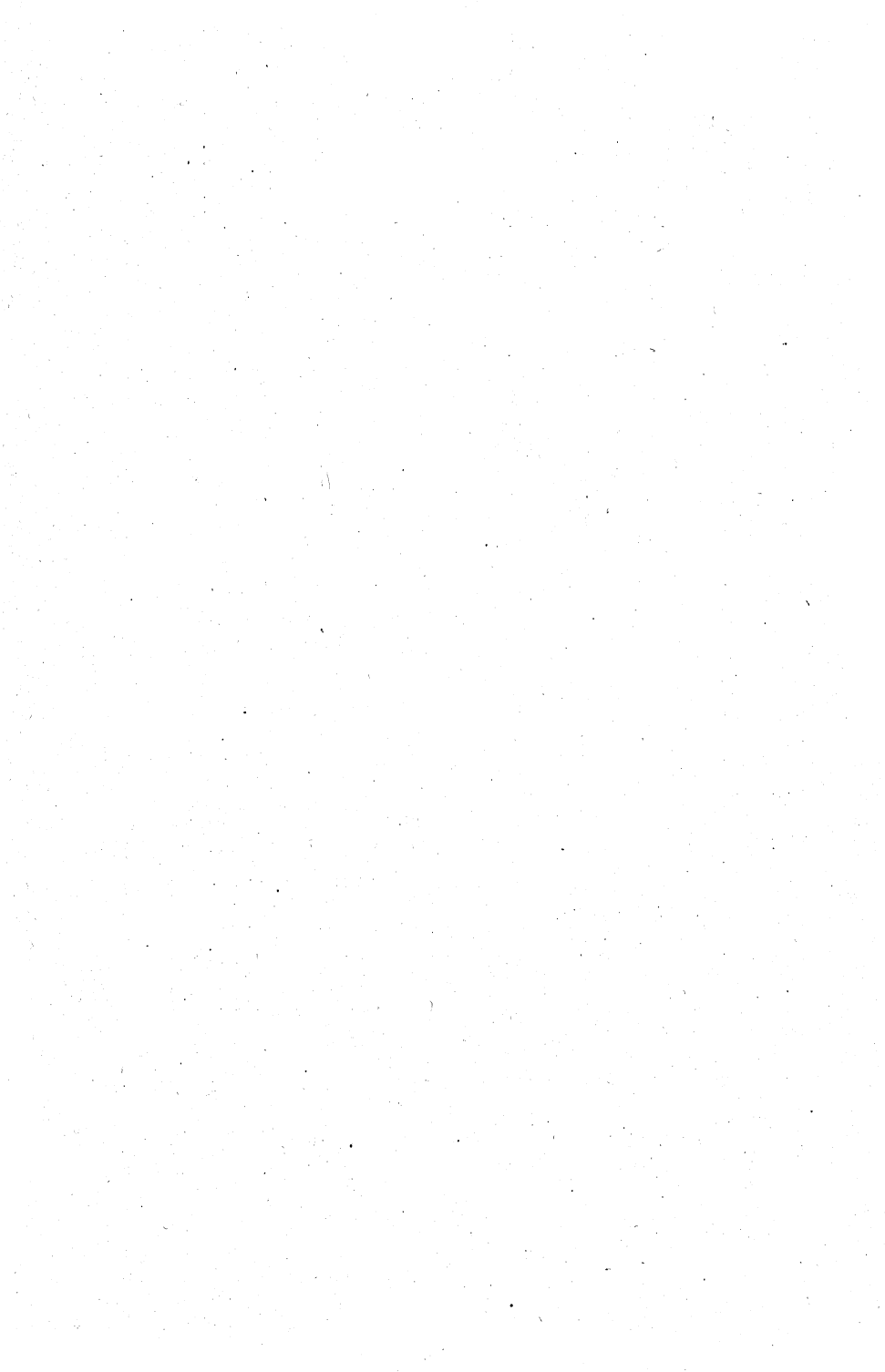


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STATE OF DELAWARE.

JOURNAL OF THE SENATE,

AT A

SESSION OF THE GENERAL ASSEMBLY,

CONVENED AND HELD AT DOVER,

ON TUESDAY, THE SEVENTH DAY OF JANUARY,

IN THE YEAR OF OUR LORD

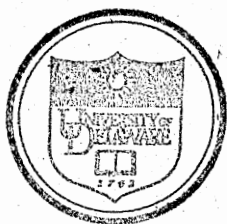
ONE THOUSAND EIGHT HUNDRED AND SEVENTY-NINE,

AND OF THE

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

1879:

C. P. JOHNSON, BOOK AND JOB PRINTER,
WILMINGTON, DEL.



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JOURNAL OF THE SENATE

OF THE

STATE OF DELAWARE.

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

Messrs. Harry Sharpley, J. Wilkins Cooch and Charles H. McWhorter, of New Castle county; and

Messrs. J. Frank Denney, Charles J. Harrington and Caleb S. Pennewill, of Kent county; and

Messrs. James A. Hopkins, Catesby F. Rust and Isaac Conaway, of Sussex county, appeared and took their seats.

The late Clerk, Merris Taylor, called the Senate to order.

On motion of Mr. Cooch,

Mr. Sharpley was appointed Speaker, *pro tempore*.

On motion of Mr. Denney,

Mr. McWhorter was appointed Clerk, *pro tempore*.

On motion of Mr. Harrington,

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

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

By the returns of the officers of Kent county, appointed by law judges of election, it appeared that on the Tuesday next after the first Monday in the month of November last, at the several and respective places appointed by law for holding the election in and for said county, Charles J. Harrington and Caleb S. Pennewill were duly chosen to represent the said county in the Senate of the State of Delaware, for the ensuing term of four years.

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

On motion of Mr. Hopkins,

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

Mr. Hopkins moved

That Messrs. Rust and Pennewill be appointed tellers to receive and count the votes,

Which motion

Prevailed.

Upon the ballots being counted, it appeared

That Charles J. Harrington had received eight votes,

And blank one vote.

Whereupon, Charles J. Harrington having received a majority of all the votes cast, was declared duly elected Speaker of the Senate.

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

I, Harry Sharpley, a member of the Senate of the State of Delaware, from the county of New Castle, do hereby certify that Charles J. Harrington, a member of the Senate from Kent county, was, previous to entering upon any other business, and previous to taking his seat as Speaker, duly sworn by me upon the Holy Evangelists of Almighty God to support the Constitution of the United States, to support the Constitution of the State of Delaware, and to perform his duties as a member of the General Assembly of the said State with fidelity.

And,

I, Charles J. Harrington, Speaker of the Senate of the State of Delaware do hereby certify that J. Wilkins Cooch and Charles H. McWhorter, of New Castle county, and Caleb S. Pennewill, of Kent county, and Catesby F. Rust and Isaac Conaway, of Sussex county, members elect (and present) of the Senate, were, previous to entering upon any other business, and previous to taking their seats, respectively sworn by me to support the Constitution of the United States, to support the Constitution of the State of Delaware, and to perform their duties as members of the General Assembly of the said State with fidelity.

Witness our hands this seventh day of January, in the year of our Lord one thousand eight hundred and seventy-nine.

HARRY SHARPLEY,
C. J. HARRINGTON.

On motion of Mr. Hopkins,

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

Mr. McWhorter placed in nomination Albert G. Osborne.

The same tellers were appointed, and, upon counting the ballots, announced,

That Albert G. Osborne had received eight votes,

Whereupon, Albert G. Osborne, having received all the votes cast, was declared duly elected Clerk.

Mr. McWhorter moved

That a committee of two be appointed by the Speaker to wait upon the Clerk and inform him of his election,

Which motion

Prevailed.

Whereupon, Messrs. McWhorter and Denney were appointed said committee.

Albert G. Osborne, being introduced, was duly qualified and assumed the duties of his office.

On motion of Mr. Pennewill,

The Senate proceeded to elect, by ballot, a Sergeant-at Arms.

Mr. Hopkins placed in nomination William Torbert.

The same tellers were appointed, and, upon counting the ballots, announced

That William Torbert had received nine votes,

Whereupon, William Torbert, having received all the votes cast, was declared duly elected Sergeant-at-Arms.

Mr. Conaway moved,

That a committee of two be appointed by the Speaker to inform the Sergeant-at-Arms of his election,

Which motion

Prevailed,

Whereupon, Messrs. Conaway and Cooch were appointed said committee.

William Torbert being introduced, was duly qualified, and assumed the duties of his office.

On motion of Mr. Denney,

Howell Buckingham, Jr., was appointed Messenger.

Mr. Pennewill moved,

That Messrs. Denney and Hopkins be appointed a committee to wait upon the Messenger and introduce him to the Senate.

On the question, "Shall this motion prevail?"

A division was called for, and the yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Conaway, McWhorter, Pennewill, Rust and Sharp-
ley—5.

Nays—Messrs. Cooch, Denney, Hopkins and Mr. Speaker—4.

So the question was decided in the affirmative,

And the motion

Prevailed.

Howell Buckingham, Jr., was duly introduced and entered upon his duties as Messenger.

Mr. Sharpley moved

That the Rev L. W. Gibson be invited to act as Chaplain of the Senate during the present session, and that a committee of three be appointed to tender him the invitation,

Which motion

Prevailed.

Whereupon, Messrs. Sharpley, Pennewill and Rust were appointed said committee.

On motion of Mr. Sharpley,

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

Mr. McWhorter offered a

Joint resolution appointing a committee of two on the part of the Senate, and three on the part of the House to wait upon His Excellency, the Governor, and inform him that both Houses of the General Assembly are duly organized and ready to receive any communication that he may have to make.

Which was read,

And further, on motion of Mr. Sharpley,

Was

Adopted.

Whereupon, Messrs. McWhorter and Denney were appointed the committee on the part of the Senate.

Ordered to the House for concurrence.

On motion of Mr. Sharpley,

The reporters of the Press were admitted to seats on the floor of Senate.

Mr Denney offered a resolution,

Which was read, as follows :

Resolved, That the following committees be appointed by the chair, and reported within the next three days of the actual session, to act as standing committees during the present session, to wit: A Committee on Corporations; a Committee on Enrolled Bills; a Committee on Elections; a Committee on Accounts; a Committee on Claims; a Committee on Finance; a Committee on Roads and Highways; a Committee on Vacant Lands; a Committee on Revised Statutes; a Committee on Agriculture; a Committee on Education; a Committee on Printing.

And further, on motion of Mr. Hopkins,

Was

Adopted.

Mr. Hopkins offered a resolution,

Which was read, as follows :

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

Mr. Hopkins moved

That the resolution be adopted.

Mr. Sharpley moved,

That the resolution be amended by adding thereto the words, "and of Volume 15, Delaware Laws,"

Which motion

Prevailed,

And the resolution, as amended,

Was

Adopted.

Mr. Saulsbury, Clerk of the House, being admitted, informed the Senate that the House was duly organized by the election of

Dr. Swithin Chandler as Speaker,

John F. Saulsbury as Clerk, and

George T. Dodd as Sergeant-at-Arms ;

And was ready to proceed with business.

Mr. Hopkins offered a resolution,

Which was read, as follows :

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

And further, on his motion,

Was

Adopted.

Mr. Hopkins offered a resolution,

Which was read, as follows :

Resolved, That His Excellency, the Governor, Secretary of State, Judiciary, Attorney-General and ladies, who may visit the Senate, be privileged to seats on the floor of the Senate.

And further, on his motion,

Was

Adopted.

