesday next after the first Monday in the month of November, A. D. 1900.”

Hon. James H. Hughes, Secretary of State, was announced, and being admitted, presented the list of appointments made by the Governor to fill vacancies happening in offices since the adjournment of the Senate on March 13, A. D. 1899.

## STATE OF DELAWARE, EXECUTIVE DEPARTMENT.

DOVER, January 7, 1901.

*To the Honorable, the Senate of Delaware :*

GENTLEMEN: In conformity with the Constitution and laws, I have since the adjournment of the Senate on March 13, A. D. 1899, granted the following commissions, to fill vacancies happening in offices, the appointment to which require the consent of the Senate; and I now have the honor to nominate and appoint for the consent and confirmation of the Senate the persons, so commissioned, as follows:

Abram Vandegrift to be a Justice of the Peace in and for New Castle County, for the term of four years from the thirty-first day of March, A. D. 1899.

Jesse W. Robinson to be a Justice of the Peace in and for Sussex County for the term of four years from the twenty-sixth day of April, A. D. 1899.

Thomas Bratton to be a Justice of the Peace in and for New Castle County, for the term of four years from the eleventh day of May, A. D. 1899.

James H. Tyre to be a Justice of the Peace in and for Sussex County, for the term of four years from the eighteenth day of May, A. D. 1899.

Elsberry B. Slaughter to be a Justice of the Peace in and for Kent County, for the term of four years from the first day of June, A. D. 1899.

Frank E. Maloney to be Collector of the Oyster Revenue for the State of Delaware, for the term of two years from the seventeenth day of June, A. D. 1899.

Rilons H. Evans to be a Justice of the Peace in and for Sussex County, for the term of four years from the twenty-sixth day of July, A. D. 1899.

James Vanarsdalen to be a Justice of the Peace in and for New Castle County, for the term of four years from the fourteenth day of December, A. D. 1899.



Samuel Brady Cooper to be a Justice of the Peace in and for Kent County, for the term of four years from the fourth day of May, A. D. 1900.

John W. Gibson to be a Justice of the Peace in and for Sussex County, for the term of four years from the twenty-seventh day of September, A. D. 1900.

Edwin R. Cochran, Jr., to be City Judge of the Municipal Court for the City of Wilmington, for the term of twelve years from the twenty-second day of October, A. D. 1900.

James T. Richardson to be a Justice of the Peace in and for New Castle County, for the term of four years from the fifteenth day of November, A. D. 1900.

William P. Cullen to be a Justice of the Peace in and for Kent County, for the term of four years from the nineteenth day of November, A. D. 1900.

Thomas O. Culbreth to be a Justice of the Peace in and for Kent County, for the term of four years from the twenty-second day of November, A. D. 1900.

Charles S. Hamblin to be a Justice of the Peace in and for Sussex County, for the term of four years from the twenty-sixth day of November, A. D. 1900.

EBE. W. TUNNELL,  
*Governor.*

Mr. Slaughter moved that the Senate go into Executive Session to consider the appointments recommended by the Governor.

Which motion

Prevailed.

Executive Session—3.30 o'clock, P. M.

Senate of Delaware, January 7, 1901.

Mr. President pro tempore directed the Clerk to read the list of appointments from the Governor.

Mr. Abbott moved that the Executive Session adjourn until 2 o'clock P. M., Wednesday, January 16.

Which motion

Prevailed.

The Senate being reconvened in regular session,

Mr. Abbott moved that five hundred copies of the Adjutant-General's report be ordered printed.

Which motion

Prevailed.

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

“An Act for the redemption of certain State bonds.”

Mr. Deighton, Clerk of the House, being admitted, returned to the Senate the following duly and correctly enrolled Senate joint resolution, the same having been signed by Mr. President pro tempore of the Senate and the Speaker of the House :

Senate joint resolution No. 1, entitled,

“Joint Resolution convening the Senate and House of Representatives of the General Assembly of the State of Delaware of the session commencing on the first Tuesday in January, A. D. 1901, in joint session, for the purpose of ascertaining and certifying the votes given for the offices of Governor and Lieutenant-Governor respectively, at the General Election held in the State of Delaware on the Tuesday next after the first Monday in the month of November, A. D. 1900.”

Mr. Abbott presented Senate Joint Resolution No. 3, as follows :

“Resolved, That the President pro tempore of the Senate appoint a committee of two on the part of the Senate, to act with a committee of three on the part of the House, to be appointed by the Speaker of the House, to settle with the State Treasurer and State Auditor,”

Which, on his motion,

Was read.

Mr. Blakely moved that the joint resolution be adopted.

On the question, “Shall the joint resolution be adopted?”

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

Yeas—Messrs. Abbott, Allee, Blakely, Brasure, Clements, Farlow, Groves, Harrington, Hart, Knox, Maull, McFarlin, McNulty, Pennewill, Slaughter, Wright, Mr. President pro tempore.

Nays—None.

So the question was decided in the affirmative, and the joint resolution having received the required constitutional majority,

Was declared

Adopted.

Ordered to the House for concurrence.

Mr. Groves presented a Senate joint resolution,

Senate Joint Resolution No. 4, as follows:

“Resolved, That the President pro tempore of the Senate appoint a committee of two on the part of the Senate to act with a committee of three on the part of the House; to be appointed by the Speaker of the House, to settle with the Secretary of State,”

Which, on his motion,

Was read,

Mr. Blakely moved that the joint resolution be adopted.

On the question, “Shall the joint resolution be adopted?”

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

Yeas—Messrs. Abbott, Allee, Blakely, Brasure, Clements, Farlow, Groves, Harrington, Hart, Knox, Maull, McFarlin, McNulty, Pennewill, Slaughter, Wright, Mr. President pro tempore.

Nays—None.

So the question was decided in the affirmative,

And the joint resolution having received the required constitutional majority,

Was declared

Adopted.

Ordered to the House for concurrence.

Mr. Pennewill presented a Senate joint resolution,

Senate Joint Resolution No. 5, as follows:

“Resolved, That the President pro tempore of the Senate appoint a committee of two on the part of the Senate to act with a committee of three on the part of the House, to be appointed by the Speaker of the House, to settle with the State Librarian.”

Which, on his motion,

Was read.

Mr. Brasure moved that the joint resolution be adopted.

On the question, “Shall the joint resolution be adopted?”

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

Yeas—Messrs. Abbott, Allee, Blakely, Brasure, Clements, Farlow, Groves, Harrington, Hart, Knox, Maull, McFarlin, McNulty, Pennewill, Slaughter, Wright, Mr. President pro tempore.

Nays—None.

So the question was decided in the affirmative, and the joint resolution having received the required constitutional majority,

Was declared

Adopted.

Ordered to the House for concurrence.

Mr. Thomas W. Jefferson, State Librarian, was announced, and on being admitted, presented his biennial report.

On motion of Mr. Abbott, the State Librarian's report was read, and on his further motion, was ordered spread upon the minutes of the Journal.

#### STATE LIBRARIAN'S REPORT.

Dover, Delaware, January 4, 1901.

*To the General Assembly of the State of Delaware:*

In compliance with the law I have the honor to submit the following biennial report:

THOMAS W. JEFFERSON,  
State Librarian.

1st. By long and frequent use many of the law reports of the several States had become unfit for use ; the covers torn and broken.

By direction of the court and at the expense of the Law Book Fund, I have had 530 volumes rebound, making the books in fair condition.

2d. The laws and law reports of Delaware held in reserve by the Library were stored in boxes in a very unsafe condition and very hard to get when wanted. I have built a case in the basement where they are now kept under lock and easy of access.

3d. In placing the books in the new Library, duplicate volumes of the Congressional documents were put on the shelves taking double the space. As we were needing more room I have taken out all the duplicate volumes, placing them in the basement on shelves, previously prepared for that purpose. By doing so I have gained nearly 400 feet of shelf room for new books.

4th. The Legislature of 1899 authorized and directed the Librarian to make a catalogue of the books in the library. The work to be approved and accepted by your honorable body. I have prepared the work, and it awaits your examination, which I respectfully request.

5th. The following is a list of all books received by purchase and exchange during the 2 years now closing :

BOOKS RECEIVED AT LIBRARY, 1899-1900.

	Volumes.
Alabama, Law Reports and State Documents, . . . . .	6
Arkansas, " " . . . . .	2
California, " " . . . . .	11
Colorado, " " . . . . .	15
Connecticut, " " . . . . .	18
Delaware, " " . . . . .	321
Pamphlets, . . . . .	110
By Purchase, . . . . .	109
	<hr/>
	540
Florida, Law Reports and State Documents, . . . . .	1
Georgia, " " . . . . .	10
Idaho, " " . . . . .	1
Illinois, " " . . . . .	16

Indiana, Law Reports and State Documents, . . . .	31	
Pamphlets, . . . . .	60	
	<hr/>	91
Iowa, Law Reports and State Documents, . . . . .		9
Kansas, " " . . . . .		9
Kentucky, " " . . . . .		11
Louisiana, " " . . . . .		27
Maine, " " . . . . .		16
Maryland, " " . . . . .		16
Massachusetts, " " . . . . .		33
Michigan, " " . . . . .	44	
Pamphlets, . . . . .	57	
	<hr/>	101
Minnesota, Law Reports and State Documents, . . . . .		11
Mississippi, " " . . . . .		11
Missouri, " " . . . . .		23
Montana, " " . . . . .		12
Nebraska, " " . . . . .		14
Nevada, " " . . . . .		5
New Hampshire, " " . . . . .		5
New Jersey, " " . . . . .		29
New Mexico, " " . . . . .		1
New York, " " . . . . .	132	
Pamphlets, . . . . .	25	
	<hr/>	157
N. Carolina, Law Reports and State Documents, . . . . .		8
North Dakota, " " . . . . .		8
Ohio, " " . . . . .	29	
Pamphlets, . . . . .	45	
	<hr/>	74
Oklahoma, Law Reports and State Documents, . . . . .		1
Oregon, " " . . . . .		7
Pennsylvania, " " . . . . .		47
Rhode Island, " " . . . . .		8
South Carolina, " " . . . . .		21
South Dakota, " " . . . . .		8
Tennessee, " " . . . . .		10
Texas, " " . . . . .		18
Utah, " " . . . . .		7
United States Congressional Documents, . . . . .	870	
United States Congressional Pamphlets, . . . . .	1,169	
	<hr/>	2,039

Vermont, Law Reports and State Documents, . . . . .	21
Virginia, " " . . . . .	21
West Virginia, " " . . . . .	6
Wisconsin, " " . . . . .	13
Wyoming, " " . . . . .	2
Total increase of Volumes, . . . . .	2,071
Total Pamphlets, . . . . .	2,008
Total Pamphlets of 1899, . . . . .	42,785
Grand total, . . . . .	46,864

THOMAS W. JEFFERSON,

State Librarian.

Mr. Pennewill offered the following resolution :

"Be it resolved, that the Clerk be and is hereby directed to furnish each member of the Senate with a copy of the Revised Code and Volumes 20 and 21 of the Laws of the State of Delaware,"

Which, on his motion, was read, and

On motion of Mr. Blakely,

Was

Adopted.

The President pro tempore announced the following committees, pursuant to Senate joint resolutions Nos. 3, 4 and 5 :

To settle with State Treasurer and Auditor,

Messrs. Abbott and Clements.

To settle with Secretary of State,

Messrs. Groves and McNulty.

To settle with the State Librarian,

Messrs. Pennewill and Slaughter.

On motion of Mr. Slaughter, the Senate adjourned until 11 o'clock to-morrow morning.

Tuesday, January 8, 1901—11.10 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Abbott, Allee, Blakely, Brasure, Clements, Farlow, Groves, Harrington, Hart, Knox, Maull, McFarlin, McNulty, Pennewill, Slaughter, Wright, Mr. President pro tempore.

Mr. President pro tempore announced that the hour having arrived for joint session (as provided for in Senate joint resolution No. 1,) the Senate would proceed to the Hall of the House of Representatives to canvass the vote of the last General Election for Governor and Lieutenant-Governor.