On motion of Mr. Hopkins,

The rules governing the last Senate were adopted for the government of the present session, until new rules are adopted.

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

“An act to incorporate ‘The New Castle Iron and Steel Company.’”

Mr. Saulsbury, Clerk of the House, being admitted, informed the Senate that the House had concurred in the Senate

“Joint resolution appointing a committee to wait upon His Excellency, the Governor,”

And had appointed Messrs. Houston, Hall and Dean said committee on the part of the House.

Mr. Sharpley offered a resolution,

Which was read, as follows :

Resolved, That the Clerk be, and he is hereby, empowered to purchase a Webster's Unabridged Dictionary, for the use of this and succeeding Senates; the said dictionary to be committed to the custody of the Librarian when the Senate is not in session, and the said Li-

brarian to be held responsible for the proper care and safe keeping of the said dictionary.

Mr. McWhorter, from the committee appointed to wait upon His Excellency, the Governor, and inform him of the organization of the General Assembly, reported that His Excellency would communicate with the Senate through the Secretary of State in five minutes.

Ignatius C. Grubb, Esq., Secretary of State, being admitted, presented to the Senate a printed message from His Excellency, the Governor, together with a list of pardons and reprieves granted, and the reasons therefor, the Accounts of the Secretary of State, and a list of the orders for printing and advertising issued since the last session of the General Assembly, and Treasurer's Report.

He also informed the Senate that he had presented to the House, for the free use of both Houses, the Report of the State Superintendent of Public Schools, and the list of books received for the use of the State Library, from January 1st, 1877, to January 1st, 1879.

On motion of Mr. Denney,

The Message of the Governor, was read as follows :

MESSAGE.

Gentlemen of the Senate and House of Representatives :

It is with sincere satisfaction that I welcome you as a co-ordinate branch of the State government to your constitutional participation in the conduct of public affairs.

Assembling, as you do, from every section of our Commonwealth, representing its various industries and interests, fresh from the people and familiar with the prevailing sentiments and present needs of your respective communities, you are peculiarly qualified for the high and responsible trusts, which, under our admirable form of government, have been reposed in you by an enlightened and honorable constituency. With the possession of grave powers, you will feel a solemn sense of corresponding responsibility, and it will be, I doubt not, your constant aim to fulfill the expectation of your fellow-citizens that you will view legislative power as a public trust, to be exercised conscientiously for public and not for private ends : for the welfare of the entire State and people, and not in the interest of any particular section or class.

Although the legislative power of the State is exclusively vested in the General Assembly, so that the Executive can neither share in their functions nor obstruct their action by granting or refusing his

assent to their enactments, yet the Constitution, nevertheless, makes it incumbent upon him, from time to time, to give them information of affairs concerning the State, and recommend to their consideration such measures as he shall judge expedient. In fulfilling this obligation upon the present occasion, I shall earnestly strive to discharge the duty as comprehensively and concisely as practicable, and to do all in my power to facilitate your onerous labors and shorten their duration.

Since the last adjournment of the Legislature we have had abundant reason for gratitude in the present and hopefulness for the future. While our brethren of the South have been sorely stricken with pestilence, and of our neighboring States by formidable insurrection against the civil authority, resulting in disastrous destruction of life and property, and in augmented misery to its misguided authors, our people have been favored with prevailing health, security of person and property, and the continued maintenance of a free and stable government. Notwithstanding the depreciation of property and depression of our various industries, and the recent large reductions of taxation making present burdens virtually unfelt, we have a prosperous treasury and rapidly decreasing debt. Under these favorable conditions, with the re-establishment of good government in the Southern States, and the gradual restoration of their former lucrative markets for Northern products, with constantly improving manufacturing and industrial facilities, enabling us to compete successfully for the markets of the world, and with the increasing balance of foreign trade in our favor, we have sure elements of success and encouraging prospects for the future.

Such advantages, aided by the early establishment of a stable currency and sound financial policy, an equitable and wisely adjusted system of taxation, and the introduction of diversified products and industries especially adapted to favorable localities, accompanied by careful retrenchment in public and private expenditures, and the rigid economy, patient industry and capable management necessitated by close competition, can not fail to restore general confidence, revive our languishing industries and usher in an era of enduring prosperity.

In my first biennial message, transmitted to the General Assembly on the second day of January, 1877, I submitted full and detailed information of affairs concerning the State, on all subjects which I then deemed of general interest, with my views at length, in support of such recommendations as, in my judgment, were dictated by considerations of true public policy.

I am gratified to feel that the action of the General Assembly was in accord with those views, and will result in lasting benefit to the

credit of the State and the interests of its people. All of my suggestions regarding needed legislation, upon specified subjects, were embodied in appropriate enactments, save a few which failed to receive adequate attention, and which will be briefly presented for your favorable consideration.

Since the transmission of my last message, few events have occurred to furnish subjects for present consideration, or necessitate much new or amendatory legislation. In reviewing the condition of the State and the matters of public importance likely to engage your attention, I congratulate you upon the probability that your labors will not be of long duration, and that this session can be concluded at an early day.

FINANCIAL.

Among the important subjects requiring your careful consideration will be questions affecting our financial policy. The finances of the State have been diligently and judiciously managed, and it is with especial pleasure that I transmit herewith the report of the State Treasurer, showing the signal success of our present revenue system.

The following statement will exhibit the indebtedness of the State at the commencement of the present administration of the Treasury, in January, 1875, and the progress of its reduction :

Residue of War Bonds, due January 1st, 1875.....	\$23,000
Interest due on bonds, January 1st, 1875.....	660
Residue of War bonds, due January 1st, 1885.....	795,000
Residue of bonds loaned to J. & B. R. R. Co., due January 1st, 1890.....	230,000
Bonds loaned to B. & F. R. R. Co., due January 1st, 1898.....	176,000
Notes issued by late State Treasurer, to redeem bonds due January 1st, 1875.....	40,000
Judgment obtained against late Treasurer by the J. & B. R. R. Co.....	8,175
	<hr/>
	\$1,272,835

Deduct amount paid by State Treasurer since January, 1875, as follows :

Residue of War bonds, due January 1st, 1875...	\$23,000
Interest due on bonds, January 1st, 1875.....	660
Notes issued by late Treasurer.....	40,000
J. & B. R. R. judgment against late Treasurer...	8,175
Bonds due 1885, redeemed and canceled.....	248,000
	<hr/>
	\$319,835

Present total indebtedness.....\$953,000

Deduct investments of State, other than those appropriated to Free Schools.....	\$671,800	
Deduct amount now due State from interest, taxes, and all sources.....	90,856	
Deduct cash in Treasury.....	25,000	
		<hr/>
		\$787,656
		<hr/>
		\$165,344

The investments dedicated to the support of Free Schools amount to..... \$449,000

Showing assets of all descriptions in excess of State indebtedness to be..... \$283,656

From the foregoing exhibit it is apparent that the unpaid balance of war bonds, which matured in January, 1875, and also two hundred and forty-eight thousand dollars (\$248,000) of the residue of the war debt due in January, 1885, with other indebtedness, have been met and extinguished, thus making the existing bonded debt, as follows:

Residue of war bonds, due January 1st, 1885.....	\$549,000
Residue of bonds loaned to J. & B. R. R. Co., due January 1st, 1890.....	230,000
Bonds loaned to B. & F. R. R. Co., due January 1st, 1898.....	176,000
	<hr/>
	\$953,000

It will be observed that the total assets of the State, of all descriptions, are largely in excess of its entire indebtedness, and ample security for its liquidation; and also, that the rapidity with which the debt has been reduced during the past four years, despite large reductions of taxation, conclusively demonstrates that the present revenues of the State, if undisturbed and undiverted, are sufficient to continue the gradual extinguishment of all outstanding liabilities, if the same rigid economy in expenditures, diligent collection of monies due the State, and judicious management of its finances shall be faithfully adhered to.

At the convening of the last Legislature it was apparent that the depression of business and property following the financial revulsion of 1873 still existed and might continue for a much longer period. The prices of our agricultural products had become, to some extent, unremunerative, and lands, as a consequence, less valuable, while our

manufacturing and mechanical industries were languishing, and both employer and employee suffering from the general prostration.

At this juncture it seemed advisable that some form of relief should be devised. The State bonds were greatly above par value, and had become a subject of monetary speculation. It was obvious that our revenues were larger, and the reduction of our indebtedness more rapid than was necessary for the maintenance of the public credit, and consistent with sound policy. Under these circumstances, I invited the General Assembly to consider the propriety of making such reductions in the subsisting rates of taxation as should reduce the annual surplus to such a sum as would, in their judgment, prove conducive and not detrimental to the credit of the State and the interests of its people. After mature deliberation, the Legislature curtailed the public revenues in several respects, but chiefly by the reduction of marriage license fees, the discontinuance of the tax on process and recording, and by the abolition of the entire State tax on assessments of poll, real and personal property, and of debts, stocks or shares, securities and investments, amounting in the aggregate to \$60,000 annually, and, with other reductions by the legislation of 1875, to an annual saving and relief to the people of the State exceeding \$75,000.

And yet, while relieving the real estate of the agriculturist and the manufacturer alike, as well as benefiting all classes, notwithstanding these large reductions, exceeding even the estimated curtailment, the Treasurer has been able to reduce the indebtedness of the State \$320,000 during the last four years, thus saving nearly \$20,000 in annual interest, to be added to the yearly redemption surplus, and vindicating the wisdom of the recent reductions of taxation in a manner surpassing the most sanguine expectations.

CONVERSION OF STATE BONDS.

In this connection it may not prove unprofitable to advert, briefly, to a further mode of increasing the annual redemption surplus. In my former recommendations regarding the finances of the State, I suggested the feasibility of converting our bonded debt into bonds bearing a lower rate of interest. Subsequent events have confirmed the belief then entertained. Since that date, five per cent. bonds of the city of Wilmington, and of other States, have been successfully negotiated: as have also four-and-a-half, and even four per cent. bonds of the United States; while other States are imitating these examples and eagerly adopting similar measures.

The advantages are important and manifest. By our adoption of such a plan the saving in interest would be serviceable, the time

required for the final redemption of our indebtedness would be shortened, and, with skillful management, a profitable premium on the sales of the new bonds might be realized. As it is probable that the present annual surplus will not be sufficient entirely to redeem the remaining 1885 bonds, at their maturity, it will then be necessary to issue some new bonds to replace the unpaid residue. There seem to be controlling reasons why such future conversion should be anticipated and effected at once.

In accordance with the rightful option of the State under the express terms of its outstanding bonds, and by virtue of the Act of 1877, the State Treasurer has called in and canceled large amounts of the 1885 bonds. Sagacious investors have already anticipated and discounted the effects of the probable early conversion of the entire issue into new bonds, maturing at a fixed date, and bearing a lower rate of interest. A change from the present uncertainty regarding the subsisting bonds to certainty respecting the maturity of new bonds, issued to replace them, would prove highly advantageous to the State and its financial credit, and materially enhance the desirability and market value of such new bonds, especially to the present holders of the outstanding securities.

In view of the rapid extinction of our State indebtedness, notwithstanding the large reductions of our revenues; of the vast sums of unemployed capital seeking safe and convenient investment, and of the successful examples I have mentioned, the project seems as feasible as it would be advantageous. Without intending to propose a definite plan in detail, I would suggest the utility of converting the outstanding six per cent. bonded debt of the State into lower interest bearing bonds, issued in amounts to mature, respectively, at a certain specified time from year to year, or otherwise, said amounts to conform to the estimated surplus applicable, annually, or otherwise, to the redemption of said bonds. With these observations, I recommend the subject to the careful study and mature deliberation of the General Assembly.

RAILROAD ARREARS.

The State Treasurer announces that all the railroad companies within the State are now prompt in paying their dues except the Breakwater and Frankford Railroad Company. On January 1st, 1877, interest to the amount of \$8,730 was due from said company, on its mortgage given to secure the payment of the bonds loaned by the State. This amount, after protracted delays, has since been paid, but meanwhile, the company has allowed the entire two years' interest accruing since said date, to become in arrear, amounting to the

sum of \$23,886.66, which the State Treasurer has hesitated to collect by foreclosure and sale, without specific instructions from the General Assembly, for the reasons expressed in his report. This sum is almost thrice as large as the former arrears, is nearly one-eighth of the entire mortgage due the State, and the prospect of its payment, without legal process, is apparently hopeless. The situation is significant! Its impressive lessons, it is to be hoped, are full of solemn and effective warnings for the future. The duty of the State is imperative and urgent. For there can be no just reason why a lenity shall be shown to this particular company which is not extended to others. If payment must be enforced by foreclosure and sale, it will be incumbent upon the General Assembly, by all lawful and effectual means, to take care that neither the market nor operative value of the railroad shall be impaired by the construction of any competing road, and to see that the interests of the State are adequately protected.

REPRIEVES, PARDONS AND REMISSIONS.

In compliance with the duty enjoined upon the Governor by the provisions of our State Constitution, conferring upon him the power to remit fines and forfeitures, and to grant reprieves and pardons, I herewith transmit a list of the remissions granted since the convening of the last Legislature, together with my reasons therefor.

During that interval I have granted but two remissions, and no pardons or reprieves, and, throughout my entire term of office, but two pardons and these two remissions. Within my term numerous other applications have been made for the exercise of executive clemency, but the requirements of public justice, and the demands of the public safety have obliged me to deny them, or disregard the dictates of both my judgment and conscience.

Too frequently well meaning citizens are, unreflectingly, induced, by mere appeals to their sympathies, or by representations which are either erroneous or immaterial, and do not furnish justifiable grounds for disturbing the well considered determinations of juries and courts, to join in urgent, and sometimes irrational appeals for executive interference with the righteous execution of the law. Such a practice is perplexing, as well as inconsiderate and unjust to a conscientious Executive, and, while it may be natural and excusable in the suffering relatives of the condemned, it should be deprecated in others, as embarrassing to the administration of justice, menacing to the safeguards of society, and derogatory to the reputation of the State.

CRIMES AND PUNISHMENTS.

The case of the State against Harley G. Brown, recently tried in the Court of Oyer and Terminer, in and for New Castle county, has forcibly impressed the public mind with the inadequacy of protection the law furnishes, in its penalties, to the lives and persons of passengers upon railroads.

In the case alluded to, involving the loss of the lives of four persons, the accused, under the peculiar circumstances attending his act, and the law governing the case, was found guilty of manslaughter, merely. This result clearly reveals the importance and necessity of some legislation which, by the imposition of more severe penalties than are now prescribed for such cases, will deter others from the repetition of such heinous acts, and so furnish additional and effectual protection to the traveling public. As an indication of their sense of the necessity for such protection, the Court sentenced the accused to all the penalties our Statutes provide for the crime of manslaughter. I am persuaded that it is worthy of your serious inquiry whether the defects I have referred to, as well as others in our Criminal Code, ought not to be made the subject of careful consideration by a suitable commission, aided by the Judiciary of the State, with a view to speedily supplying such defects, and affording such additional remedies as will more completely serve the ends of public justice and secure the safety of person and property.

LEVY COURTS.

Attention has been directed to the mode in which Levy Court appropriations are drawn, in some instances by individual commissioners who obtain the unrestricted control and use of the entire aggregate appropriations for their respective hundreds, without giving any form of security for their safe and proper disbursement. As such practices, if allowed to become habitual, will, in time, lead to grave abuses and serious public detriment, they should be promptly discontinued and their repetition effectually inhibited.

By careful provisions many wholesome corrections may be made in present methods of conducting public, municipal and corporate duties, which could not fail greatly to subserve the general welfare.

SUPERVISION.

I deem it expedient to renew the recommendation contained in my last message, to which I beg leave to refer, that suitable provision

shall be made by law for the careful supervision of Insurance Companies; and also to suggest that appropriate supervision be applied to Savings Banks, Trust Companies, and such other corporations as may seem to require it.

STATISTICS.

From further experience of the embarrassment arising from the impossibility of properly answering the frequent applications to the Executive Department by State and Federal authorities for information concerning Crimes, Paupers, Deaf, Dumb, Blind and Insane, Assessments and Valuation of Property, Taxation, Insurance and Railroad Companies, Agriculture and kindred topics, because of the lack of adequate provision under our laws for the collection and preservation of the necessary statistics, I feel constrained to direct attention to the importance of the subject, as presented in my last biennial message, and again to urge that some provision be made to supply a need so seriously felt.

Much progress might be made in this direction by adopting a former suggestion that it be made by law the duty of particular officers to prepare annually, and file in the office of the Secretary of State, for public use, certain statistics of the matters pertaining to their respective offices. In this connection I would suggest the propriety of obliging every insurance company and savings institution to deposit with the Secretary of State, in printed form, and under oath, a sufficient number of the annual statements now required by law, for purposes of general information, and for distribution among the departments of other States.

STATE LIBRARY.

Since the remodeling of the Capitol, a large and commodious apartment has been appropriated to the uses of the State Library, which is suitably furnished and affords ample accommodation for the many valuable books and publications which had previously been excluded for want of space, and also for such as have since been received.

The number of volumes at present in the library is fourteen thousand four hundred and fifty-seven; of which four thousand six hundred and nine volumes consist of reports of decisions of the United States and State courts and other law publications, and nine thousand eight hundred and forty-eight volumes of United States and State documents, congressional and legislative journals, and miscellaneous works. The additions to the library are procured, chiefly, through

the medium of State exchanges and the annual appropriation authorized by joint resolution of March 8th, 1865, to be expended under the direction of the Chief Justice of the State. It is to be hoped that a collection so valuable shall be maintained, under the care of a competent Librarian, in a proper state of preservation and convenience for reference, and its growth so carefully promoted that by constant accessions it may attain proportions commensurate to the public need.

CHARITIES.

Humane provision has been made by law for the care and education of the indigent deaf and dumb, and the indigent blind, and also, for the support and protection of the indigent insane and the destitute imbecile children of this State. A limited number of these beneficiaries have been admitted, in conformity with our laws, to institutions without the State, especially adapted to the care of such afflicted persons, where they are under the charge of those skilled and experienced in the treatment of their infirmities. These laws have been in operation for several years, and the benevolent purpose which inspired and framed them has fully secured their beneficent results.

The number now enjoying the advantages of the various institutions is as follows :

In the Pennsylvania Institution for the deaf and dumb.....	3
In the Columbia Institution, (Washington) for the deaf and dumb. .	2
In the Pennsylvania Institution for the instruction of the blind... .	2
In the Pennsylvania Training School for feeble-minded children. .	1
In the Pennsylvania Hospital for the insane.....	1
Total.....	9

Showing a decrease within the last two years of one imbecile, one blind, and four deaf and dumb beneficiaries.

THE BOUNDARY QUESTION.

In my last message I gave a succinct account of the origin and progress of the "fishery controversy" between this State and the State of New Jersey, involving the jurisdiction of the respective States over that portion of the Delaware river lying within "the compass or circle of twelve miles about the town of New Castle," to low water mark on the New Jersey shore. This controversy, as I therein mentioned, arose out of the enforcement of our laws requir-

ing a license to fish in certain waters of this State, by the arrest of citizens of New Jersey engaged in fishing within that portion of said river, within the twelve mile circle and in violation of the provisions of said laws. In the course of my review of the subject, after relating that our exercise of jurisdiction as aforesaid was opposed by a counter-claim of jurisdiction on the part of New Jersey, over said portion of the river east of the middle line thereof, I showed that our differences could not be settled without resort, by the State of New Jersey, to the proper legal tribunal, for an adjudication.

In confirmation of this conclusion it has been made known to me that a bill in equity has been filed in the Supreme Court of the United States, by the State of New Jersey, in support of the pretensions of that State, for the purpose of having these differences judicially determined.

The prayers of the bill are, first, that the true boundary line between the two States may be ascertained, declared, defined and perpetually established; second, that the rights and estate of the plaintiff in the bed of said river, and the territorial extent thereof, may be defined, declared and established; third, that the jurisdiction of the plaintiff, and its courts and officers, in and over the Delaware river, so far as said river is between the State of New Jersey and the State of Delaware, may be ascertained, defined, declared and perpetually established; fourth, that the rights of the citizens and inhabitants of New Jersey to fish in that part of the Delaware river which is between the State of New Jersey and the State of Delaware, may be ascertained, declared and perpetually established and secured to them; fifth, that the State of Delaware, its officers, etc., may be perpetually enjoined from imposing any tax, assessment or imposition whatsoever, by way of license fee or otherwise, upon any citizen or resident of New Jersey, and from requiring any of them to take a license from, or under the State of Delaware for right to fish in the river Delaware, or, if Delaware may legally be permitted to require a license from Jerseymen to fish in any part of the river Delaware, that it be enjoined perpetually from imposing any tax therefor on citizens or residents of New Jersey, and from prescribing or requiring any license therefor from citizens or residents of New Jersey, other or different from what is imposed upon or required from citizens or residents of the State of Delaware, and also may be perpetually enjoined from arresting, imprisoning, trying, fining, or in any manner punishing, or seizing, holding or selling any property of any citizen or resident of New Jersey for fishing in any part of the Delaware river; sixth, for general relief.

On the eleventh day of April, 1877, pursuant to an order of the Supreme Court of the United States made in the said cause, March

26th, 1877, upon a motion for a preliminary injunction, a copy of a writ of injunction, issuing out of said Court, March 31st, 1877, with a copy of said order, was served upon me, commanding and enjoining the State of Delaware, its officers, agents and servants, to "desist and refrain from imposing any tax, assessment or imposition whatsoever, by way of license fee, or otherwise, upon any citizen or resident of the State of New Jersey, and from requiring them, or any of them, to take a license from or under the State of Delaware for right or authority to fish in the river Delaware, as they have heretofore been accustomed to do before the interference of the said State of Delaware, as mentioned in said order; and from arresting, imprisoning, trying, fining, or in any manner punishing, or seizing, holding or selling any property of any citizen or resident of New Jersey for fishing in said river as aforesaid, until the said Court shall make other order to the contrary."

Notice of the service of said writ of injunction having been duly given to the respective Clerks of the Peace of this State, the further issuance of the licenses in question has been suspended, pending the litigation, and the learned counsel for this State are now engaged in procuring the evidence in support of the controverted title and jurisdiction of Delaware, preparatory to filing the answer to the bill of the complainant, with a view to bringing the controversy to an early and final determination.

COUNTY DIVISION.

Of late years the proposed division of New Castle county into two counties has commanded a large share of public attention and discussion, producing an earnest feeling and a growing belief that it offers the only practicable solution of the questions of "increase of representation" and "Court House removal," which have so long been of engrossing interest to that county, and of vital importance to the city of Wilmington.