#### JOINT MEETING.

Hall of the House of Representatives,

January 8, 1901—11.16 A. M.

The Senate and House of Representatives being convened in joint meeting,

The roll of the Senate was called by the Clerk of the Senate and the following Senators were present and answered to their names:

Messrs. Abbott, Allee, Blakely, Brasure, Clements, Farlow, Groves, Harrington, Hart, Knox, Maull, McFarlin, Pennewill, Slaughter, Wright, Mr. President pro tempore.

The roll of the House was then called by the Clerk of the House and the following Representatives were present and answered to their names:

Messrs. Aron, Baynard, Chandler, Clark, Clendaniel, Dayett, Ewing, Flinn, Gooden, Hardesty, Hearn, Healey, Hitchen, Hodgson, Holcomb, Hope, Layton, Long, Monaghan, Moore,



Pepper, Pilling, Prettyman, Ralph, Robertson, Shallcross, Short, Scotten, Vinyard, Warren, West, White, Wright, Mr. Speaker.

On motion of Mr. Knox, of the Senate, the joint resolution convening the Senate and House of Representatives was read, as follows :

“Senate joint resolution No. 1, convening the Senate and House of Representatives of the General Assembly of the State of Delaware, of the session commencing on the first Tuesday in January, A. D. 1901, in joint session for the purpose of ascertaining and certifying the votes given for the offices of Governor and Lieutenant Governor, respectively, at the General Election held in the State of Delaware on the Tuesday next after the first Monday in the month of November, A. D. 1900.

“Be it resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met :

“That the members of the Senate and the members of the House of Representatives of the General Assembly of the State of Delaware, of the session commencing on the first Tuesday in the month of January, in the year A. D. 1901, assembled in the Hall of said House of Representatives at 11 o'clock A. M. on Tuesday, the eighth day of January, A. D. 1901, to be present at the opening and publishing according to the Constitution of the State, of the returns or certificates of the General Election held in the several counties of this State, on the Tuesday next after the first Monday in the month of November, A. D. 1900, for the offices of Governor and Lieutenant Governor, respectively, and that two tellers be appointed, to wit: One on the part of the Senate and one on the part of the House of Representatives, to make a list of the votes cast, as the same shall appear and be published from said returns.

Adopted at Dover, January 7, 1901.

H. C. ELLISON,

President pro tem. of Senate.

JAS. V. McCOMMONS,

Speaker of the House of Representatives.

Approved, this, the seventh day of January, A. D. 1901.

EBE W. TUNNELL,

Governor.

Mr. Pennewill, of the Senate, moved that the President pro tempore appoint two tellers.

Which motion

Prevailed.

Mr. President pro tempore appointed Mr. Pennewill of the Senate and Mr. Flinn of the House, tellers.

Mr. Ellison, President pro tempore of the Senate, thereupon, opened and published the returns of the election in the several counties of this State for Governor and Lieutenant-Governor, respectively, from which it appears that on the Tuesday next after the first Monday in the month of November, A. D. 1900, there were given for the office of Governor,

FOR JOHN HUNN.

In New Castle County, . . . . .	13,485 votes.
In Kent County, . . . . .	3,978 votes.
In Sussex County, . . . . .	4,958 votes.
Total, . . . . .	22,421 votes.

FOR PETER J. FORD.

In New Castle County, . . . . .	10,636 votes.
In Kent County, . . . . .	3,815 votes.
In Sussex County, . . . . .	4,351 votes.
Total, . . . . .	18,808 votes.

FOR RICHARD M. COOPER.

In New Castle County, . . . . .	326 votes.
In Kent County, . . . . .	101 votes.
In Sussex County, . . . . .	147 votes.
Total, . . . . .	574 votes.

FOR GUSTAVE E. REINIKE.

In New Castle County, . . . . .	50 votes.
In Kent County, . . . . .	4 votes.
In Sussex County, . . . . .	no votes.
Total, . . . . .	54 votes.

## TOTAL VOTE FOR GOVERNOR.

For John Hunn, . . . . .	22,421 votes.
For Peter J. Ford, . . . . .	18,808 votes.
For Richard M. Cooper, . . . . .	574 votes.
For Gustave E. Reinike, . . . . .	54 votes.
Plurality for John Hunn, . . . . .	3,613 votes.

And from which returns it further appears that on the said Tuesday next after the first Monday in the month of November, A. D. 1900, there were given for the office of Lieutenant-Governor,

## FOR PHILIP L. CANNON.

In New Castle County, . . . . .	13,505 votes.
In Kent County, . . . . .	3,937 votes.
In Sussex County, . . . . .	4,952 votes.
Total, . . . . .	22,394 votes.

## FOR WILLIAM F. HOEY.

In New Castle County, . . . . .	10,809 votes.
In Kent County, . . . . .	3,847 votes.
In Sussex County, . . . . .	4,367 votes.
Total, . . . . .	19,023 votes.

## FOR JOHN HUTTON.

In New Castle County, . . . . .	300 votes.
In Kent County, . . . . .	108 votes.
In Sussex County, . . . . .	140 votes.
Total, . . . . .	548 votes.

## FOR PAUL SCHEWELER.

In New Castle County, . . . . .	15 votes.
In Kent County, . . . . .	3 votes.
In Sussex County, . . . . .	no votes.
Total, . . . . .	54 votes.

## TOTAL VOTE FOR LIEUTENANT-GOVERNOR.

For Philip L. Cannon, . . . . .	22,394 votes.
For William F. Hoey, . . . . .	19,023 votes.
For John Hutton, . . . . .	548 votes.
For Paul Scheweler, . . . . .	54 votes.

Plurality for Philip L. Cannon, . . . . . 3,371

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

## STATE OF DELAWARE, SS:

Be it known that the General Assembly having met at Dover, Mr. Ellison, President pro tempore of the Senate, on the eighth day of January, in the year of our Lord, one thousand nine hundred and one (1901), did open and publish in the presence of the members of the Senate and House of Representatives, according to the provisions of the Constitution of the said State, the returns of the election held in the several counties of the said State, on the Tuesday next after the first Monday in the month of November, A. D. 1900, for Governor, and by the said returns it appears that John Hunn was at said election on the Tuesday next after the first Monday in the month of November, A. D. 1900, duly chosen Governor of the State of Delaware, according to the Constitution and Laws of the State, to hold the said office of Governor during four years from the third Tuesday of January, in the year of our Lord one thousand nine hundred and one (1901), agreeably to the said Constitution.

HENRY C. ELLISON,  
President pro tempore of the Senate.

JAMES V. McCOMMONS,  
Speaker of the House of Representatives.

Attest: HENRY E. CAIN,  
Clerk of the Senate.

WM. E. DEIGHTON,  
Clerk of the House of Representatives.

## STATE OF DELAWARE, SS:

Be it known that the General Assembly having met at Dover, Mr. Ellison, President pro tempore of the Senate, on the eighth day of January, in the year of our Lord, one thousand nine

hundred and one (1901), did open and publish in the presence of the members of the Senate and House of Representatives, according to the provisions of the Constitution of the said State, the returns of the election held in the several counties of the said State, on the Tuesday next after the first Monday in the month of November, A. D. 1900, for Lieutenant Governor, and by the said returns it appears that Philip L. Cannon was at said election on the Tuesday next after the first Monday in the month of November, A. D. 1900, duly chosen Lieutenant Governor of the State of Delaware, according to the Constitution and Laws of the State, to hold the said office of Lieutenant Governor during four years from the third Tuesday of January, in the year of our Lord one thousand nine hundred and one (1901), agreeably to the said Constitution.

HENRY C. ELLISON,  
President pro tempore of the Senate.

JAMES V. McCOMMONS,  
Speaker of the House of Representatives.

Attest: HENRY E. CAIN,  
Clerk of the Senate.

WM. T. DEIGHTON,  
Clerk of the House of Representatives.

Mr. Knox moved that the Journals be read and compared,

Which question Prevailed.

Mr. Knox moved that the Houses separate,

Which motion Prevailed.

And the two Houses separated at 11.58 A. M.

The Senators and Clerks having returned to the Senate chamber, the regular order of business was resumed.

Journal read and approved.

The President pro tempore presented an invitation from Mr. J. N. Gawthrop, president of the Board of Trustees of the New Castle County Workhouse.

Which, on motion of Mr. Allee,

Was read.

And on motion of Mr. Blakely,

Was

Accepted.

The President pro tempore presented an invitation from Mr. J. E. Carter, president of the Peninsula Horticultural Society, to attend its annual meeting at Middletown, January 9, 10 and 11, and especially on the afternoon of January 10.

Which, on motion of Mr. Wright,

Was read.

And on motion of Mr. Pennewill,

Was

Accepted.

Mr. Allee, in pursuance of previous notice, asked leave to introduce a bill,

Senate Bill No. 1, entitled :

“An act for the redemption of certain State bonds.”

And further on his motion, Rule 14 was suspended,

And the bill was read a second time, by its title, and

Referred to the Committee on Finance.

Mr. Knox moved that the President pro tempore consult with the Speaker of the House and decide upon a time when the Legislature should visit Ferris Reform School, State Insane Asylum and New Castle County Workhouse,

Which motion

Prevailed.

Mr. Brasure moved that the President pro tempore appoint a Transportation Committee of two, to arrange for special train to take the Legislature to Farnhurst and Middletown.

Which motion

Prevailed.

On motion of Mr. Blakely, the Senate took recess until 2 o'clock P. M.

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Same Day—2.30 P. M.

Senate reassembled at expiration of recess.

Mr. Knox moved that the Senate devote Thursday next to visit Farnhurst and Middletown,

Which motion Prevailed.

Mr. Abbott moved that the Senate visit Ferris Reform School and New Castle County Workhouse next Friday,

Which motion Prevailed.

Mr. Abbott moved that the President pro tempore appoint a committee of two, to notify the House of the action of the Senate,

Which motion Prevailed.

Mr. President pro tempore appointed Mr. Abbott and Mr. Slaughter a committee to notify the House.

Mr. President pro tempore announced the following Standing Committees:

#### SENATE STANDING COMMITTEES.

Corporations—Messrs. Knox, chairman, Hart, Allee, Maull and Pennewill.

Claims—Allee, chairman, McFarlin, Slaughter, Wright and Ellison.

Finance—Ellison, chairman, Knox, Abbott, Slaughter and Maull.

Agriculture—McFarlin, chairman, Ellison, Wright, Clements and Brasure.

Cities and Towns—Pennewill, chairman, Knox, Allee, Wright and McNulty.

Education—Abbott, chairman, Brasure, Groves, Harrington and McNulty.

Elections—Knox, chairman, McFarlin, Slaughter, Pennewill and Hart.

Accounts—Groves, chairman, Clements, Harrington, Ellison and Brasure.

Printing—Brasure, chairman, Groves, Clements, Harrington and Ellison.

Revised Statutes—Maul, chairman, Knox, Pennewill, Allee and McNulty.

Fish, Oysters and Game—Blakely, chairman, McNulty, Abbott, Farlow and McFarlin.

Judiciary—Slaughter, chairman, Hart, Brasure, Pennewill and Blakely.

Enrolled Bills—Abbott, chairman, Hart, Groves, Blakely and Farlow.

Vacant Lands—Allee, chairman, McFarlin, Farlow, Maul and Blakely.

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

“An act to protect fish and fishing in Buford Lake.”

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

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

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



"An act in relation to Ninth Street west of Market Street in the city of Wilmington, prohibiting street cars thereon."

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

"An act requiring banks and other corporations to give notice of unclaimed dividends, deposits and balances in certain cases."

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

"An act to authorize the Recorder of Deeds in and for Kent County, to make new mortgage indices."

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

"An act making the sale of cigarettes illegal in the State of Delaware."

Mr. President pro tempore announced Messrs. Brasure and Hart Committee on Transportation.

Mr. President pro tempore announced Messrs. Abbott, Groves, Pennewill, Harrington and Clements Committee on Rules.