The unmistakable public sentiment regarding the necessity for an increase of representation in the Legislature for New Castle county, induced me at the time of my inauguration, to bring the subject before the General Assembly and the people of the State, for their favorable consideration. Upon that occasion I reviewed the question in its various aspects, and urged that the rapid increase of the population and property of New Castle county, as compared with that of Kent and Sussex counties, of late years, had necessitated an increase of the representation of that county in the General Assembly for the protection and promotion of its various interests, and that a fair adjustment of the inequality should not longer be postponed. I reasoned

that, to appreciate fully the force and justice of the claim of New Castle county to such increase of representation, it would be necessary to compare her existing representation, population and resources with those of the other counties, and proceeded as follows :

“ By reference to the Federal census of 1870, it appears that the population of New Castle county was sixty-three thousand, five hundred and fifteen, (63,515), of Kent county, twenty-nine thousand, eight hundred and four, (29,804), and of Sussex county, thirty-one thousand, six hundred and ninety-six, (31,696); thus showing that the population of the former was greater than that of the two latter combined. By the same census it appears that the assessed value of real estate in New Castle county was as great, and the assessed value of personal property more than three times as great as that of the other two counties combined, and that she paid more than twice the amount of taxes paid by both of them together for State purposes. Also, her total of annual wages paid in farming operations and the total value of all her farm productions, respectively, were quite equal to the aggregate totals, respectively, paid or produced by both Kent and Sussex. In the mechanical and manufacturing industries, the capital invested, the wages paid, and the value of the articles produced, respectively, were at least ten times more in New Castle county than in Kent and Sussex counties combined. And yet, with this great disproportion of population and taxable property, the legislative representation of that county is equal only to that of each of the other counties, while the city of Wilmington, with a population greater than that of either Kent or Sussex county, has never had a representative of her vast local interests in both houses of the General Assembly at the same time.

“ When our State Constitution of 1792, which established the present apportionment between the three counties, was framed, the population of each of them was nearly equal in numbers: That of New Castle being nineteen thousand six hundred and eighty-six, (19,686), of Kent, eighteen thousand nine hundred and twenty, (18,920), and of Sussex, twenty thousand four hundred and eighty-eight, (20,488). It is therefore reasonable to presume that, at this early period of our State history, it was designed that the ratio of representation should be in general accord with population. Even so late as the adoption of the Constitution of 1831, the disparity between the populations of the respective counties was not so important as to occasion any pressing need for a change in the established apportionment of 1792. But within a comparatively recent period, the increase of the population of the city of Wilmington has entirely overthrown the numerical equality which previously existed between

the several counties and thus necessitated a change in that apportionment.

“Whether this change shall be upon the basis of population alone, and to the full extent of that principle, is worthy of grave consideration. To my mind, in view of all the peculiar circumstances surrounding the question in this State, the adoption of such a rule, particularly for both branches of the Legislature, would be as unsound in principle as it would prove detrimental in practice. When our early Constitutions, recognizing population as the basis of representation, were adopted, no great centre of population existed in our State. But with the rapid growth of Wilmington in recent years, this is no longer the case. It would be exceedingly unwise, in a small State like ours, to accord representation in full proportion to population to a growing city whose inhabitants might quickly outnumber all the other people of the State. To do so, would be to enable a city to overshadow and control not only the county in which it might be situated, but also the entire State, and, through its particular representatives, to favor and foster its special and local interests at the expense of all other localities. Besides, it would disregard that distinction between an urban and a rural population which has always been recognized by all practical statesmen in prescribing a just rule of representation. So well settled is this distinction that it may be safely asserted that in no State Legislature in the Union is representation accorded in full proportion to urban population. It would, therefore, seem that the rule in question, if adopted in this State, should be applied with such wholesome modifications and limitations as would not suffer any city, or indeed any county, to overshadow and control the rest of the State. With these considerations borne in mind there appears no sufficient reason why a fair and reasonable increase of representation should not be accorded to New Castle county.

“In making such increase it would seem most advisable to confine it to the House of Representatives, leaving the Senate with an equal representation from each county as at present. This would recognize the principle of territorial representation, as well as that of population, and would establish a conservative check upon the popular branch of the legislature. It would also harmonize with the long settled habit of considering each county as of equal dignity in respect to territorial representation, and so allay any sectional prejudice or feeling which might otherwise be arrayed against the project.

“Among the various plans for effecting the desired result, there are two which seem most practicable. First, by a division of New Castle county into two separate counties, thus making four counties

in all, each having representation in both branches of the legislature. Second, by a reasonable addition to the present representation of New Castle county, coupled with the district system, so that each district shall vote only for the representatives of its particular local interests. This would introduce the principle of local representation, and at the same time confine the influence of a large city population within its proper limits. To accomplish either of these plans it seems that a Constitutional amendment will be required, to be adopted by a Constitutional convention, or to be proposed by two-thirds of each House of the General Assembly, with the approbation of the Governor, and ratified by three-fourths of each branch of the next succeeding legislature, after having been duly published for the consideration of the people. Hence it would appear to be impossible to secure the desired increase by the action of a single legislature. For, although the present General Assembly may, by law, with the concurrence of two-thirds of each branch thereof, increase their whole number by an equal addition to each county, yet it is at least doubtful whether they can add to one county alone without granting a corresponding increase to each of the others.

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

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

* * * * *

In submitting these considerations, I studiously avoided any expression of partiality for either of the plans I therein suggested, deeming it more advisable to await the result of the natural and gradual action of individual thought and public opinion upon them. Subsequent observation and reflection have convinced me that the public judgment decisively preponderates in favor of that which would effect a division of New Castle county into two separate counties, and, while securing an increase of representation without infringing the principle of equal county, and judicious urban representation, would also supply the city of Wilmington with the long desired advantages of a more accessible seat of justice and suitable county buildings.

After mature deliberation, I am satisfied that careful investigation will demonstrate both the feasibility and advisability of this plan, and that considerations of economy, as well as of necessity and justice, are conclusively in its favor. If it is to be consummated eventually, as is inevitable, assuredly it seems wisest that such consummation should oc-

cur during the existing period of business depression, wherein, probably, the proper buildings can be constructed and the necessary county bonds negotiated with exceptional economy, while there are so many willing hands without employment, and so much idle capital eager for safe investment. Under these circumstances, it appears necessary and just that the appropriate Constitutional amendment shall be proposed by the General Assembly, with the approbation of the Governor, and published for the consideration of the people prior to its submission to the next succeeding legislature for ratification.

Believing such a course will subject the measure to the wholesome test of private and public scrutiny, furnish a desirable opportunity for a thorough discussion of its merits, and ultimately determine differences which have so long demanded an equitable adjustment, I respectfully suggest the urgent importance of its early and favorable consideration by the General Assembly and a justice-loving people.

CESSIONS TO THE UNITED STATES.

Since the passage of the act of the General Assembly of this State entitled "An act to cede to the United States title to and jurisdiction over lands for sites of light houses, beacons, life-saving stations, or other aids to navigation within the limits of the State of Delaware," passed at Dover, February 9th, 1875, five applications have been made to me by the duly authorized agent of the United States for cessions of title to and jurisdiction over certain tracts of land, under the provisions of said act of Assembly, and for the purposes named therein.

In response to these applications, and under and by virtue of the authority contained in said act, I have delivered deeds of conveyance to the United States, prepared under the supervision and advice of the Attorney-General of this State, and executed by me under the Great Seal and in the name of the State of Delaware, for five several tracts of land, as follows:

No. 1. One acre of land, situated in Sussex county, on the beach opposite Rehoboth bay, and about three-fourths of a mile north of Indian River Inlet; by deed bearing date July 20th, 1875.

No. 2. One acre of land, situated in Sussex county, just above high water mark, and about three-quarters of a mile to the southward of Cape Henlopen Light House; by deed bearing date July 20th, 1875.

No. 3. Ten acres of land, situated in Lewes and Rehoboth hundred, Sussex county, near the north-east corner of the Henlopen Beacon Light Station; by deed bearing date September 31st, 1875.

No. 4. Ten acres of land, situated in Reedy Island, Delaware bay ; by deed bearing date December 6th, 1876.

No. 5. One acre of land, situated in Lewes and Rehoboth hundred, Sussex county, on the shore of the Atlantic ocean, adjoining the most southerly line of the Rehoboth City lands ; by deed bearing date August 6th, 1878.

These lands were conveyed, and jurisdiction over the same ceded to the United States of America, for the purposes named in said act, subject to all the provisions, reservations, conditions, and limitations of said act, and to the jurisdiction and right of this State to serve and execute any legal process, civil or criminal, within the limits of any of the said tracts of land. With our State so extensively bounded by navigable waters, and possessing a sea coast peculiarly liable to marine disasters, we have especial need for the establishment of those instrumentalities which serve to lessen the perils of navigation and the needless destruction of human life and valuable property. The act I have mentioned was passed in co-operation with the design of the Federal Government to supply a want which has been long and seriously felt upon our coast, and it is of extreme importance that all applications duly and legally made by the United States shall be promptly and cheerfully responded to in furtherance of objects so useful to commerce and so indispensable to the safety of human life.

NOTARIES AND COMMISSIONERS.

During the session of 1873, a statute was enacted requiring every notary public or commissioner of deeds for this State, after the first day of July, 1873, to use, in the transaction of official business, a seal so engraved as to make an impression that will show distinctly the name, official title, date of appointment and term of office of such officer. It now appears that many commissioners for Delaware in other States, appointed prior to that date, were unaware of the requirement, while other commissioners and many notaries have unwittingly failed to comply precisely with the legal interpretation of the statute. I am assured that serious consequences may ensue unless immediate remedial legislation be supplied, and, therefore, I beg leave to invite your attention to the subject, and to recommend such action as shall meet the requirements of the case.

FREE SCHOOLS.

Having reviewed the history and gradual growth of our Free School system and its underlying policy in my former message, the needs of the present occasion may be served by a less extended consideration of the subject.

Public school education is not an innovation in Delaware, but a time-honored feature of our State polity. Nearly a century ago its foundations were imbedded in our Constitution of 1792, by the wise forethought of our ancestors, as a provision absolutely essential to the safety of popular government and the welfare of a free people. Since then their patriotic design has survived all mutations of time and vicissitudes of fortune, and has been preserved through all changes of our organic law, and from time to time been fostered and developed by auxiliary legislation. In its beneficial results their foresight has been fully vindicated, as has been conspicuously attested by the long list of those who have risen from penury to wealth, and from humble station to high position and leading influence in the State and Nation, and who, in our common schools, acquired the rudiments of their education, and learned the possibilities of their future. The importance of education cannot be overestimated. To the State as well as the individual its advantages are incalculable. The development of the character and capabilities of the individual increases the safety, power and resources of the State. In extending his knowledge, his powers are enlarged, new avenues of thought and occupation are opened, the capacity for discerning and practically applying the latest and best results of modern inquiry is developed, and opportunities for action in higher spheres of usefulness are multiplied, while his moral nature is influenced the better to comprehend all the relations of life, and intelligently to understand the claims and duties which subsist between himself and government, society, family and religion.

It would, therefore, seem to follow that it is the primary and fundamental duty of the State to take care that all available means shall be employed in judiciously promoting the education of the children of its citizens, and that the disregard of this obligation must ultimately prove prejudicial to the general prosperity and public safety.