Mr. Brasure, chairman of Committee on Transportation, stated that the House had not appointed a Committee on Transportation and had left the arrangements for the trip to Farnhurst, Middletown, Ferris Reform School, and the New Castle County Workhouse to the Senate committee; and the committee had selected Thursday, January 10, as the day for the visit to Farnhurst and Middletown, the body to leave Dover at 9.38 A. M. for Farnhurst, and return to Middletown by special train leaving Farnhurst about 1 o'clock P. M.; thence to make their way home as they concluded best. That Friday, January 11, should be the day for visiting Ferris Reform School and New Castle County Workhouse, the body to leave Dover on the 9.38 A. M. train, using regular trains for returning.

On motion of Mr. Slaughter, the Senate adjourned until 2 o'clock P. M. to-morrow.

Wednesday, January 9, 1901—2.07 o'clock, P. M.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Abbott, Allee, Blakely, Brasure, Clements, Groves, Harrington, Hart, Knox, Maull, McFarlin, McNulty, Pennewill, Slaughter, Wright, Mr. President pro tempore.

Journal read and approved.

Hon. James H. Hughes, Secretary of State, was announced, and on being admitted, presented for confirmation of the Senate, the appointment of William B. Tharp to be Justice of the Peace in and for Kent County, for four years from the 9th day of January, A. D. 1901.

Also, communication from Governor Tunnell accompanied by the State Chemist's report of his analyses of commercial fertilizers for the years 1899 and 1900.

Also, communication from Governor Tunnell and the United States War Department in relation to the purchase of one hundred and twenty acres of land for an addition to the military reservation of Fort DuPont.

Mr. Deighton, Clerk of the House, being admitted, informed the Senate that the House had concurred in the following Senate joint resolutions :

Senate Joint Resolution No. 3,

Providing for the President pro tempore of the Senate to appoint a committee of two on the part of the Senate, to act with a com-

mittee of three on the part of the House to be appointed by the Speaker of the House, to settle with the State Treasurer and State Auditor.

Senate Joint Resolution No. 4,

Providing that the President pro tempore of the Senate appoint a committee of two on the part of the Senate, to act with a committee of three on the part of the House to be appointed by the Speaker of the House, to settle with the Secretary of State.

Senate Joint Resolution No. 5,

Providing that the President pro tempore of the Senate appoint a committee of two on the part of the Senate, to act with a committee of three on the part of the House to be appointed by the Speaker of the House, to settle with the State Librarian.

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

House Joint Resolution No. 1,

Authorizing the Adjutant-General to have printed 500 copies of his last report ; 300 copies to be bound in cloth and 200 to be bound in paper.

House Joint Resolution No. 2,

Authorizing the appointment of a committee to arrange for the inauguration of the Governor and Lieutenant-Governor-elect of this State on Tuesday, the fifteenth day of January, A. D. 1901.

And presented the same to the Senate.

Also,

Informed the Senate that the House had passed and requested the concurrence of the Senate in the following House bills :

House Bill No. 1, entitled,

"An act appropriating six hundred dollars to defray the expenses of inaugurating the Governor and Lieutenant Governor-elect,"

And presented the same to the Senate.

Mr. Knox presented a joint resolution,

Senate Joint Resolution No. 6,

For the adjournment of both Houses until Monday, January 14, 1901, at 12 o'clock, noon,

Which, on his motion,

Was read.

Mr. Allee moved that the joint resolution be adopted.

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

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

Yeas—Messrs. Abbott, Allee, Blakely, Brasure, Clements, Groves, Harrington, Hart, Knox, Maull, McFarlin, McNulty, Pennewill, Slaughter, Wright, Mr. President pro tempore.

Nays—None.

So the question was decided in the affirmative, and the joint resolution having received the required constitutional majority,

Was declared

Adopted.

Ordered to the House for concurrence.

Mr. Deighton, Clerk of the House, being admitted, informed the Senate that the House had concurred in Senate Joint Resolution No. 6, entitled:

"Senate Joint Resolution for the adjournment of both houses until Monday, January 14, 1901, at 12 o'clock M.

And returned the same to the Senate.

On motion of Mr. Allee,

House Bill No. 1, entitled:

"An act appropriating six hundred dollars to defray the expenses of inaugurating the Governor and Lieutenant-Governor-elect,"

Was read a first time.

And further on his motion, Rule 14 was suspended,

And the bill was read a second time, by its title.

And further on his motion, Rule 14 was suspended,

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

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

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

Yeas—Messrs. Abbott, Allee, Blakely, Brasure, Clements, Groves, Harrington, Hart, Knox, Maull, McFarlin, McNulty, Pennewill, Slaughter, Wright, Mr. President pro tempore.

Nays—None.

So the question was decided in the affirmative, and the bill having received the required constitutional majority,

Was declared

Adopted.

Mr. Allee asked that House Joint Resolution No. 2,

Authorizing the appointment of a committee to arrange for the inauguration of the Governor and Lieutenant-Governor-elect of this State on Tuesday, the fifteenth day of January, A. D. 1901,

Be read.

Mr. Allee moved that the joint resolution be adopted.

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

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

Yeas—Messrs. Abbott, Allee, Blakely, Brasure, Clements, Groves, Harrington, Hart, Knox, Maull, McFarlin, McNulty, Pennewill, Slaughter, Wright, Mr. President pro tempore.

Nays—None.

So the question was decided in the affirmative, and the joint resolution having received the required constitutional majority,

Was declared

Adopted.

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

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

“An act providing that the official ballots shall hereafter be marked by the elector, when indicating his choice of candidates, with an indelible lead pencil.”

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

“An act to amend the act entitled, ‘An act in relation to the Levy Court of New Castle County,’ being Chapter 26, Volume 19, Laws of Delaware, and to change two of the districts in said county.”

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

“An act to repeal the act entitled, ‘An act for the more efficient protection against crime,’ being Chapter 47, Volume 19, Laws of Delaware, passed at Dover, May 14, 1891.”

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

“An act providing for the satisfaction of mortgages in certain cases.”

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

“An act providing for the commencement of actions *ex delicto* by foreign attachment process.”

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

“An act in relation to the collection of taxes in New Castle County and to change the method of collection thereof.”

Mr. Abbott addressed the President pro tempore, and said that he must positively refuse to serve as chairman of the Enrollment Committee, owing to the fact that he had filled this position two years ago.

Mr. Slaughter, in pursuance of previous notice, asked leave to introduce a bill,

Senate Bill No. 2, entitled:

"An act authorizing the Recorder of Deeds in and for Kent County to make new Mortgage Indices."

And further on his motion, the bill

Was read a first time.

Mr. President pro tempore announced the following Inauguration Committee:

Messrs. Allee, Slaughter and Pennewill.

The Transportation Committee made the following report:

A special train for the members of the Legislature will leave Dover to-morrow morning for Farnhurst at 9.38 o'clock on the arrival of the regular passenger train here. The train will leave Farnhurst at 1 o'clock for Middletown. After the meeting at Middletown is over the members can take the regular trains north and south for home.

On Friday morning, leave Dover at 9.38 for Wilmington for the purpose of visiting the County Workhouse and Ferris Reform School. We will be met at the station in Wilmington by a committee representing each body.

I. J. BRASURE,  
GEO. M. D. HART,

Committee.

On motion of Mr. Clements, the Senate adjourned until 12 o'clock noon Monday, January 14, in accord with Senate Joint Resolution No. 6.

Monday, January 14, 1901—12.05 o'clock P. M.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Abbott, Allee, Blakely, Brasure, Clements, Farlow, Groves, Harrington, Hart, Knox, Maull, McNulty, Pennewill, Slaughter, Mr. President pro tempore.

Journal read and approved.

Mr. Allee presented Senate Joint Resolution No. 7, entitled :

“Joint Resolution convening the two Houses for the purpose of attending the Governor-elect while the affirmations of office are administered to him,”

Which, on his motion,

Was read.

Mr. Blakely moved that the joint resolution be adopted.

On the question, “Shall the joint resolution pass the Senate?”

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

Yeas—Messrs. Abbott, Allee, Blakely, Brasure, Farlow, Groves, Harrington, Hart, Knox, Maull, McNulty, Pennewill, Slaughter, Mr. President pro tempore..

Nays—None.

So the question was decided in the affirmative, and the joint resolution having received the required constitutional majority,

Was declared

Adopted.

Ordered to the House for concurrence.

Mr. Abbott asked that House Joint Resolution No. 1,



Authorizing the Adjutant General to have printed 500 copies of his last report, 300 to be bound in cloth and 200 to be bound in paper,

Be read.

Mr. Allee moved that the joint resolution be adopted.

On the question, "Shall the joint resolution pass the Senate?"

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

Yeas—Messrs. Abbott, Allee, Blakely, Brasure, Farlow, Groves, Harrington, Hart, Knox, Maull, McNulty, Pennewill, Slaughter, Mr. President pro tempore.

Nays—None.

So the question was decided in the affirmative,

And the joint resolution having received the required constitutional majority,

Was declared

Adopted.

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

Mr. Blakely moved that the Senate take a recess until 2.30 P. M.

Which motion

Prevailed.

Same Day—3.10 P. M.

Senate reassembled at expiration of recess.

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

Joint Resolution No. 7, entitled :

“Senate Joint Resolution convening the two Houses for the purpose of attending the Governor-elect while the affirmations of office are administered to him,”

And returned the same to the Senate.

Mr. President pro tempore announced that he would appoint Mr. McNulty chairman of Committee on Enrolled Bills.

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

“An act to abolish the pillory.”

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

“An act providing for the corporal punishment of wife beaters.”

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

“An act providing for a change in the government of the police force of the city of Wilmington.”

Mr. McNulty, chairman of Committee on Enrolled Bills, reported Senate Joint Resolution No. 7 enrolled and ready for the signature of Mr. President pro tempore.

On motion of Mr. Abbott the Senate adjourned until 10 o'clock to-morrow morning.

Tuesday, January 15, 1901—10.40 o'clock A. M.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Abbott, Allee, Blakely, Brasure, Clements, Farlow, Groves, Harrington, Hart, Knox, Maull, McNulty, Pennewill, Slaughter, Wright, Mr. President pro tempore.

Journal read and approved.

On motion of Mr. Knox, Lieutenant Governor Philip L. Cannon was sworn in by Hon. James Pennewill, Associate Judge, with the following oath:

STATE OF DELAWARE, SS:

I, Philip L. Cannon, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Lieutenant Governor of the State of Delaware according to the best of my ability.

And I do further solemnly swear that I have not, directly or indirectly, paid, offered or promised to pay, contributed, or offered, or promised to contribute, any money or other valuable thing, as a consideration or reward, for the giving or withholding a vote at the election at which I was elected to said office.

(Signed) PHILIP L. CANNON.

Sworn and subscribed before me, this fifteenth day of January, in the year of our Lord one thousand nine hundred and one.

(Signed) JAMES PENNEWILL,  
Judge.

The Lieutenant-Governor, after being sworn in, addressed the Senate as follows:

"In assuming the duties of the office of Lieutenant-Governor, I assure you it is with great pleasure, for the reason that it has fallen to my pleasant lot to be the first Delawarean to fill this honorable post, and in that it was an unsought and unexpected honor. Called from the walks of private life to public dignity and honor, as the result of party harmony and unity, I accepted the trust. Elected by a large portion of the electors of Delaware, I shall endeavor to so use my official position that all interests, all parties, all measures with which this honorable body (the Senate) may deal shall be treated with equal fairness and impartiality, and without prejudice or bias. Your forbearance for my lack of acquaintance with parliamentary procedure is asked until I shall have become familiar with my duties and limitations. I bespeak your courteous treatment and consideration to me and toward each other, as my relations with you shall be in a spirit of exact justice and fair dealing. I thank you and through you your several constituencies for the high honor that has been conferred upon me."

Mr. Abbott submitted a set of rules.

Mr. Allee moved they be referred to the Committee on Rules.