It was, doubtless, such considerations which led the framers of our State government to inaugurate, and their descendants to strive to perpetuate and develop our Free School system. Its development has been steadily advancing from year to year, keeping pace with the growing public interest, and gradually profiting by such changes and improvements as have been suggested by experience and reflection, and adapted to the needs and progress of the times, until it has at length attained a degree of efficiency which indicates that the system has become established in public favor and esteem, and that, with a few prudent changes, necessary to its more complete operation, its future usefulness will be permanently assured. It is pleasing to learn that these encouraging indications find strong corroboration in the accompanying third annual report of the State superintendent of free schools, which I commend to your attention. It embodies extensive and useful information regarding

the condition of the public schools in the several counties, and the practical operation of the system under the law of 1875, and contains a compilation of valuable statistics relating to school matters. The general tenor of the report is extremely gratifying. It represents that in large sections of the State an ardent educational enthusiasm animates the teachers and pupils, and is being rapidly imparted to parents and the general public, dispelling the indifference existing prior to the law of 1875, and creating a wide-spread interest in the schools which has exceeded the most hopeful predictions.

Since the Superintendent entered upon his duties under the new law, a better organization of the schools has been secured, and a more thorough system introduced into their administration. By more rigid examinations of teachers, and in more numerous branches, the standard has been elevated year by year, producing a marked improvement in the qualifications of the teachers and a corresponding proficiency in their pupils. Under the impulse of these favorable conditions, while the number of schools and scholars has greatly increased, the number of teachers and the average annual cost per pupil have materially decreased.

The Teachers' Institutes have been faithfully attended and remarkably interesting and successful. Their influence has been peculiarly beneficial in furnishing broader views of duty, more correct ideas of the art of instruction and more improved methods of teaching, thus stimulating laudable emulation, and providing additional incentives to further improvement by teachers and scholars. But, while pointing out the merits of the present school system, the Superintendent also invites attention to some of its defects under the existing *regime*. Among these are, the need of more suitable school houses and furniture in some districts; longer terms of school during the year in some localities, and the strict enforcement of the law requiring the use of the uniform system of text books prescribed by the State Board of Education. He also suggests the revision and compilation of the various general laws respecting the free schools of the State, for distribution in pamphlet form, for the convenience and information of those charged with their administration. He also urges some important amendments and changes in the existing law. All of these suggestions I commend to the early attention of the General Assembly, earnestly recommending all judicious legislation that may be required to remedy the defects and perfect the operation of our free school system.

STATE POLICY.

In approaching the conclusion of my official duties, it seems not amiss, or unserviceable, to review the advantages secured and the pro-

gress made in behalf of the State and its people during the period embraced within my term of office, to the end that the achievements of the past may indicate the possibilities and duties of our future, and encourage their fulfillment. Within that brief space much has been accomplished to advance the interests of the State and the welfare of its people, which may justly be regarded by every thoughtful citizen with unalloyed satisfaction. By means of wise legislation, during an era of unexampled privation to the poor, and unusual prostration of business and depreciation of values, the earnings of the distressed laborer have been secured to him by the repeal of attachment laws, while the burdensome features of State taxation, which so grievously oppress our communities, have been removed by extensive reductions of the revenues, exceeding in the aggregate, annually, more than one-third of the entire prior income of the State, and effectually relieving the pressure upon the agricultural, manufacturing, mechanical and other classes. In addition, notwithstanding these large reductions of taxation, the State indebtedness, as heretofore mentioned, has been reduced within the same period \$320,000—with a consequent saving of annual interest, correspondingly increasing the yearly surplus applicable to the gradual redemption of the State bonds. Moreover, an alarming augmentation of the burdens of State debt and taxation has been happily averted by the conscientious and just refusal of the General Assembly to accede to further applications for any additional issue of State bonds in aid of any railroad project whatsoever. These results, together with other useful measures, including the general incorporation law, and the valuable improvements in the public school system, cannot fail to be productive of incalculable advantage, if maintained and increased in the future by a prudent progressive policy.

Of the various subjects of our governmental care, none will be of more constant concern than the public debt and finances. In view of the present condition of the country at large, and the general outcry against the innumerable evils produced by the reprehensible disposition, since the war, recklessly to incur National, State and Municipal indebtedness, it obviously becomes the imperative and paramount duty of the present and future, resolutely to oppose every attempt to augment our State debt, and steadfastly to aid every effort for its early extinction.

All proper measures for increasing the annual surplus fund for redemption purposes, will manifestly hasten this desirable consummation. Among these I may be permitted to mention the important saving of public moneys which would result from shorter sessions of the legislature, which could be secured by refusing to receive all new business not presented by the last day of January in every session, and by declining to consider all subjects whereof the courts of the State have competent jurisdiction under the general laws relating to incorporations, roads, di-

voices and the like. Since, in other and larger States, this object has been secured by suitable action, and is especially practicable in States of more limited needs, and as such a course would greatly abridge the labors of the General Assembly, prevent much unnecessary legislation and economize the public resources. I respectfully submit it as worthy of your serious consideration. Further large accretions to the redemption surplus would accrue from the conversion of our present six per cent. bonds, into those bearing a lower rate of interest, and also from the sums saved through the prevention of unwise and unnecessary outlays, by the practice of rigid economy and careful retrenchment inflexibly observed in all appropriations and public expenditures. If these suggestions, and others which the course of events will reveal, shall be followed, the time will not be far distant when our people will rejoice in their final freedom from the debt imposed by the necessities of war. Until then, a prudent foresight seems to admonish that there should be no further reduction of the annual income of the State by alterations of subsisting revenue laws, save to remove inequalities and supply defects,—an admonition which the requirements of the public credit, and the unforeseen exigencies of the future most solemnly emphasize.

But, whatever reductions may hereafter be made, will be, I apprehend, with the view of removing any obstacles to the introduction and establishment of those industries which attract population and develop the resources of a State. It is of vital importance to an agricultural people, possessing a soil and climate of varied productive capabilities, to encourage the introduction of diversified products and industries, and to establish the manufacturer and consumer in proximity to the producer. Diversified manufacturing and mechanical industries, while they utilize the products needed in their particular art, also create and increase centres of population and the influx of wealth,—all pursuits and classes receiving reciprocal benefits. To adopt a policy which will contribute to this result, seems to be one of the necessities of our future to meet the contingencies of close competition.

Upon the final extinction of the State indebtedness, or earlier, if circumstances render it judicious and feasible, it may not be unadvisable to apply the requisite portion of the surplus revenue in excess of the public needs to the establishment of those institutions and instrumentalities which are necessary adjuncts to every complete and well-ordered governmental organization, such as a State work house, for the profitable employment and wholesome correction of criminals, especially those of youthful age; a State asylum for the insane, with suitable provision for the blind, deaf and dumb, and the like; a thorough public school system; an efficient militia force, adequate to the maintenance of the supremacy of the civil power in every emergency; and all other useful and proper public agencies which may not be incompatible with sound policy and the general welfare.

It is probable that our people will not demur to the expense of such reforms, especially after the extinguishment of the entire State debt and a reasonable reduction of revenues, but will cheerfully bear the continued taxation necessary for such worthy purposes, after having been so long accustomed to heavier burdens. For such a policy as I have hastily outlined, will then, doubtless, be one of the requirements of a competitive age, and indispensably necessary to keep us fully abreast of rival States in the march of modern progress and improvement.

Gifted with natural advantages which are unsurpassed; with the ocean at our doors as a highway for the world's commerce; engirt by two of the noblest estuaries of the Atlantic, whose tributaries numerous penetrate our territory; with a mild and salubrious climate, and a fertile soil of multifarious productiveness; with abounding facilities for rail and water transportation: in close proximity to the largest cities of the continent, and the increasing millions of consumers within daily reach of our productions; with the least expensive government within the Union, light taxation, rapidly decreasing debt, and an honorable history, our State has the earnest of an auspicious future which should make our duty as clear as its destiny is manifest. The duty so to perfect our internal polity and external policy that we may attract and not repel; by making our institutions commensurate to our position and advantages; by protecting person and property through a faithful enforcement of the law and its penalties; by preserving industry and capital from the burdens of unnecessary debt and unjust taxation; and by improving our advantages and developing our resources through a broad, progressive, public-spirited policy which, while preserving praiseworthy and conservative habits of frugality and simplicity, will remove all obstructions and open wide channels to the inflowing tide of useful immigration and needed capital.

Such a policy—practical, comprehensive and far-reaching—if steadfastly adhered to, cannot fail to benefit all classes and all interests in moral and material ways, and to insure to our people an enviable career of prosperity, and a future which shall ultimately afford realization to the designs, and fruition to the desires of the founders of our State.

JOHN P. COCHRAN.

EXECUTIVE DEPARTMENT, January 7th, 1879.

A List of Reprieves, Pardons and Remissions granted by the Governor of the State of Delaware since the Second day of January, A. D. 1877.

JOHN P. COCHRAN, Governor.

NAMF.	Crime.	In what Court convicted and sentenced.	Sentence.	Action of Governor.	Date.	Grounds of Reprieve, Pardon or Remission.
Geo. Butler.	Larceny.	Court of General Sessions of the Peace and Jail Delivery in Kent county, October Term, 1877.	To pay \$175 restitution money; \$200 fine and costs of prosecution; 1 hour in pillory; twenty lashes; one year in jail.	Remitted the whipping	1877. Nov. 1.	The Governor granted this remission upon the recommendation of the jurors who tried the case, and of many respectable citizens of Kent county, who represented that the prisoner was of very youthful age and that the infliction of the whipping might place him beyond the hope of reformation.
John McDaniel.	Selling intoxicating liquor without license.	Court of General Sessions of the Peace and Jail Delivery in Kent county, October Term, 1877.	To pay \$100 fine and costs of prosecution.	Remitted the fine and costs.	Dec. 28.	The Governor granted this remission upon the recommendation of the Chief Justice and Attorney-General of the State, who represented that the prisoner was advanced in years, was physically afflicted, and that his case was a proper one for Executive clemency.

John McDaniel.	Selling in- toxicating liquor with- out license.	Court of Gene- ral Sessions of the Peace and Jail Delivery in Kent county, October Term, 1877.	To pay \$100 fine and costs of pro- secution.	Remitted the fine and costs.	Dec. 28.	The Governor granted this remis- sion upon the recommendation of the Chief Justice and At- torney-General of the State, who represented that the pris- oner was of advanced age, was physically afflicted, and that for these and other reasons, his case was a proper one for Executive clemency.
Nat. Downs, colored.	Assault with intent to murder.	Court of Gene- ral Sessions of the Peace and Jail Delivery in Kent county, April Term, 1878.	To pay \$500 fine and costs of prosecu- tion; 1 hour in pillory; and be im- prisoned six months.	Remitted the standing in the pillory.	1878. May 3.	The Governor granted this remis- sion upon the recommendation of the Chief Justice and At- torney-General of the State, and of numerous citizens of Kent county, who represented that there was some doubt of the guilt of the condemned, that the jury which convicted him had recommended him to the mercy of the Court; that he had al- ways borne a good reputation for peace and good order; that his case was deserving of Ex- ecutive clemency, and that, in their judgment, the ends of jus- tice would be fully accomplish- ed by the execution of the re- maining part of his sentence.

ACCOUNTS OF IGNATIUS C. GRUBB, SECRETARY OF
STATE, FOR THE YEARS 1877 AND 1878.

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

DEBTOR.