Which motion

Prevailed.

Mr. Knox offered the following resolution :

Resolved, That the Senate proceed to choose a United States Senator to represent this State in Congress for the constitutional term beginning March 4th, 1901.

Which, on motion of Mr. Allee,

Was

Adopted.

The Senate, upon a call of the roll, proceeded to ballot.

Mr. Abbott voted for John Edward Addicks.

Mr. Allee voted for John Edward Addicks.

Mr. Blakely voted for John Edward Addicks.

Mr. Brasure voted for John Edward Addicks.

Mr. Clements voted for Richard R. Kenney.

Mr. Farlow voted for Richard R. Kenney.

Mr. Groves voted for Henry A. Dupont.

Mr. Hart voted for Richard R. Kenney.

Mr. Harrington voted for Richard R. Kenney.

Mr. Knox voted for Henry A. Dupont.

Mr. Maull voted for Richard R. Kenney.

Mr. McFarlin was absent.

Mr. McNulty voted for Richard R. Kenney.

Mr. Pennewill voted for John Edward Addicks.

Mr. Slaughter voted for Richard R. Kenney.

Mr. Wright voted for Richard R. Kenney.

Mr. President pro tempore voted for Henry A. Dupont.

The vote as above ascertained having been announced as follows:

For John Edward Addicks, 5 votes,

For Richard R. Kenney, 8 votes,

For Henry A. Dupont, 3 votes,

Mr. President announced that no person having received a majority of votes,

There had been no choice for a United States Senator on the part of the Senate.

Mr. Knox offered the following resolution:

Resolved, That the Senate proceed to choose a United States Senator to represent this State in Congress, for the unexpired term which commenced March 4, 1899.

Which, on motion of Mr. Pennewill,

Was

Adopted.

The Senate, upon a call of the roll, proceeded to ballot.

Mr. Abbott voted for John Edward Addicks.

Mr. Allee voted for John Edward Addicks.

Mr. Blakely voted for John Edward Addicks.

Mr. Brasure voted for John Edward Addicks.

Mr. Clements voted for Willard Saulsbury.

Mr. Farlow voted for John G. Gray.

Mr. Groves voted for William S. Hilles.

Mr. Hart voted for Willard Saulsbury.

Mr. Harrington voted for Willard Saulsbury.

Mr. Knox voted for Charles F. Richards.

Mr. Maull voted for Willard Saulsbury.

Mr. McFarlin was absent.

Mr. McNulty voted for Willard Saulsbury.

Mr. Pennewill voted for John Edward Addicks.

Mr. Slaughter voted for Willard Saulsbury.

Mr. Wright voted for Willard Saulsbury.

Mr. President pro tempore voted for Charles F. Richards.

The vote as above ascertained having been announced as follows :

For John Edward Addicks, 5 votes.

For Willard Saulsbury, 7 votes.

For John G. Gray, 1 vote.

For Charles F. Richards, 2 votes.

For William S. Hilles, 1 vote.

Mr. President announced that no person having received a majority of votes,

There had been no choice for a United States Senator on the part of the Senate.

Mr. Abbott moved that the Senate proceed to the Hall of the House of Representatives,

Which motion

Prevailed.

Tuesday, January 15, 1901—11.40 o'clock A. M.

Senate and House met pursuant to joint resolution.

On motion of Mr. Allee, of the Senate,

The roll was called of both houses.

Senate members present — Messrs. Abbott, Allee, Blakely, Brasure, Clements, Farlow, Groves, Harrington, Hart, Knox, Maull, McNulty, Pennewill, Slaughter, Wright, Mr. President pro tempore and Mr. President.

House members present—Messrs. Aron, Baynard, Chandler, Clark, Clendaniel, Dayett, Flinn, Gooden, Hardesty, Hearn, Healey, Hodgson, Holcomb, Hope, Hutchinson, Layton, Long, Monaghan, Moore, Pepper, Pilling, Prettyman, Ralph, Robertson, Shallcross, Short, Scotten, Vinyard, Warren, West, White, Wright, Mr. Speaker.

Mr. Moore, of the House, moved that the resolution convening the two houses in joint session,

Be read,

Which motion

Prevailed.

Mr. Allee moved that the joint Assembly proceed to the Court House,

Which motion

Prevailed.

## JOINT MEETING.

Joint meeting for the purpose of attending the inauguration of John Hunn, Governor-elect.

The hour having arrived for the joint meeting in pursuance of joint resolution, the members of the two Houses, preceded by the President of the Senate and the Speaker of the House and accompanied by their Clerks and Sergeants-at-Arms, proceeded to the Kent County Court House.

The General Assembly being thus convened, the Governor-elect, attended by the joint committee of the two Houses and by Hon. John R. Nicholson, Hon. Wm. H. Boyce, Hon. James Pennewill, Governor Tunnell and Staff, Hon. L. H. Ball, Hon. James H. Hughes, Hon. C. R. Layton, Hon. R. R. Kenney, Rev. C. S. Baker, Geo. M. Fisher, Esq., Dr. G. Layton Grier, Rev. W. F. Corkran and others were ushered upon the platform and the inaugural ceremonies were conducted as follows :

Prayer was offered by Rev. C. S. Baker.

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

“Resolved, By the Senate and House of Representatives of the State of Delaware, in General Assembly met, that the two houses convene in joint session in the Hall of the House of Representatives, at 11.30 o'clock A. M., on Tuesday, January 15, 1901, for the purpose of attending the Governor-elect while the affirmations of office are administered to him.”

Hon. James Pennewill, Associate Judge, then administered the following affirmations of office to the Governor-elect :

I, John Hunn, do solemnly affirm that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Governor of the State of Delaware, according to the best of my ability.

And I do further solemnly affirm, that I have not, directly or indirectly paid, offered or promised to pay, contributed, or offered or promised to contribute, any money or other valuable thing as a con-



sideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

Governor Hunn then delivered his inaugural address as follows :

Gentlemen of the Senate and House of Representatives, and my fellow citizens :

I assume the duties of the office of Governor of our State with full knowledge that the responsibilities attached thereto are many and great. As the chief executive I have become trustee for the people to perform faithfully and well those things which the Constitution and the laws of the State have imposed as duties upon the office of Governor. During my incumbency of office my highest endeavors shall be to thoroughly understand the duties of my office and to discharge them with fidelity. In dealing with the many questions and perplexities that shall doubtless present themselves to me during my term of office, my policy will be : First, to use every means of information and advice at my command to determine the right of the matter, and then, fearlessly to do the right as it appears, recognizing only my responsibility to the whole people.

I recognize the great honor conferred upon me by my fellow-citizens in electing me to the office that I now assume and I appreciate profoundly the confidence which they have reposed in me. No words of mine could adequately express my feeling of gratitude to the people and I can but hope that by my acts, as their servant, I shall be able to demonstrate to them that my greatest desire is to administer my trust in their interest and for their welfare.

My immediate predecessor in office has transmitted to you, gentlemen of the Senate and House of Representatives, his biennial message, treating largely of the conditions of our State during the past two years. From his message and from the report of the State Treasurer it is apparent to all that, in many respects, the economic and financial conditions of the State are most gratifying. The credit of the State among our own citizens and among our sister States is second to none, and the statement of our finances shows a large excess of investments and other assets over the State's liabilities.

Every effort should be made to maintain and strengthen this splendid record, and every means, not inconsistent with the dignity of the State, should be adopted to apply economic business methods to the management of the financial affairs of the State.

It is not my purpose, gentlemen, to refer in great detail to the conditions that exist in our State to-day, but I deem it to be my duty, and in accord with established custom, to call your attention briefly to certain things which the public welfare seems to demand should be considered by you, who have been chosen by the people to compose their law-making bodies.

Permit me to suggest that forming, as you do for the present, the legislative department of our State government, the most important, perhaps of the three co-ordinate parts composing the American plan of government, there have been delegated to you by the people great powers and with them grave responsibilities. The value of the Legislature to the people of the State is measured not by the number of new laws placed by it upon the statute books but by the intelligent consideration given by the individual members to the various resolutions presented during the term and by the amount of honest work done by them in the general business of their office.

#### STATE FINANCES.

The report of the State Treasurer shows that the State has decreased its liabilities during the past two years by the payment of a \$50,000 loan held by the Farmers' Bank, and has now a sum in the neighborhood of \$100,000 on deposit subject to the draft of the State Treasurer. The General Incorporation Law, passed by the Legislature in 1899, is, in a large measure, responsible for this improved financial condition of our State, and from the operation of the said law thus far we are justified in stating that the State will in the future, under normal conditions, derive a constantly increasing revenue from it.

Such a prospect is most gratifying and brings within the realm of possibility a desideratum which has perhaps been the dream of public spirited men of every generation since Delaware has been a State. I refer to a system of macadamized roads throughout the State. No public work could confer so great and lasting benefit upon the people as such a system of roads.

#### GOOD ROADS.

Especially would it benefit the farmers of the State and persons generally living outside the towns. It would improve the farms and enhance their value. It would improve the stock, increase the profits of farming by rendering hauling easier and by saving time.

Of course such a complete system would require years for construction and large sum of money, but it could be and should be begun at once and when each road or section of road is built it would be permanent and the system could be gradually extended year by year. Such a work could not be successfully accomplished except it be placed under the supervision of some one, who, by education and practical experience, is thoroughly competent to direct it in the most economical manner. I would suggest that the General Assembly pass an act appointing a committee and making such an appropriation as it should deem the finances of the State warrant for the purpose of undertaking this work under the direct supervision of the State.

In speaking upon the subject of roads, I am reminded of the very inadequate and inefficient methods which are in use at the present time in the several counties of keeping up and improving the public roads of the several counties. Not only does inadequacy and inefficiency exist, but recent examination, in one county at least, has disclosed gross mismanagement and dereliction of duty on the part of those to whom the supervision of the roads has been intrusted. I would suggest that those whose duty it is to supervise the roads in the various localities be made more directly responsible to the governing bodies of the several counties for the proper expenditure of the people's money. Under the present system the large sums of money spent appear to make no improvement whatever in the conditions of the roads, and that fact itself is strong testimony of mismanagement in this very important work.

#### THE CARE OF THE INSANE.

Among the many public institutions that claim the support of a State there are none more deserving than those which provide a home and proper medical treatment for the indigent insane persons of the State. We of Delaware feel a just pride in our State Hospital at Farnhurst. This institution is thoroughly equipped in all departments for the work required of it and skilled physicians and nurses are in constant attendance upon those poor unfortunates who are confined there. The efficiency of the institution has been gradually increasing and it is under the control of a board of trustees, composed of competent physicians and laymen chosen from the whole State. During the past few years the record shows that the demands upon the institution by reason of the increasing number of inmates have been much greater than heretofore and that the

amount of money appropriated thereto is now inadequate to meet the increasing needs. While in all departments of State government proper economy should be exercised, the efficiency of such an institution as our State Hospital should not be impaired by the failure of the General Assembly to make appropriations adequate to the needs of the institution.

#### DELAWARE COLLEGE.

Another public institution of which Delawareans should be able to feel proud is our State College at Newark. The education of the citizens is a matter of supreme importance to every State. While in this day, we believe the foundations of education are best secured to the people by an efficient public school system, still every State should foster one institution at least, where those of its youths who desire can secure the higher education at as small an expense as possible and within the confines of their native State.

While no reflection is attempted, the institution does not seem to have met with the measure of success in the past that we should hope for it. We find constantly a larger number of Delaware students attending colleges and universities outside the State than attend our own college. In a State of the population of Delaware this should not be the case. Many of the students who attend outside institutions are from the city of Wilmington.

Permit me to suggest that perhaps the removal of the college to the city of Wilmington, where there is a large population to draw from, where the railroad facilities are much superior to Newark, and where the general contact with the outside world is much closer, might attract many students from Wilmington who now attend other schools, and might enable the institution, by contact with a more energetic atmosphere, to take the rank among similar institutions that properly belongs to it. The city of Wilmington, to secure the advantages of such a removal, should offer to pay to the college a reasonable amount for the buildings and property now belonging to it, or should erect proper buildings for it. I would suggest that the Legislature consider the matter, and if they deem any action with respect thereto proper or possible to take such action.