		DOLLS.	CTS.
1876.			
Decem'r	13. To cash from J. P. W. Kollock, for commis- sion as Notary Public	10	00
	13. To cash from D. B. Morris, for commission as Justice of the Peace	10	00
	16. To cash from James Springer, for copy of private act	20	00
	20. To cash from E. H. Tyre, for commission as Justice of the Peace	10	00
1877.			
January	3. To cash from Henry W. Long, for commis- sion as Prothonotary	50	00
	3. To cash from George B. Dickson, for com- mission as Justice of the Peace	10	00
	3. To cash from George B. Dickson, for com- mission as Notary Public	10	00
	17. To cash from Thomas P. Wall, for commis- sion as Justice of the Peace	10	00
	17. To cash from Thomas P. Wall, for commis- sion as Notary Public	10	00
	25. To cash from W. Fisk Townsend, for com- mission as Clerk of the Peace	50	00
	25. To cash from James B. Bell, for commission as Commissioner of Deeds	10	00
February	1. To cash from Frank C. Fallon, for commis- sion as Commissioner of Deeds	10	00
	1. To cash from James B. Naudain, for com- mission as Justice of the Peace	10	00
	<i>Amount carried forward</i>	220	00

1877.		DOLLS. CTS.
	<i>Amount brought forward</i>	220 00
Febru'y 14.	To cash from Charles B. Lore, for copy of private act.....	10 00
16.	To cash from Philip C. Pennel, for commission as Notary Public.....	10 00
21.	To cash from William Dean, for copy of private act.....	20 00
21.	To cash from William Dean, for copy of private act.....	10 00
21.	To cash from William McKeowan, for commission as Notary Public.....	10 00
22.	To cash from M. Hanson, for commission as Commissioner of Deeds.....	10 00
22.	To cash from J. Williams, for copy of Charter of Incorporation.....	10 00
23.	To cash from J. E. Worden, for copy of private act.....	10 00
23.	To cash from James Nicholson, for copy of private act.....	10 00
March 3.	To cash from William McKeowan, for commission as Justice of the Peace.....	10 00
5.	To cash from H. Bischoff, for commission as Commissioner of Deeds.....	10 00
6.	To cash from Roswell Weston, for commission as Commissioner of Deeds.....	10 00
7.	To cash from Jasper Dawson, for commission as Notary Public.....	10 00
8.	To cash from Robert E. Randall, for copy of private act.....	10 00
9.	To cash from Joseph T. Brown, for commission as Notary Public.....	10 00
9.	To cash from J. Percy Robinett, for copy of private act.....	10 00
10.	To cash from Alexander Valentine, for copy of private act.....	10 00
10.	To cash from George H. Bates, for two copies of private acts.....	20 00
10.	To cash from F. L. Gilpin, for copy of private act.....	20 00
14.	To cash from William W. Pritchett, for commission as Constable.....	5 00
	<i>Amount carried forward</i>	445 00

1877.		DOLLS.	CTS.
	<i>Amount brought forward.</i>	445	00
March	14. To cash from S. M. Harrington, for copy of private act.	10	00
	14. To cash from E. R. Cochran, for copy of private act.	10	00
	21. To cash from P. C. Thomas, for commission as Justice of the Peace.	10	00
	26. To cash from Henry S. Truitt, for commission as Constable.	5	00
	28. To cash from John P. Allmond, for copy of private act.	10	00
	28. To cash from Alexander Valentine, for copy of private act.	10	00
	28. To cash from Andrew C. Gray, for copy of private act.	10	00
	30. To cash from Hooper & Cranston, for copy of private act.	10	00
	30. To cash from John L. Thompson, for commission as Justice of the Peace.	10	00
	30. To cash from John L. Thompson, for commission as Notary Public.	10	00
April	2. To cash from Victor DuPont, for copy of private act.	20	00
	2. To cash from Victor DuPont, for copy of private act.	10	00
	4. To cash from J. P. Chandler, for copy of private act.	10	00
	6. To cash from Lucy L. Babcock, for copy of private act.	10	00
	11. To cash from Cecil C. Fulton, for three copies of private acts.	30	00
	11. To cash from Joseph Frankish, for commission as Commissioner of Deeds.	10	00
	12. To cash from William L. Wier, for commission as Notary Public.	10	00
	16. To cash from Isaac S. Jones, for commission as Notary Public.	10	00
	24. To cash from Lewis Weldon, for copy of private act.	10	00
May	1. To cash from James L. Wolcott, for copy of private act.	10	00
<i>Amount carried forward.</i>		670	00

1877.		DOLLS.	CTS.
	<i>Amount brought forward</i>	670	00
May	9. To cash from Charles R. Betts, for copy of private act.....	10	00
	9. To cash from Samuel T. Jones, for commission as Notary Public.....	10	00
	14. To cash from T. L. J. Baldwin, for copy of private act.....	20	00
	14. To cash from C. Tatman, Jr., for copy of private act.....	10	00
	25. To cash from Rev. J. B. Quigg, for copy of private act.....	10	00
	25. To cash from Robert H. Davis, for commission as Notary Public.....	10	00
	25. To cash from E. J. Golt, for commission as Notary Public.....	10	00
June	6. To cash from Alexander Goodwin, for commission as Notary Public.....	10	00
	6. To cash from Alexander Goodwin, for commission as Justice of the Peace.....	10	00
	13. To cash from George Gray, for copy of private act.....	20	00
	13. To cash from N. Pendleton Schenck, for commission as Commissioner of Deeds.....	10	00
	13. To cash from J. W. H. Watson, for copy of private act.....	10	00
	13. To cash from James M. Housman, for commission as Clerk of the Orphans' Court..	25	00
	13. To cash from James M. Housman, for commission as Register in Chancery.....	10	00
	21. To cash from Derrick B. Morris, for commission as Notary Public.....	10	00
	30. To cash from Edward W. Francis, for commission as Commissioner of Deeds.....	10	00
Septemb'r 1.	To cash from John P. Burton, for commission as Justice of the Peace.....	10	00
	1. To cash from William R. Rothwell, for commission as Constable.....	5	00
	18. To cash from Robert Raughley, for commission as Clerk of the Peace.....	50	00
	25. To cash from James Bradford, for copy of private act.....	20	00
	<i>Amount carried forward</i>	950	00

1877.		DOLLS.	CTS.
	<i>Amount brought forward</i>	950	00
Septem'r 25.	To cash from Robert D. Maxwell, for commission as Commissioner of Deeds.....	10	00
25.	To cash from Wilmington Club, for copy of private act.....	10	00
28.	To cash from John C. Starkweather, for commission as Commissioner of Deeds.....	10	00
Novem. 14.	To cash from B. Nields, for copy of private act.....	20	00
21.	To cash from T. B. Cooper, for commission as Constable.....	5	00
24.	To cash from Warren G. Griffith, for commission as Commissioner of Deeds.....	10	00
24.	To cash from E. L. Perdrianx, for commission as Commissioner of Deeds.....	10	00
Decemb'r 4.	To cash from John C. Cole, for commission as Justice of the Peace.....	10	00
4.	To cash from John C. Cole, for commission as Notary Public.....	10	00
6.	To cash from <i>Every Evening</i> Company, for copy of private act.....	10	00
		<u>\$1,055 00</u>	

CREDITOR.

1877.		DOLLS.	CTS.
Decem'r 12.	By cash paid Thomas B. Giles, State Treasurer, as per receipt.....	1,055	00

Decem'r 12. Examined and found correct.

(Signed)

NATHAN PRATT,
State Auditor.

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

DEBTOR.

		DOLLS.	CTS.
1877.			
Decem'r	17. To cash from John A. Hazzard, for commission as Justice of the Peace.....	10	00
	17. To cash from John A. Hazzard, for commission as Notary Public.....	10	00
	22. To cash from J. Taylor Bradford, for copy of private act.....	10	00
	22. To cash from L. Rodmond Smith, for copy of charter of incorporation.....	10	00
	22. To cash from Louis Fucot, for commission as Commissioner of Deeds.....	10	00
	29. To cash from Victor DuPont, for copy of private act.....	20	00
	31. To cash from Philip H. Hoffman, for commission as Commissioner of Deeds.....	10	00
	31. To cash from George Gray, for copy of private act.....	20	00
1878.			
January	2. To cash from Peter C. Frasher, for commission as Justice of the Peace.....	10	00
	2. To cash from Peter C. Frasher, for commission as Notary Public.....	10	00
	12. To cash from Edward Shippen, for commission as Commissioner of Deeds.....	10	00
	13. To cash from Thomas W. Ralph, for commission as Notary Public.....	10	00
	13. To cash from Thomas W. Ralph, for commission as Justice of the Peace.....	10	00
	24. To cash from Henry E. Garsed, for commission as Commissioner of Deeds.....	10	00
	25. To cash from John C. Pennewill, for commission as Register of Wills.....	50	00
	29. To cash from Joseph B. Nones, for commission as Commissioner of Deeds.....	10	00
February	5. To cash from Daniel Mulherin, for copy of private act.....	10	00
<i>Amount carried forward.....</i>		230	00

1878.		DOLLS.	CTS.
	<i>Amount brought forward</i>	230	00
February	6. To cash from Frank Saunders, for commission as Commissioner of Deeds.....	10	00
	11. To cash from Robert J. Davidson, for commission as Notary Public.....	10	00
	12. To cash from William Dean, for copy of private act.....	10	00
	15. To cash from W. M. Mayer, for copy of private act.....	10	00
	18. To cash from David G. Farey, for commission as Justice of the Peace.....	10	00
	18. To cash from Joseph Killgore, for commissions as Notary Public and Justice of the Peace.....	20	00
	26. To cash from Severn A. Lambdon, for commission as Justice of the Peace.....	10	00
	27. To cash from Henry Todd, for commission as Clerk of the Orphans' Court.....	25	00
	27. To cash from Henry Todd, for commission as Register in Chancery.....	10	00
	27. To cash from George W. Williams, for copy of private act.....	10	00
March	6. To cash from W. D. W. Bennett, for commission as Commissioner of Deeds.....	10	00
	14. To cash from H. J. Stratemeyer, Jr., for commission as Commissioner of Deeds...	10	00
	20. To cash from A. Buckingham, for commission as Commissioner of Deeds.....	10	00
	27. To cash from Louis Bockhardt, for commission as Commissioner of Deeds.....	10	00
April	4. To cash from O. B. Voshell, for commission as Notary Public.....	10	00
	16. To cash from Samuel L. Taylor, for commission as Commissioner of Deeds.....	10	00
	16. To cash from Kinley J. Tener, for commission as Commissioner of Deeds.....	10	00
	17. To cash from Jesse W. Robinson, for commission as Justice of the Peace.....	10	00
	17. To cash from Jesse W. Robinson, for commission as Notary Public.....	10	00
	<i>Amount carried forward</i>	445	00

1878.		DOLLS. CTS.
	<i>Amount brought forward</i>	445 00
April	25. To cash from James M. Housman, for commission as Notary Public.....	10 00
	29. To cash from Charles N. West, for commission as Commissioner of Deeds.....	10 00
May	14. To cash from Samuel H. Layton, for commission as Notary Public.....	10 00
	23. To cash from George H. Bates, for copy of charter of incorporation.....	10 00
	29. To cash from Henry G. Budd, for commission as Justice of the Peace.....	10 00
June	3. To cash from David H. Mustard, for commission as Notary Public.....	10 00
	13. To cash from G. Evett Reardon, for commission as Commissioner of Deeds.....	10 00
	21. To cash from John Sparharok, for commission as Commissioner of Deeds.....	10 00
July	6. To cash from Chapman S. Charlot, for commission as Commissioner of Deeds.....	10 00
	23. To cash from Anthony Higgins, for copy of private act.....	10 00
	29. To cash from George W. Townsend, for commission as Justice of the Peace.....	10 00
	29. To cash from George W. Townsend, for commission as Notary Public.....	10 00
August	29. To cash from Major W. Allen, for commission as Justice of the Peace.....	10 00
	29. To cash from Major W. Allen, for commission as Notary Public.....	10 00
Septem'r	11. To cash from Thomas L. Wiltbank, for commission as Commissioner of Deeds.....	10 00
	20. To cash from William B. Adams, for commission as Commissioner of Deeds.....	10 00
	30. To cash from George W. Williams, for commission as Notary Public.....	10 00
October	17. To cash from Levi A. Bertollette, for commission as Justice of the Peace.....	10 00
	17. To cash from Levi A. Bertollette, for commission as Notary Public.....	10 00
	29. To cash from Charles Nettleton, for commission as Commissioner of Deeds.....	10 00
	<i>Amount carried forward</i>	645 00

1877.		DOLLS. CTS.
	<i>Amount brought forward.</i>	645 00
Novem. 10.	To cash from Francis M. Dunn, for commission as Sheriff of Kent county	50 00
11.	To cash from Joseph Ellis, for commission as Sheriff of Sussex county	50 00
11.	To cash from Samuel J. Wilson, for commission as Coroner of Sussex county	10 00
11.	To cash from John Wilcuts, for commission as Coroner of Kent county	10 00
11.	To cash from Peter T. E. Smith, for commission as Notary Public	10 00
13.	To cash from John Pyle, for commission as Sheriff of New Castle county	50 00
14.	To cash from Jacob Butz, for commission as Coroner of New Castle county	10 00
19.	To cash from William Dulles, Jr., for commission as Commissioner of Deeds	10 00
25.	To cash from Thomas Holcomb, for commission as Recorder of New Castle county	50 00
29.	To cash from Henry G. Budd, for commission as Notary Public	10 00
December 4.	To cash from J. Paul Diver, for commission as Commissioner of Deeds	10 00
4.	To cash from William J. Lyon, for commission as Commissioner of Deeds	10 00
14.	To cash from Charles D. Greene, Jr., for commission as Commissioner of Deeds	10 00
16.	To cash from Azel Stevens, for commission as Notary Public	10 00
		<hr/> 945 00 <hr/>

CREDITOR.

1878.		DOLLS. CTS.
Decem'r 17.	By cash paid Thomas B. Giles, State Treasurer, as per receipt	945 00
		<hr/>

Decem'r 17. Examined and approved.

(Signed)

NATHAN PRATT,
Auditor of Accounts.

Ignatius C. Grubb, Secretary of State, in account with Contingent Expenses of the Office.

DEBTOR.

		DOLLS.	CTS.
1876.			
Decemb'r 7.	By balance in hand of Contingent Fund, as approved by the Auditor of Accounts...	100	59
1877.			
February 2.	By this sum, being the appropriation made by the General Assembly by joint resolution adopted January 18th, 1877, for contingent expenses of Secretary's office....	700	00
		<hr/>	<hr/>
		800	59

CREDITOR.

		DOLLS.	CTS.
1876.			
Decem'r 30.	By cash paid C. T. Howell, for transcribing accounts, &c., for the General Assembly. Voucher 29.....	5	00
1877.			
January 27.	By cash paid C. T. Howell, for transcribing message, &c. Voucher 30.....	10	27
March 31.	By cash paid F. A. Smith, for postage. Voucher 31.....	9	00
April 11.	By cash paid C. C. Fulton, for transcribing laws for publication, &c. Voucher 32...	130	00
	21. By cash paid William M. Pyle, for postage. Voucher 33.....	6	00
June 9.	By cash paid William M. Pyle, for postage. Voucher 34.....	8	00
	21. By cash paid C. P. Johnson, for printing licenses, &c. Voucher 35.....	122	00
	21. By cash paid James & Webb, for printing, &c. Voucher 36.....	15	00
	21. By cash paid Boughman, Thomas & Co., for stationery. Voucher 37.....	38	28
		<hr/>	<hr/>
	<i>Amount carried forward.....</i>	343	55

		DOLLS.	CTS.
1877.	<i>Amount brought forward</i>	343	55
Septem'r 7.	By cash paid William M. Pyle, for postage. Voucher 38		9 00
Decem'r 12.	Balance in hand of Contingent Fund.....	448	04
			<u>800 59</u>

1877.
Decem'r 12. Examined and approved.

(Signed)

NATHAN PRATT,
Auditor of Accounts.

Ignatius C. Grubb, Secretary of State, in account with Contingent Expenses of the office.

DEBTOR.

		DOLLS.	CTS.
1877.			
Decem'r 12.	By balance in hand of the Contingent Fund, as above approved by the Auditor of Ac- counts.....	448	04

CREDITOR.

		DOLLS.	CTS.
1878.			
January 12.	By cash paid C. P. Johnson, for printing. Voucher 39.....	23	50
18.	By cash paid Every Evening Company, for printing. Voucher 40	3	75
21.	By cash paid William M. Pyle, for postage. Voucher 41	6	00
March 11.	By cash paid William M. Pyle, for postage. Voucher 42	12	00
July 3.	By cash paid William M. Pyle, for postage. Voucher 43	9	00
5.	By cash paid C. F. Thomas & Co., for sta- tionery, &c. Voucher 44.....	7	75
6.	By cash paid James & Webb, for printing, &c. Voucher 45.....	10	90
<i>Amount carried forward</i>		72	90

1878.		DOLLS.	CTS.
	<i>Amount brought forward</i>	72	90
Septem'r 5.	By cash paid J. D. Boggs, R. R. Agent, for freight. Voucher 46.....	2	59
Novem'r 13.	By cash paid William M. Pyle, for postage. Voucher 47.....	15	00
Decem'r 17.	By cash paid C. P. Johnson, for printing. Voucher 48.....	11	50
17.	By cash paid James & Webb, for printing. Voucher 49.....	3	75
17.	Balance in hand of Contingent Fund.....	342	30
		<hr/> 448 04 <hr/>	

1878.
Decem'r 17. Examined and approved.
(Signed)

NATHAN PRATT,
Auditor of Accounts.

STATE OF DELAWARE,
EXECUTIVE DEPARTMENT.

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

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

[SEAL.]

IGNATIUS C. GRUBB,
Secretary of State.

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

DEBTOR.

		DOLLS.	CTS.
1878.			
Decem'r 18.	To cash from Joseph T. Adams, for Notary Public commission.....	10	00
1879.			
January 13.	To cash from Patrick Neary, for Constable commission.....	5	00
14.	To cash from Benjamin H. Elliott, for Justice of the Peace commission.....	10	00
14.	To cash from Benjamin H. Elliott, for Notary Public commission.....	10	00
18.	To cash from George F. Lincoln, Commissioner of Deeds commission.....	10	00
20.	To cash from George H. Bates, for copy of charter of incorporation.....	20	00
		<hr/>	<hr/>
		65	00
		<hr/>	<hr/>

CREDITOR.

		DOLLS.	CTS.
1879.			
January 20.	By amount paid State Treasurer in full, as per receipt of this date.....	65	00
		<hr/>	<hr/>

JANUARY 20TH, 1879.

Received of Ignatius C. Grubb, Secretary of State, the sum of sixty-five dollars, in full of the foregoing account.

THOS. B. GILES,
State Treasurer.

Ignatius C. Grubb, Secretary of State, in account with Contingent Expenses of his Office.

DEBTOR.

1878.		DOLLS.	CTS.
Decem'r 17.	By balance in hand of the Contingent Fund, as this day appeared by the Auditor of Accounts	342	30

CREDITOR.

1879.		DOLLS.	CTS.
January 4.	By cash paid George P. Flinn, for transcribing for use of Legislature. (Voucher 50).	2	50
15.	By cash paid David F. Burton, Agent of Adams' Express Company, for expressage. (Voucher 51)	59	25
20.	By cash paid Charles T. Howell, for transcribing Ex. documents. Voucher 52)...	10	00
20.	Balance in hand of Contingent Fund	270	55
		342	30

JANUARY 20TH, 1879.

Examined and approved by the committee appointed by joint resolution to settle with the Secretary of State, his account with the Contingent Expenses of his office.

J. FRANK DENNEY,
C. F. RUST,

Committee of the Senate.

J. W. SHARP,
J. GIBSON CANNON,
W. E. RIGGS,

Committee of the House.

STATE OF DELAWARE,
EXECUTIVE DEPARTMENT.

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

In testimony whereof, I have hereunto set my hand and official seal, at Dover, this Twentieth day of January, A. D. 1879.

[SEAL.]

IGNATIUS C. GRUBB,
Secretary of State.

STATE OF DELAWARE, EXECUTIVE DEPARTMENT, January 7th, 1879.

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

The following List of Orders for Printing, since January 2d, 1877, the date of my last report, is furnished for the purpose of informing the General Assembly of the amount of advertising done by the several newspapers of the State by orders from this Department:

WHAT PUBLISHED.	When.	How long.	By what Authority.	In what Newspapers.
"An act regulating the sale of spirituous, vinous or malt liquors, passed March 22, 1877."	1877. March 27.	Weekly for 2 weeks.	<i>Secretary of State.</i>	Daily and Weekly Delaware Gazette.
"A supplement to the act entitled 'An act regulating the sale of spirituous, vinous or malt liquors,' passed March 22, 1877.".....	March 27.	Weekly for 2 weeks.	<i>Secretary of State.</i>	Daily and Weekly Delaware Gazette.
"An act to reduce taxation."..	March 27.	Weekly for 2 weeks.	<i>Secretary of State.</i>	Daily and Weekly Delaware Gazette.
Proclamation offering a reward of \$300 for an unknown white man, charged with rape.....	June 4.	Weekly for 2 weeks.	<i>Governor.</i>	Weekly Dela. Gazette, Smyrna Times and the Delawarean.
Proclamation offering a reward of \$300 for William Scott, colored, charged with rape...	Octob'r 30.	Three issues.	<i>Governor.</i>	Delaware Gazette and the Every Evening and Commercial.

Thanksgiving Proclamation. . . .	Novem'r 5.	Three issues.	<i>Governor.</i>	Delaware Gazette, Middletown Transcript, Delawarean and Sussex Journal.
List of Justices of the Peace and Notaries Public.	Decem'r 3.	Two weeks.	<i>Secretary of State.</i>	Daily and Weekly Delaware Gazette, Delawarean and Sussex Journal.
Proclamation offering a reward of \$200 for Frank Thomas, colored, charged with assault with intent to murder.	Dece'r 11.	Three issues.	<i>Governor.</i>	Delaware Gazette and Middletown Transcript.
	1878.	Weekly for 2 weeks.		Every Evening and Commercial, Middletown Transcript, Delawarean and Sussex Journal.
Thanksgiving Proclamation. . . .	Nove'r 11.	Weekly for 2 weeks.	<i>Governor.</i>	Delaware Gazette, Delawarean and Sussex Journal.
Proclamation of the Election of Representative in Congress. .	Nove'r 11.	Weekly for 2 weeks.	<i>Governor.</i>	Delawarean, Sussex Journal and Delaware Gazette.
List of Justices of the Peace and Notaries Public.	Decem'r 2.	Weekly for 2 weeks.	<i>Secretary of State.</i>	

Respectfully submitted,

IGNATIUS C. GRUBB,
Secretary of State.