#### STATE SCHOOL SYSTEM.

Referring to the public schools of the State, I think we may congratulate ourselves upon the efficient basis upon which the system

has been placed by the recent public school law. I agree entirely with my distinguished predecessor in office, and recall to your attention the remark made by him in that part of his message which treats of this question. While the Legislature should not fail to make adequate appropriation for the public schools, it should be seen to that the amounts required to be raised by each school district actually is raised and any increase in State appropriation should be accompanied by an increase of the amount to be raised by the school districts.

#### STATE MILITIA.

The splendid body of men who composed the First Regiment of Delaware Volunteers, with whom Delaware responded to the call of the Nation at the beginning of the late war with Spain, caused Delawareans to feel proud that the glorious military record of the State in the past is not forgotten, and that, while our State furnished more than its quota of troops in the Civil War, it furnished more than three times its quota for the Spanish War.

Much has been said in recent years in favor of and against a State militia, but it certainly seems that the State should see that at least one regiment of militia is provided for and maintained in the State. This can be done at a comparatively small expense and I would recommend that the General Assembly make a suitable appropriation for that purpose.

#### ELECTION AND REGISTRATION LAWS.

The operation of the present registration and election laws has demonstrated that they are a great improvement over the old election law. The opportunities for bribery and corruption have been greatly lessened and the chances for dishonest practices in voting and counting the votes have been very much reduced.

In a government such as ours, where the will of the people is supreme, every possible opportunity should be given for the full and free expression of that will and every safeguard should be thrown about the method of its expression to secure the honesty thereof.

While the present laws concerning elections have gone far toward attaining these ideals there seems to be two respects, at least, in which they should be amended. The registration law requires that

every citizen shall pay to the registration officers of the district in which he is otherwise entitled to be registered the sum of \$1 before he shall be qualified to be registered. The law further and most properly makes it a misdemeanor for any person, directly or indirectly, to advance the dollar for the registration of any other person. Clearly, upon reason, the requirement to pay this fee, is a restriction upon the freedom of the elective franchise, which should, of right, be attended with the greatest possible degree of freedom. True it is that the expense of elections must be paid, but the elections being for the benefit of all the inhabitants of the State, the expense thereof should be borne by a tax which would fall upon all alike and not upon those who are entitled to become qualified and who qualify themselves to vote. Again such a provision vastly increases the opportunities for political corruption and itself invites violation of the laws to prevent bribery and corrupt practices. Not only is the matter true upon reason, but the operation of our registration law has, we fear, demonstrated its truth in practice. I would suggest that the law providing for the registration of qualified voters be amended by abolishing any registration fee whatever.

Our election laws, which have been improved upon several times since the adoption of the Australian ballot system and which, in a very wholesome and effective manner, provide for the secrecy of the ballot, still seem to be defective in the manner of voting prescribed. Under the law the voter is required to designate the ticket that he wishes to vote by stamping the square containing the device at the head thereof, with a rubber stamp provided by the election officers, and to do this, an ink pad is required. The law further provides that any ballot that is defaced or smeared with ink or containing any mark, other than the said stamp, properly impressed, that could be considered a distinguishing mark, shall not be counted. Clearly under such a system, applied to the average voters of any State, it is practically impossible to prevent many ballots from being accidentally so spoiled as to be necessarily rejected in the counting, and experience has demonstrated this to be a fact. Indeed, we believe there have been instances in our State, where the real will of the voters has been frustrated in this way. While all care and caution should be exercised to secure a fair and honest vote, the method of voting should be made as simple as possible and a snare should not be set to catch the unskilful and unwary or to deprive any elector of his vote.

Permit me to suggest that the election law be amended by providing some method of designating the ticket to be voted without any ink of any kind being in the voting booth, or any other material that can accidentally mark or deface the ballot.

#### SALARIES FOR COUNTY OFFICIALS.

Consideration of the county officers of the several counties makes it apparent that under the present system of providing for the remuneration of the officers by the fees of the office great inequality exists in the emoluments of the several offices. It appears in some instances that the emoluments of office where a large volume of important work is required to be done, are much less than the emoluments of other offices where the labor required is comparatively much less and much simpler. We believe that such an inequitable system is unfair and certainly the fee system of providing remuneration for officers, is out of accord with modern ideas. In other States generally such officers are paid salaries and made responsible to the State or county for the collection of the fees of the office and the proper accounting therefor, which fees are paid over to the proper authorities. Such a system would be much more desirable and satisfactory than the one in present use in this State; and I would recommend the General Assembly to pass an act adopting such a system, bearing in mind, of course, that the differences of conditions in the different counties would require that the salaries of the same office must necessarily be different in each county.

#### MANUFACTURING AND COMMERCIAL INTERESTS.

Permit me to suggest that every means should be adopted and every opportunity embraced by the General Assembly as well as by every other branch of our State government to foster and encourage the manufacturing and commercial interests of the State.

Situated as we are on one of the largest navigable rivers in the country, on one of the most beautiful bays and indeed on the very rim of the broad Atlantic, we have unusual opportunities to become a great manufacturing and commercial community. Activity in these lines would as well benefit our agricultural interests, would stimulate demand by making a greater market at home and make it the easier to find markets abroad. Every branch of the State government should keep these things constantly in mind and remember

that upon development in these directions the future of our State depends.

#### HONESTY IN THE PUBLIC SERVICE.

Public officers are incident to government. Under the Constitution and laws of this State it is the duty of the executive to fill certain offices by appointment. In the performance of my duty in this behalf I shall insist upon honesty, competency and fitness in the applicant, remembering always that in this particular, I am responsible for the character of the public service, the efficient character of which means much for the convenience and welfare of the whole people.

#### AN APPEAL TO THE PEOPLE.

My fellow-citizens, not only must the different departments of the State government work harmoniously to secure a successful administration of the affairs of the State, but to accomplish this the hearty co-operation of all the people, regardless of political affiliation, is necessary. The people, the State and the executive are under reciprocal obligations to each other, to see to it that the standard of honor, of happiness and of prosperity set for our State by those who have gone before us shall not only remain unimpaired but shall be advanced.

I earnestly ask your assistance and co-operation, and reverently invoke the aid of the Divine Creator of all things that the affairs of our State may be administered wisely and happily and for the common good of all our citizens.

On the conclusion of the address of the Governor,

Mr. Allee, of the Senate, moved that the journals of the two houses

Be read and compared.

Which motion

Prevailed.

Whereupon, the two journals were read by the respective clerks, compared and approved.

A benediction was then pronounced by Rev. J. M. Mitchell, Chaplain of the Senate.



On motion of Mr. Allee, of the Senate, the two houses separated

And returned to their respective chambers.

On motion of Mr. Allee, the Senate adjourned until 10.30 o'clock to-morrow morning.

Wednesday, January 16, 1901—10.45 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. Alfred Smith, D. D.

Roll called. Members present—Messrs. Abbott, Allee, Blakely, Brasure, Clements, Farlow, Groves, Harrington, Hart, Knox, Maull, McFarlin, McNulty, Pennewill, Slaughter, Wright, Mr. President pro tempore, Mr. President.

Journal read and approved.

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

“An act relating to the attachment of vessels.”

Mr. Abbott, chairman of the Committee on Rules, reported the following rules which were read and on his motion were adopted.

We, your committee appointed to draft rules governing the Senate, submit the following :

#### RULES OF THE SENATE.

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 unanimous consent of the Senate.

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

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

Rule 5. All motions shall be subject to debate, except motions to adjourn, to lay on the table, and for the previous question.

Rule 6. Questions of order shall be determined by the President without debate, from whose decision an appeal may be had to the Senate at the request of any member.

Rule 7. The President 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 President or any member, be reduced to writing by the mover, and if seconded, shall be repeated by the President to the Senate before any debate or any 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 President, 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, or any member absent at the time of said voting, who, if present, would have voted with the majority, may move for reconsideration thereof, at any time within two days of actual session of the Senate, and the word "majority" shall, in the application of the rule, be construed to mean, not the greater number of votes, but such number as was sufficient to prevail in the decision of the original question.

Rule 13. Every bill shall be introduced by motion for leave, by order of the Senate, or by report of a committee, and one day's notice shall be given of an intended motion for leave to bring in a bill.

Rule 14. 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 its third reading.

Rule 15. All bills ordered to be engrossed shall be certified by the Clerk, noting the day of passage at the foot thereof.

Rule 16. All messages from the Senate to the House of Representatives shall be conveyed by the Clerk, or a member, as the President may direct.

Rule 17. 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 18. 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, if so directed by the President.

Rule 19. The rules of parliamentary practice, comprised in Cushing'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 20. A vote of the majority shall prevail, except in special cases to the contrary.

Rule 21. A special order, as provided for in rule 14, shall be granted upon a vote of the majority of all the members.

Rule 22. All joint or other resolutions shall, at the request of any member, be laid over at least one day of actual session.

Rule 23. Unless otherwise ordered by a majority, the Senate shall meet every day (Sundays excepted), at eleven o'clock in the morning.

Rule 24. No rule of the Senate shall be changed or suspended, except by a vote of two-thirds of the members present.

Rule 25. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, for the previous ques-

tion, to postpone to a certain day, to commit, to amend, and to postpone indefinitely ; which several motions shall have precedence in the order in which they are arranged.

The above Rules are respectfully submitted.

S. J. ABBOTT,  
J. R. CLEMENTS,  
BENJ. A. GROVES,  
S. S. PENNEWILL,  
G. D. HARRINGTON,  
Committee.

Mr. Groves, in pursuance of previous notice, asked leave to introduce a bill,

Senate Bill No. 3, entitled :

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

And further on his motion, Rule 14 was suspended,

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

And referred to the Committee on Judiciary.

Mr. Groves, in pursuance of previous notice, asked leave to introduce a bill,

Senate Bill No. 4, entitled :

“An act to protect Fish and Fishing in Buford Lake.”

And further on his motion, Rule 14 was suspended,

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

And referred to the Committee on Fish, Oysters and Game.

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

“An act authorizing the appointment of an additional Notary Public for New Castle County, to reside in the city of Wilmington.”

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

“An act to amend Chapter 72, Volume 14, laws of Delaware.”

Mr. Slaughter, in pursuance of previous notice, asked leave to introduce a bill,

Senate Bill No. 2, entitled :

“An act to authorize the Recorder of Deeds in and for Kent County to make new mortgage indices.”

And further on his motion, Rule 14 was suspended,

And the bill was read a second time, by its title, and

Referred to the Committee on Judiciary.

#### JOINT SESSION.

The hour of twelve o'clock, M., having arrived, the Senate, preceded by the President pro tempore, and attended by the Clerks and Sergeant-at-arms, proceeded to the Hall of the House of Representatives, for the purpose of voting for a United States Senator, in obedience to the act of Congress entitled :

“An act to regulate the time and manner of holding elections for Senators in Congress,”

Passed July 25, 1866.

Mr. Allee moved that Mr. President pro tempore preside at the joint sessions,

Which motion

Prevailed.

Mr. President pro tempore instructed the Clerks to call the rolls of the respective houses.

All members of both houses were present with the exception of Mr. Hitchins, of the House.

Mr. Allee, of the Senate, moved that the Journals of both Houses be read and compared so far as they relate to the vote of United States Senator,

Which motion

Prevailed.

Mr. Robertson moved that no one be allowed on the floor of the House except as provided for in the following resolution :

Resolved, That His Excellency the Governor, our Senators and Representatives in Congress, the Chancellor, the Chief Justice, the Judges, the Attorney-General, the Secretary of State, the members of the Bar, former members of the Senate and House of Representatives, and ladies who may be present, have the privilege of the seats on the floor.

And on motion of Mr. Blakely,

The resolution was

Adopted.

Mr. Allee moved that they proceed to vote for United States Senator for term of six years, beginning March 4th, 1901,

Which motion

Prevailed.

The Clerks were directed to call the rolls of the respective houses, and the members, as their names were called, responded by viva voce vote, as follows, viz :

Mr. Abbott, of the Senate, voted for John Edward Addicks.

Mr. Allee, of the Senate, voted for John Edward Addicks.

Mr. Blakely, of the Senate, voted for John Edward Addicks.

Mr. Brasure, of the Senate, voted for John Edward Addicks.

Mr. Clements, of the Senate, voted for Richard R. Kenney.

Mr. Farlow, of the Senate, voted for Richard R. Kenney.

Mr. Groves, of the Senate, voted for Henry A. Dupont.

Mr. Hart, of the Senate, voted for Richard R. Kenney.

Mr. Harrington, of the Senate, voted for Richard R. Kenney.

Mr. Knox, of the Senate, voted for Henry A. Dupont.

Mr. Maull, of the Senate, voted for Richard R. Kenney.

Mr. McFarlin, of the Senate, voted for Charles F. Richards.

Mr. McNulty, of the Senate, voted for Richard R. Kenney.

Mr. Pennewill, of the Senate, voted for John Edward Addicks.

Mr. Slaughter, of the Senate, voted for Richard R. Kenney.

Mr. Wright, of the Senate, voted for Richard R. Kenney.

Mr. President pro tempore, of the Senate, voted for Henry A. Dupont.

Mr. Aron, of the House, voted for John Edward Addicks.

Mr. Baynard, of the House, voted for William C. Spruance.

Mr. Chandler, of the House, voted for Henry A. Dupont.

Mr. Clark, of the House, voted for Henry A. Dupont.

Mr. Clendaniel, of the House, voted for John Edward Addicks.

Mr. Dayett, of the House, voted for Anthony Higgins.

Mr. Ewing, of the House, voted for John Edward Addicks.

Mr. Flinn, of the House, voted for Henry A. Dupont.

Mr. Gooden, of the House, voted for Richard R. Kenney.

Mr. Hardesty, of the House, voted for Richard R. Kenney.

Mr. Hearn, of the House, voted for Richard R. Kenney.

Mr. Healey, of the House, voted for Richard R. Kenney.

Mr. Hitchen, of the House, was absent.

Mr. Hodgson, of the House, voted for Henry A. Dupont.

Mr. Holcomb, of the House, voted for Richard R. Kenney.

Mr. Hope, of the House, voted for John Edward Addicks.

Mr. Hutchinson, of the House, voted for Richard R. Kenney.

Mr. Layton, of the House, voted for John Edward Addicks.

Mr. Long, of the House, voted for John Edward Addicks.

Mr. Monaghan, of the House, voted for Richard R. Kenney.

Mr. Moore, of the House, voted for John Edward Addicks.

Mr. Pepper, of the House, voted for Richard R. Kenney.

Mr. Pilling, of the House, voted for Henry A. Dupont.



Mr. Prettyman, of the House, voted for John Edward Addicks.

Mr. Ralph, of the House, voted for Richard R. Kenney.

Mr. Robertson, of the House, voted for Levi C. Bird.

Mr. Shallcross, of the House, voted for Richard R. Kenney.

Mr. Short, of the House, voted for John Edward Addicks.

Mr. Scotten, of the House, voted for Richard R. Kenney.

Mr. Vinyard, of the House, voted for Richard R. Kenney.

Mr. Warren, of the House, voted for Richard R. Kenney.

Mr. West, of the House, voted for Richard R. Kenney.

Mr. White, of the House, voted for John Edward Addicks.

Mr. Wright, of the House, voted for Richard R. Kenney.

Mr. Speaker, of the House, voted for John Edward Addicks.

The vote as above ascertained having been announced as follows :

For John Edward Addicks, sixteen votes.

For Richard R. Kenney, twenty-three votes.

For Henry A. Dupont, eight votes.

For Levi C. Bird, one vote.

For Anthony Higgins, one vote.

For Charles F. Richards, one vote.

For William C. Spruance, one vote.

Total number of votes cast, 51.

The President pro tempore of the Senate declared that no person having received a majority of all the votes cast for United States Senator,

There was no election to said office.

Mr. Allee, of the Senate, moved that they proceed to ballot for short term Senator, ending March 4, 1905.

Which motion

Prevailed.

The Clerks were directed to call the rolls of the respective houses, and the members, as their names were called, responded by viva voce vote, as follows, viz :

Mr. Abbott, of the Senate, voted for John Edward Addicks.

Mr. Allee, of the Senate, voted for John Edward Addicks.

Mr. Blakely, of the Senate, voted for John Edward Addicks.

Mr. Brasure, of the Senate, voted for John Edward Addicks.

Mr. Clements, of the Senate, voted for Willard Saulsbury.

Mr. Farlow, of the Senate, voted for John G. Gray.

Mr. Groves, of the Senate, voted for William S. Hilles.

Mr. Hart, of the Senate, voted for Willard Saulsbury.

Mr. Harrington, of the Senate, voted for Willard Saulsbury.

Mr. Knox, of the Senate, voted for Charles F. Richards.

Mr. Maull, of the Senate, voted for Willard Saulsbury.

Mr. McFarlin, of the Senate, voted for William S. Hilles.

Mr. McNulty, of the Senate, voted for Willard Saulsbury.

Mr. Pennewill, of the Senate, voted for John Edward Addicks.

Mr. Slaughter, of the Senate, voted for Willard Saulsbury.

Mr. Wright, of the Senate, voted for Willard Saulsbury.

Mr. President pro tempore, of the Senate, voted for Charles F. Richards.

Mr. Aron, of the House, voted for John Edward Addicks.

Mr. Baynard, of the House, voted for Benjamin Nields.

Mr. Chandler, of the House, voted for Charles F. Richards.

Mr. Clark, of the House, voted for Charles F. Richards.

Mr. Clendaniel, of the House, voted for John Edward Addicks.

Mr. Dayett, of the House, voted for Charles F. Richards.

Mr. Ewing, of the House, voted for John Edward Addicks.

Mr. Flinn, of the House, voted for Charles F. Richards.

Mr. Gooden, of the House, voted for Willard Saulsbury.

Mr. Hardesty, of the House, voted for Willard Saulsbury.

Mr. Hearn, of the House, voted for Willard Saulsbury.

Mr. Healey, of the House, voted for Willard Saulsbury.

Mr. Hitchen, of the House, was absent.

Mr. Hodgson, of the House voted for Charles F. Richards.

Mr. Holcomb, of the House, voted for Willard Saulsbury.

Mr. Hope, of the House, voted for John Edward Addicks.

Mr. Hutchinson, of the House, voted for Willard Saulsbury.

Mr. Layton, of the House, voted for John Edward Addicks.

Mr. Long, of the House, voted for John Edward Addicks.

Mr. Monaghan, of the House, voted for Willard Saulsbury.

Mr. Moore, of the House, voted for John Edward Addicks.

Mr. Pepper, of the House, voted for Willard Saulsbury.

Mr. Pilling, of the House, voted for Charles F. Richards.

Mr. Prettyman, of the House, voted for John Edward Addicks.

Mr. Ralph, of the House, voted for Willard Saulsbury.

Mr. Robertson, of the House, voted for Charles F. Richards.

Mr. Shallcross, of the House, voted for Willard Saulsbury.

Mr. Short, of the House, voted for John Edward Addicks.

Mr. Scotten, of the House, voted for Willard Saulsbury.

Mr. Vinyard, of the House, voted for Willard Saulsbury.

Mr. Warren, of the House, voted for Willard Saulsbury.

Mr. West, of the House, voted for Willard Saulsbury.

Mr. White, of the House, voted for John Edward Addicks.

Mr. Wright, of the House, voted for Willard Saulsbury.

Mr. Speaker, of the House, voted for John Edward Addicks.

The vote as above ascertained having been announced as follows :

For John Edward Addicks, sixteen votes.

For Willard Saulsbury, twenty-two votes.

For Charles F. Richards, nine votes.

For William S. Hilles, two votes.

For Benjamin Nields, one vote.

For John G. Gray, one vote.

Total number of votes cast, 51.

The President pro tempore of the Senate declared that no person having received a majority of all the votes cast for United States Senator, there was no election to said office.

On motion of Mr. Blakely, of the Senate, the two houses separated, and the members of the Senate returned to their chamber.

On motion of Mr. Allee, the Senate took recess until 2 o'clock P. M.

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Same Day—2.00 o'clock P. M.

Senate reassembled at expiration of recess.

Hon. James H. Hughes, Secretary of State, was announced, and

on being admitted, presented for the confirmation of the Senate, the following appointment by His Excellency, the Governor:

STATE OF DELAWARE, EXECUTIVE DEPARTMENT.

Dover, January 16, 1901.

To the Honorable, the Senate of Delaware:

Gentlemen: In conformity with the Constitution and Laws I have the honor hereby to nominate and appoint for the consent and confirmation of the Senate, Caleb R. Layton, to be Secretary of State, during the pleasure of the Governor.

JOHN HUNN,  
Governor.

Mr. President announced that the hour of two having arrived, the Senate would go into executive session,

Pursuant to adjournment of Monday, January 7th.

EXECUTIVE SESSION.

Senate of Delaware

Being convened in Executive Session,

The communication from the Governor nominating Abram Vandegrift to be a Justice of the Peace,

Was read.

On the question, "Does the Senate consent to and confirm the appointment of Abram Vandegrift to be a Justice of the Peace in and for New Castle County, for the term of four years from the thirty-first day of March, A. D. 1899?"

Mr. Clements offered the following resolution:

Dover, Delaware, January 16, 1901.

In Executive Session, Senate of Delaware.

"Resolved, That the Senate do confirm the appointment of Abram Vandegrift."

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

Yeas—17.

Nays—None.

So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Was declared

Adopted.

The communication from the Governor, nominating Jesse W. Robinson to be a Justice of the Peace,

Was read.

On the question, "Does the Senate consent to and confirm the appointment of Jesse W. Robinson to be a Justice of the Peace in and for Sussex County, for the term of four years from the twenty-sixth day of April, A. D. 1899?"

Mr. Maull offered the following resolution:

Dover, Delaware, January 16, 1901.

In Executive Session, Senate of Delaware,

"Resolved, That the Senate do confirm the appointment of Jesse W. Robinson."

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

Yeas— —.

Nays— —.

So the question was decided in the negative,

And the resolution not having received the required constitutional majority,

Was declared

Lost.

The communication from the Governor nominating Thomas Bratton to be a Justice of the Peace,

Was read.

On the question, "Does the Senate consent to and confirm the appointment of Thomas Bratton to be a Justice of the Peace in and for New Castle County, for the term of four years from the eleventh day of May, A. D. 1899?"

Mr. Hart offered the following resolution :

Dover, Delaware, January 16, 1901.

In Executive Session, Senate of Delaware,

"Resolved, That the Senate do confirm the appointment of Thomas Bratton."

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

Yeas—16.

Nays—None.

So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Was declared

Adopted.

The communication from the Governor, nominating James H. Tyre to be a Justice of the Peace,

Was read.

On the question, "Does the Senate consent to and confirm the appointment of James H. Tyre to be a Justice of the Peace in and for Sussex County, for the term of four years from the eighteenth day of May, A. D. 1899?"

Mr. Wright offered the following resolution :

Dover, Delaware, January 16, 1901.

In Executive Session, Senate of Delaware,

“Resolved, That the Senate do confirm the appointment of James H. Tyre.”

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

Yeas—16.

Nays—None.

So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Was declared

Adopted.

The communication from the Governor, nominating Elsberry B. Slaughter to be a Justice of the Peace,

Was read.

On the question, “Does the Senate consent to and confirm the appointment of Elsberry B. Slaughter to be a Justice of the Peace in and for Kent County, for the term of four years from the first day of June, A. D. 1899?”

Mr. Wright offered the following resolution :

Dover, Delaware, January 16, 1901.

In Executive Session, Senate of Delaware,

“Resolved, That the Senate do confirm the appointment of Elsberry B. Slaughter.”

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

Yeas—17.

Nays—None.

So the question was decided in the affirmative,



And the resolution having received the required constitutional majority,

Was declared

Adopted.

The communication from the Governor, nominating Frank E. Maloney to be Collector of the Oyster Revenue,

Was read.

On the question, "Does the Senate consent to and confirm the appointment of Frank E. Maloney to be Collector of the Oyster Revenue for the State of Delaware, for the term of two years from the seventeenth day of June, A. D. 1899?"

Mr. Slaughter offered the following resolution :

Dover, Delaware, January 16, 1901.

In Executive Session, Senate of Delaware,

"Resolved, That the Senate do confirm the appointment of Frank E. Maloney."

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

Yeas—17.

Nays—None.

So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Was declared

Adopted.

The communication from the Governor, nominating Rilons H. Evans to be a Justice of the Peace,

Was read.

On the question, "Does the Senate consent to and confirm the appointment of Rilons B. Evans to be a Justice of the Peace in and for Sussex County, for the term of four years from the twenty-sixth day of July, A. D. 1899?"

Mr. Harrington offered the following resolution :

Dover, Delaware, January 16, 1901.

In Executive Session, Senate of Delaware,

“Resolved, That the Senate do confirm the appointment of Rilons B. Evans.”

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

Yeas—17.

Nays—None.

So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Was declared

Adopted.

The communication from the Governor, nominating James Vanarsdalen to be a Justice of the Peace,

Was read.

On the question, “Does the Senate consent to affirm the appointment of James Vanarsdalen to be a Justice of the Peace in and for New Castle County, for the term of four years from the fourteenth day of December, A. D. 1899?”

Mr. McNulty offered the following resolution :

Dover, Delaware, January 16, 1901.

In Executive Session, Senate of Delaware,

“Resolved, That the Senate do confirm the appointment of James Vanarsdalen.”

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

Yeas—17.

Nays—None.

So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Was declared

Adopted.

The communication from the Governor, nominating Samuel Brady Cooper to be a Justice of the Peace,

Was read.

On the question, "Does the Senate consent to and confirm the appointment of Samuel Brady Cooper to be a Justice of the Peace in and for Kent County, for the term of four years from the fourteenth day of May, A. D. 1900?"

Mr. Slaughter offered the following resolution :

Dover, Delaware, January 16, 1901.

In Executive Session, Senate of Delaware,

"Resolved, That the Senate do confirm the appointment of Samuel Brady Cooper."

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

Yeas—17.

Nays—None.

So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Was declared

Adopted.

The communication from the Governor, nominating John W. Gibson to be a Justice of the Peace,

Was read.

On the question, "Does the Senate consent to and confirm the appointment of John W. Gibson to be a Justice of the Peace in and for Sussex County, for the term of four years from the twenty-seventh day of September, A. D. 1900?"

Mr. Wright offered the following resolution :

Dover, Delaware, January 16, 1901.

In Executive Session, Senate of Delaware,

“Resolved, That the Senate do confirm the appointment of John W. Gibson.”

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

Yeas—17.

Nays—None.

So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Was declared

Adopted.

The communication from the Governor, nominating Edwin R. Cochran, Jr., to be City Judge of the Municipal Court,

Was read.

On the question, “Does the Senate consent to and confirm the appointment of Edwin R. Cochran, Jr., to be City Judge of the Municipal Court of the City of Wilmington, for the term of twelve years from the twenty-second day of October, A. D. 1900?”

Mr. McNulty offered the following resolution :

Dover, Delaware, January 16, 1901.

In Executive Session, Senate of Delaware,

“Resolved, That the Senate do confirm the appointment of Edwin R. Cochran, Jr.”

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

Yeas— —.

Nays— —.

So the question was decided in the negative,

And the resolution not having received the required constitutional majority,

Was declared

Lost.

The communication from the Governor, nominating James T. Richardson to be a Justice of the Peace,

Was read.

On the question, "Does the Senate consent to and confirm the appointment of James T. Richardson to be a Justice of the Peace in and for New Castle County, for the term of four years from the fifteenth day of November, A. D. 1900?"

Mr. Hart offered the following resolution :

Dover, Delaware, January 16, 1901.

In Executive Session, Senate of Delaware,

"Resolved, That the Senate do confirm the appointment of James T. Richardson."

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

Yeas—17.

Nays—None.

So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Was declared

Adopted.

The communication from the Governor, nominating William P. Cullen to be a Justice of the Peace,

Was read.

On the question, "Does the Senate consent to and confirm the appointment of William P. Cullen to be a Justice of the Peace in and for Kent County, for the term of four years from the nineteenth day of November, A. D. 1900?"

Mr. Harrington offered the following resolution :

Dover, Delaware, January 16, 1901.

In Executive Session, Senate of Delaware,

"Resolved, That the Senate do confirm the appointment of William P. Cullen."

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

Yeas— —.

Nays— —.

So the question was decided in the negative,

And the resolution not having received the required constitutional majority,

Was declared

Lost.

The communication from the Governor, nominating Thomas O. Culbreth to be a Justice of the Peace,

Was read.

On the question, "Does the Senate consent to and confirm the appointment of Thomas O. Culbreth to be a Justice of the Peace in and for Kent County, for the term of four years from the second day of November, A. D. 1900?"

Mr. Slaughter offered the following resolution :

Dover, Delaware, January 16, 1901.

In Executive Session, Senate of Delaware,

"Resolved, That the Senate do confirm the appointment of Thomas O. Culbreth."

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

Yeas— —.

Nays— —.

So the question was decided in the negative,

And the resolution not having received the required constitutional majority,

Was declared

Lost.

The communication from the Governor, nominating Charles S. Hamblin to be a Justice of the Peace,

Was read.

On the question, "Does the Senate consent to and confirm the appointment of Charles S. Hamlin to be a Justice of the Peace in and for Sussex County, for the term of four years from the twenty-sixth day of November, A. D. 1900?"

Mr. Maull offered the following resolution:

Dover, Delaware, January 16, 1901.

In Executive Session, Senate of Delaware,

"Resolved, That the Senate do confirm the appointment of Charles S. Hamlin."

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

Yeas— —.

Nays— —.

So the question was decided in the negative,

And the resolution not having received the required constitutional majority,

Was declared

Lost.

The communication from the Governor, nominating William B. Tharp to be a Justice of the Peace,

Was read.

On the question, "Does the Senate consent to and confirm the appointment of William B. Tharp to be a Justice of the Peace in and for Kent County, for the term of four years from the ninth day of January, A. D. 1901?"

Mr. Harrington offered the following resolution :

Dover, Delaware, January 16, 1901.

In Executive Session, Senate of Delaware,

“Resolved, That the Senate do confirm the appointment of William B. Tharp.”

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

Yeas—17.

Nays—None.

So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Was declared

Adopted.

The communication from the Governor, nominating Caleb R. Layton as Secretary of State,

Was read.

On the question, “Does the Senate consent to and confirm the appointment of Caleb R. Layton as Secretary of State?”

Mr. Pennewill offered the following resolution :

Dover, Delaware, January 16, 1901.

In Executive Session, Senate of Delaware,

“Resolved, That the Senate do confirm the appointment of Caleb R. Layton.”

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

Yeas—9.

Nays—6.

So the question was decided in the affirmative,



And the resolution having received the required constitutional majority,

Was declared

Adopted.

On motion of Mr. Allee, the Senate reconvened in regular session.

On motion of Mr. Allee, the Senate adjourned until 11 o'clock to-morrow morning.

Thursday, January 17, 1901—11 o'clock, A. M.

Senate met pursuant to adjournment.

Prayer by Rev. N. O. Gibson.

Roll called. Members present—Messrs. Abbott, Allee, Blakely, Brasure, Clements, Harrington, Hart, Knox, Maull, McFarlin, McNulty, Pennewill, Slaughter, Wright, Mr. President pro tempore, Mr. President.

Journal read and approved.

Mr. Deighton, Clerk of the House, being admitted, informed the Senate that House Joint Resolution No. 2 had been duly enrolled and signed by the Speaker of the House, and was now returned to the Senate for the signature of the President of the Senate.

Mr. McNulty, in pursuance of previous notice, asked leave to introduce a bill,

Senate Bill No. 5, entitled:

“An act relating to the attachment of vessels.”

And further on his motion, Rule 14 was suspended,

And the bill was read a second time, by its title, and

Referred to the Committee on Revised Statutes.

Mr. Abbott presented the following report of the Committee on Traveling Libraries of the Delaware State Federation of Women's Clubs, which was read, as follows:

*To the Honorable Senate and House of Representatives of the Commonwealth of Delaware:*

The Committee on Traveling Libraries of the Delaware State Federation of Women's Clubs herewith presents its report.

By an Act of the General Assembly passed February, 1899, known as the "Traveling Library Bill," one hundred dollars a year for two years was appropriated for our work. With the money thus granted, a carefully selected list of books to the number of three hundred and seventy-five volumes have been purchased. The entire amount of the appropriation was expended for books, other expenses being met out of our own funds. The books were arranged in cases made by the boys of the Ferris Industrial School of Wilmington, furnished with shelves, folding doors, lock and key; each case containing about fifty books.

Care is exercised to avoid duplicates and to produce only the best and most helpful literature. The books are loaned to any school or community that engages to provide for their distribution and proper care. The school or town receiving a library pays freight charges both ways and this is the only expense to which the ones receiving the library are put. Each library remains six months in the town to which it is sent; it is then transferred to another neighborhood and a new one takes its place.

In the month of May, 1899, as soon as your appropriation became available, three libraries were sent out:

Library No. 1 went to Selbyville, Sussex County; No. 2, Blackbird, New Castle County; No. 3, Kenton, Kent County. During 1900 four more collections were placed, viz: No. 4, Magnolia, Kent County; No. 5, Deakynessville, New Castle County; No. 6, Seaford, Sussex County; No. 7, Lincoln, Sussex County. Thus within the two years since the grant was made, fourteen communities have had brought to them an excellent selection of new and standard books. We believe that no similar amount of money appropriated by the Legislature of 1899 has been put to a better purpose or used in meeting a more imperative need.

In addition to the seven libraries circulated by this State Committee, twenty-two other Traveling Libraries have been in operation over the State; of these, eleven are owned and sent out by the New Century Club, of Wilmington; six by the Dover Century Club, and five by the Century Club of Milford. In all, there have been twenty-nine libraries, aggregating a total of not less than fifteen hundred volumes, in use in different parts of the State during the past year.

The value of this work will commend itself to your intelligence.

Books are civilizers; libraries are not luxuries; they are one of the necessities of our times. It is the duty of every community to provide a library for public use, and especially for the use of its school children. It is in books men enjoy intercourse with superior minds; for the great majority of our people private libraries are out of their reach and their only resource is the public library. Such libraries, or at least, free public libraries are discreditably few in Delaware. There are but two free libraries in the State; Wilmington has one, established in 1893; Odessa one, the gift of a public-spirited citizen of the town. Seven other towns have circulating libraries, for the use of which, members pay an annual fee.

Dover has 3000 volumes; Smyrna 3000; Milford 1800; Newark 1000; Lewes 600; Bridgeville 300; Georgetown —.

Omitting the 37,000 volumes of the Wilmington Library and those of the State Library of Dover, which is what it should not be permitted to be—merely a Library for the Kent County Bar—there are less than 10,000 volumes in circulation in the State.

We are convinced that no legislation could be devised that would be more beneficial to the individual citizenship, and in the end to the State itself, than a judicious measure to encourage the establishment of Free Libraries throughout the State. They help to realize the great ideals for which all educational forces are maintained—a wiser government, a better home, a happier life.

Our travelling libraries, small as they are, have been the means of much good; they have brought information to hungry minds; they have quickened the sluggishness in intellectual life of many homes where books are few; they have cultivated a taste for good reading; they have enlarged the outlook on life of many readers; they have given help to grateful teachers and are helpful to many children in our schools; they also stimulate a desire for a permanent free library in more than one community.

What can be done in any State by a wise and generous course of encouragement on the part of the General Assembly so abundantly illustrated by the experience of many of our American Commonwealths; notably, States of Ohio and Massachusetts; results in the latter State are especially interesting.

Sixty years ago Massachusetts had not over fifteen public libraries within her borders, to which all citizens had access. All the public

libraries of the State contained not over 300,000 volumes, to which less than 100,000 persons, less than one-seventh of the population of the State, had any access. At the end of the century but four of the three hundred and fifty-three towns of Massachusetts were without free libraries, and of these four they have Library Associations. Less than one-half of one per cent. is now within access to libraries that are free to all who will use them.

The number of books in circulation is 7,367,764, valued at \$9,873,700. The intelligence and morality of that commonwealth have grown proportionately.

In view of the possibilities of such legislation, we recommend :

1st. That the appropriation for the traveling libraries be continued, but that their circulation be made a part of the duties of the State Librarian. The enlargement of the work is a great tax upon the women of the clubs.

2d. That a bill be passed enabling town councils or school committees to appropriate monies for the establishment of free public libraries, such appropriations to be increased by proportionate grants from the treasury of the State.

3d. That a free public library commission be provided for, to be appointed by the Governor and serve without salary who shall have charge of such details of administration as may be provided for in the law.

The legislation thus suggested is along the lines of the act of 1890 of the General Assembly of Massachusetts to promote the establishment and efficacy of free public libraries.

ELLA CANNON MARSHALL, Chairman.  
MAE COOPER, Seaford.  
M. E. HARGADINE, Felton.  
ANNA ELLISON, Summit Bridge.  
M. FOULKE, Georgetown.  
CORA C. TSCHUDY, Smyrna.  
M. D. LISSON, Wilmington.  
L. H. ANDERSON, Milford.  
PRISCILLA H. RICHARDSON, Dover.

Mr. Abbott moved that the report be spread upon the journal,  
Which motion Prevailed.

Mr. McFarlin, in pursuance of previous notice, asked leave to introduce a bill,

Senate Bill No. 6, entitled :

"An act authorizing the appointment of an additional Notary Public for New Castle County to reside in the city of Wilmington."

And further on his motion, Rule 14 was suspended,

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

And referred to the Committee on Judiciary.

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

"An act to change the name of William Haug to William Rex."

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

"An act to change the name of John Haug to the name of John Rex."

Mr. Clements, in pursuance of previous notice, asked leave to introduce a bill,

Senate Bill No. 7, entitled :

"An act providing for the corporal punishment of wife beaters,"

Which was read a first time.

Mr. Deighton, Clerk of the House, being admitted, informed the Senate that the House Joint Resolution No. 1 had been duly enrolled and signed by the Speaker of the House, and presented the same to the Senate for the signature of the President, entitled :

"Joint Resolution authorizing the Adjutant General to have printed 500 copies of his last report, 300 to be bound in cloth and 200 in paper,"

And presented the same to the Senate.

Also, informed the Senate that the House had adopted and concurred in the Senate Joint Resolution No. 2, entitled :

"A resolution for the purchase of Moore House and Temple Farm, Yorktown, Va.,"

And returned the same to the Senate.

### JOINT SESSION.

The hour of twelve o'clock, M., having arrived, the Senate, preceded by the President pro tempore, and attended by the Clerks and Sergeant-at-arms, proceeded to the Hall of the House of Representatives, for the purpose of voting for a United States Senator, in obedience to the act of Congress entitled :

"An act to regulate the time and manner of holding elections for Senators in Congress,"

Passed July 25, 1866.

The Clerks were directed to call the rolls of the respective houses, and the members, as their names were called, responded by viva voce vote, as follows, viz :

Mr. Abbott, of the Senate, voted for John Edward Addicks.

Mr. Allee, of the Senate, voted for John Edward Addicks.

Mr. Blakely, of the Senate, voted for John Edward Addicks.

Mr. Brasure, of the Senate, voted for John Edward Addicks.

Mr. Clements, of the Senate, voted for Richard R. Kenney.

Mr. Farlow, of the Senate, was absent.

Mr. Groves, of the Senate, was absent.

Mr. Hart, of the Senate, voted for Richard R. Kenney.

Mr. Harrington, of the Senate, voted for Richard R. Kenney.

Mr. Knox, of the Senate, voted for Henry A. Dupont.

Mr. Maull, of the Senate, voted for Richard R. Kenney.

Mr. McFarlin, of the Senate, voted for William S. Hilles.

Mr. McNulty, of the Senate, voted for Richard R. Kenney.

Mr. Pennewill, of the Senate, voted for John Edward Addicks.

Mr. Slaughter, of the Senate, voted for Richard R. Kenney.

Mr. Wright, of the Senate, voted for Richard R. Kenney.

Mr. President pro tempore, of the Senate, voted for Henry A. Dupont.

Mr. Aron, of the House, voted for John Edward Addicks.

Mr. Baynard, of the House, voted for William C. Spruance.

Mr. Chandler, of the House, voted for Henry A. Dupont.

Mr. Clark, of the House, voted for Henry A. Dupont.

Mr. Clendaniel, of the House, voted for John Edward Addicks.

Mr. Dayett, of the House, voted for Anthony Higgins.

Mr. Ewing, of the House, voted for John Edward Addicks.

Mr. Flinn, of the House, voted for Henry A. Dupont.

Mr. Gooden, of the House, voted for Richard R. Kenney.

Mr. Hardesty, of the House, voted for Richard R. Kenney.

Mr. Hearn, of the House, voted for Richard R. Kenney.

Mr. Healey, of the House, voted for Richard R. Kenney.

Mr. Hitchen, of the House, voted for Henry A. Dupont.

Mr. Hodgson, of the House, voted for Henry A. Dupont.

Mr. Holcomb, of the House, voted for Richard R. Kenney.

Mr. Hope, of the House, voted for John Edward Addicks.

Mr. Hutchinson, of the House, voted for Richard R. Kenney.

Mr. Layton, of the House, voted for John Edward Addicks.

Mr. Long, of the House, voted for John Edward Addicks.

Mr. Monaghan, of the House, voted for Richard R. Kenney.

Mr. Moore, of the House, voted for John Edward Addicks.

Mr. Pepper, of the House, voted for Richard R. Kenney.

Mr. Pilling, of the House, voted for Henry A. Dupont.



Mr. Prettyman, of the House, voted for John Edward Addicks.

Mr. Ralph, of the House, voted for Richard R. Kenney.

Mr. Robertson, of the House, voted for Levi C. Bird.

Mr. Shallcross, of the House, voted for Richard R. Kenney.

Mr. Short, of the House, voted for John Edward Addicks.

Mr. Scotten, of the House, voted for Richard R. Kenney.

Mr. Vinyard, of the House, voted for Richard R. Kenney.

Mr. Warren, of the House, voted for Richard R. Kenney.

Mr. West, of the House, voted for Richard R. Kenney.

Mr. White, of the House, voted for John Edward Addicks.

Mr. Wright, of the House, voted for Richard R. Kenney.

Mr. Speaker, of the House, voted for John Edward Addicks.

The vote as above ascertained having been announced as follows :

For John Edward Addicks, sixteen votes.

For Richard R. Kenney, twenty-two votes.

For Henry A. Dupont, eight votes.

For William S. Hilles, 1 vote.

For William C. Spruance, one vote.

For Anthony Higgins, one vote.

For Levi C. Bird, one vote.

Total number of votes cast, 50.

The President pro tempore of the Senate declared that no person having received a majority of all the votes cast for United States Senator,

There was no election to said office.

Mr. Knox, of the Senate, moved that they proceed to ballot for short term Senator, ending March 4, 1905.

Which motion

Prevailed.

The Clerks were directed to call the rolls of the respective houses, and the members, as their names were called, responded by viva voce vote, as follows, viz :

Mr. Abbott, of the Senate, voted for John Edward Addicks.

Mr. Allee, of the Senate, voted for John Edward Addicks.

Mr. Blakely, of the Senate, voted for John Edward Addicks.

Mr. Brasure, of the Senate, voted for John Edward Addicks.

Mr. Clements, of the Senate, voted for Willard Saulsbury.

Mr. Farlow, of the Senate, was absent.

Mr. Groves, of the Senate, was absent.

Mr. Hart, of the Senate, voted for Willard Saulsbury.

Mr. Harrington, of the Senate, voted for Willard Saulsbury.

Mr. Knox, of the Senate, voted for Charles F. Richards.

Mr. Maull, of the Senate, voted for Willard Saulsbury.

Mr. McFarlin, of the Senate, voted for Charles F. Richards.

Mr. McNulty, of the Senate, voted for Willard Saulsbury.

Mr. Pennewill, of the Senate, voted for John Edward Addicks.

Mr. Slaughter, of the Senate, voted for Willard Saulsbury.

Mr. Wright, of the Senate, voted for Willard Saulsbury.

Mr. President pro tempore, of the Senate, voted for Charles F. Richards.

Mr. Aron, of the House, voted for John Edward Addicks.

Mr. Baynard, of the House, voted for Benjamin Nields.

Mr. Chandler, of the House, voted for Charles F. Richards.

Mr. Clark, of the House, voted for Charles F. Richards.

- Mr. Clendaniel, of the House, voted for John Edward Addicks.
- Mr. Dayett, of the House, voted for Charles F. Richards.
- Mr. Ewing, of the House, voted for John Edward Addicks.
- Mr. Flinn, of the House, voted for Charles F. Richards.
- Mr. Gooden, of the House, voted for Willard Saulsbury.
- Mr. Hardesty, of the House, voted for Willard Saulsbury.
- Mr. Hearn, of the House, voted for Willard Saulsbury.
- Mr. Healey, of the House, voted for Willard Saulsbury.
- Mr. Hitchen, of the House, voted for Charles F. Richards.
- Mr. Hodgson, of the House, voted for Charles F. Richards.
- Mr. Holcomb, of the House, voted for Willard Saulsbury.
- Mr. Hope, of the House, voted for John Edward Addicks.
- Mr. Hutchinson, of the House, voted for Willard Saulsbury.
- Mr. Layton, of the House, voted for John Edward Addicks.
- Mr. Long, of the House, voted for John Edward Addicks.
- Mr. Monaghan, of the House, voted for Willard Saulsbury.
- Mr. Moore, of the House, voted for John Edward Addicks.
- Mr. Pepper, of the House, voted for Willard Saulsbury.
- Mr. Pilling, of the House, voted for Charles F. Richards.
- Mr. Prettyman, of the House, voted for John Edward Addicks.
- Mr. Ralph, of the House, voted for Willard Saulsbury.
- Mr. Robertson, of the House, voted for Charles F. Richards.
- Mr. Shallcross, of the House, voted for Willard Saulsbury.
- Mr. Short, of the House, voted for John Edward Addicks.
- Mr. Scotten, of the House, voted for Willard Saulsbury.
- Mr. Vinyard, of the House, voted for Willard Saulsbury.

Mr. Warren, of the House, voted for Willard Saulsbury.

Mr. West, of the House, voted for Willard Saulsbury.

Mr. White, of the House, voted for John Edward Addicks.

Mr. Wright, of the House, voted for Willard Saulsbury.

Mr. Speaker, of the House, voted for John Edward Addicks.

The vote as above ascertained having been announced as follows :

For John Edward Addicks, sixteen votes.

For Willard Saulsbury, twenty-two votes.

For Charles F. Richards, eleven votes.

For Benjamin Nields, one vote.

Total number of votes cast, 50.

The President pro tempore of the Senate declared that no person having received a majority of all the votes cast for United States Senator,

There was no election to said office.

On motion of Mr. Abbott, of the Senate, the two houses separated, and the members of the Senate returned to their chamber.

On motion of Mr. Harrington, the Senate took recess until 2.30 o'clock P. M.