A LIST OF BOOKS RECEIVED FOR THE USE OF THE
STATE LIBRARY FROM JANUARY 1st, 1877, TO JANU-
ARY 1st, 1879.

ALABAMA.	Year.	Vol.	No.	Vols.
Reports of.....	1874.	51.	1
Acts of Assembly.....	1876-7.	1

ARIZONA.

Acts of Assembly.....	1877.	....	....	1
Journal of Assembly.....	1877.	....	....	1
Compiled Laws of.....	1877.	....	....	1

ARKANSAS.

Acts of Assembly.....	1875.	....	....	1
“.....	1877.	....	....	1
Constitution of.....	1874.	....	....	1
Reports of.....	....	30.	....	1
“.....	1876-7.	31.	....	1
“.....	1877-8.	32.	....	1

CALIFORNIA.

House and Senate Journals.....	1875-6.	....	....	2
Reports.....	1875.	50.	....	1
Annual Statistician.....	1878.	....	....	1
Statutes of.....	1877-8.	....	....	1
House and Senate Journals.....	1877-8.	....	....	2

CHIEF JUSTICE, Purchased by

U. S. Digest, new series.....	1877.	1-	8.	8
“ first series.....	....	1-14.	14	
Cranch's Supreme Court Reports. ....	....	1-	9.	9
Wheaton's “ “.....	....	1-12.	12	
Peters' “ “.....	....	1-16.	16	
Otto's “ “.....	....	....	....	....
(2, 3, 4, 5 and 6).....	....	92-	6.	5
Dallas' Reports, (Sup.).....	....	1-	4.	4
Kerr on Frauds.....	....	....	....	1
Bump on Fraudulent Conveyances... ..	....	....	....	1
Law Reports, Chancery Division.....	....	1-2.	2	

CHIEF JUSTICE—CONTINUED.

	Year.	Vol.	No.	Vols.
Law Reports, Probate Division.....	.....	1.	....	1
“ Common Pleas Division.....	.....	1.	....	1
“ Exchequer “.....	.....	1.	....	1
“ Queen’s Bench “.....	.....	1.	....	1
“ Appeal cases.....	.....	1.	....	1
Archbald’s Criminal Practice and Pleading, Pomeroy’s Notes.....	.....	1-2.	..	2
Law Reports—Common Pleas Div... 1876-7..	2.	....	1	
Exchequer “ ... 1876-7..	2.	....	1	
Probate “ ... 1876-7..	2.	....	1	
Queen’s Bench “ ... 1876-7..	2.	....	1	
Chancery “ ... 1876-7..	4-6.	..	3	
Admiralty and Eccles. 1875....	4.	....	1	
Court of Com. Pleas.. 1874-5..	10.	....	1	
Chancery App. Cases. 1874-5..	10.	....	1	
Crown Cases reserved. 1872-5..	2.	....	1	
Court of Exchequer.. 1874-5..	10.	....	1	
Equity Cases..... 1874-5..	11 & 20	..	2	
Queen’s Bench..... 1874....	10.	....	1	
Probate and Divorce.. 1872-5..	10.	....	1	
Jones on Mortgages.....	.....	1-2.	..	2

COLORADO.

General Laws of.....	1877....	....	2
Civil Code.....	1877....	....	2
Legislative Manual.....	1877....	....	1

CONNECTICUT.

Insurance Report.....	1877....	....	1
Report of Board of Agriculture..	1877....	....	1
Acts of Assembly—Public.....	1877....	....	1
“ Special.....	1877....	....	1
Colonial Records.....	.....	10.	1
Reports of.....	.....	43.	1
“ .....	.....	44.	1
Legislative Documents.....	1878....	....	1
Journals of Senate and House.....	1878....	....	2
Acts of Assembly—Public.....	1878....	....	1
“ Special.....	1878....	....	1

DELAWARE.

	Year.	Vol.	No. Vols.
Chancery Reports		1	40
“		2	40
Laws of	1877		10
Senate Journal	1877		2
House “	1877		2

FLORIDA.

Reports	15	1
Journals of House and Senate	1877	2
Acts of Assembly	1877	1

GEORGIA.

Reports	54	1
“	55	1
“	56	1
“	57	1
“	58	1
Laws of	1876	1
Senate and House Journals	1876	2
Journal of Constitutional Convention	1877	1
“ House and Senate	1877	2
Constitution	1877	1
Laws	1877	1

ILLINOIS.

Reports of Trustees of Hospitals	Miss	8
“ Canal Commissioners	1875-6	1
“ Adjutant General	1875-6	1
“ Board of Public Charities	1875-6	1
“ Superintendent of Public Instruction	1875-6	1
Biennial Report of Treasurer	1876	1
Governor's Message	1877	2
Secretary's Report	1876	1
Attorney General's Report	1876	1
Proceedings of State Board of Equalization	1876	1
Auditor's Report	1876	1
Report of Com. of Public Charities	1876	1
State Reports	63-84	22

ILLINOIS—CONTINUED.

	Year.	Vcl.	No.	Vols.
Proceedings of Board of Equalization.	1877.....			4
Report of Comm'rs of Penitentiary..	1876....			1
Report of Board of Education concern- ing Normal Education.....	1876....			1
Report of Railroad and Warehouse Commission.....	1876....			1
Proceedings of Assembly.....	1877....	1811		1
Reports of the Gov.....	1877....	var.		3
School Law	1872-7..			1
Railroad and Warehouse Laws.....	1877....			1
Report of Canal Commissioners.....	1877....			1
Report of Railroad and Warehouse Commissioners.....	1877....			1
Journals of Senate and House.....	1877....			2
Revenue Laws.....	1877....			1
History of Ill. and Life Ninion Edwards Laws.....	1877....			1
Report of Commissioners to construct Southern Hospital for the Insane..				1
Report of Centennial Managers.....				1
Report of Trustees of Normal Univer- sity.....			2....	1
Report of Trustees of Eye and Ear Infirmary.....			10....	1
Insurance Report.....	1878....	9-10.		2

INDIANA.

Report of Secretary of State	1877....			1
Reports.....		52-7..		6

IOWA.

Iowa and the Centennial; The State Address delivered by Hon. C. C. Nourse, Thursday, Sept. 7th, 1876.			1....	3
Senate and House Journals.....	1876....			2
Reports—Russell's			12-6..	5
Iowa Documents.....	1878....	1-2..		2
Laws of	1878....			1
Senate and House Journals.....	1878....			2

KANSAS.	Year.	Vol.	No. Vols.
Directory of State Government.....	1877-8..	.....	1
Reports—Webb.....	.....	16-19.	4
Laws.....	1877.....	.....	1

KENTUCKY.

Insurance Report.....	1877.....	17....	1
Reports—Bush.....	.....	11-12.	2
Resources; Condition and Agricultural Report.....	.....	.....	1
Insurance Report.....	1878.....	8....	1
Codes of Practice.....	1876.....	.....	1
Reports—Bush.....	.....	13....	1

LOUISIANA.

Annual Reports.....	1875-7..	27-29.	3
Acts of Assembly.....	1877.....	.....	1
Journals of Senate and House.....	1878.....	.....	2
Catalogue of State Library.....	1878.....	.....	1
Documents of.....	1878.....	.....	2
Senate and House Journals of Extra Session.....	1878.....	.....	2
Acts of Assembly.....	1878.....	.....	1

MAINE.

Report of Superintendent of Public Schools.....	1875.....	52....	1
Journals of Senate and House.....	1875.....	.....	2
Agriculture of.....	1875-6..	.....	1
State Reports.....	.....	64-6..	3
Laws.....	1876.....	.....	1
Public Documents.....	1876.....	1-2..	2
Legislative Documents.....	1876.....	.....	1
Agriculture of.....	1876-7..	.....	1
Journals of Senate and House.....	1876.....	.....	2
Acts of Assembly.....	1877.....	.....	1

MARYLAND.

Reports—Stockett.....	1875-7..	43-6..	4
Senate and House Documents.....	1878.....	.....	1
“ Journals.....	1878.....	.....	2

MARYLAND—CONTINUED.

	Year.	Vol.	No.	Vols.
Laws of.....	1878			
Digest of Reports—Burgwyn.....				1

MASSACHUSETTS.

Special Laws of.....	1871-5.	13.		1
Reports.....	1870.	114.		1
“.....		120-3.		4
Census.....	1875.	1-3.		3
Public Charities.....	1876.			1
Report of Commissioners to inquire into the Expediency of Revising the Judicial System.....	1876.			1
Report of State Centennial Commis- sion.....	1876.			1
Public Documents.....	1876.	1-5.		5
State Board of Health.....	1877.			1
Constitution of.....				1
Acts and Resolutions of Assembly..	1877.			1
Public Documents.....	1877.	1-5.		5
Acts of Assembly.....	1878.			1
State Board of Health.....	1878.			1

MICHIGAN.

Post's State Reports, 11-14.....		33-6.		4
A Map of the Central Portions of the Upper Peninsula.....	1873.			1
Geological Survey of.....	1873-6.	3.		1
Registration Report.....	1872.			1
House Journal.....	1875.	1-2.		2
Senate “.....	1875.			1
Joint Documents.....	1875.	1-2.		2
Public Acts of Assembly.....	1877.			1
Local “.....	1877.			1
Joint Documents.....	1876.	1-3.		3
Report of State Board of Agriculture.	1875.			1
“ “ “.....	1876.			1
“ “ Health.....	1876.			1
“ State Pomological Society..	1875.			1
“ “ “.....	1876.			1
Catalogue of Michigan State Library.	1877-8.			1
Charities and Corrections.....	1876-7.			1

MICHIGAN—CONTINUED.

	Year.	Vol.	No.	Vols.
Report of Superintendent of Public Instruction.....	1875-6..	....	2	
Illuminating Oils in Michigan.....	....	....	1	
An Address on Idiocy and the Treatment of Idiots; also, an address on Hereditary and Men .....	....	....	1	
Restriction and Prevention of Scarlet Fever.....	....	....	1	
First Annual Report of Cereal Products.....	1876-7..	1....	1	
A Chart and Key of the Educational System of.....	....	....	1	
History of the Press of Michigan....	....	....	1	
Testimony taken before Legislative Committee touching the administration of affairs at Jackson State Fair.	1875....	....	1	
Insurance Report.....	1877....	....	1	
“.....	1877....	....	1	
“ (Pt. 1 and 2).....	1877....	....	2	
Report of Superintendent of Public Instruction.....	1877....	....	1	
Pomological Report.....	1877....	....	1	
Report of Board of Agriculture....	1877....	....	1	
Auditor General's Report.....	1877....	....	1	
Index of Laws.....	1872-7..	....	1	
Pioneer Collections.....	1874-6..	1....	1	
Joint Documents.....	1877....	1-2..	2	

MINNESOTA.

Reports	1877....	22-3..	2
Report of Secretary of State.....	1877....	....	1

MISCELLANEOUS.

Catalogue, (Portugal,) International Exhibition	1876....	....	5
The Road Review—T. S. Fernon....	....	....	1
Speeches of Eliza Ward.....	....	1....	1
Proceedings of the American Pharm. Association.....	1877....	....	1
Catalogue of Exhibits in Educational Department at Centennial Exhibition.....	1876....	....	1

MISCELLANEOUS—CONTINUED.

	Year.	Vol.	No.	Vols.
Statutes of Quebec	1876....	....	....	1
“	1878....	....	....	1
Great Southern Railway .....	....	....	....	1
Deterioration and Race Education...	....	....	....	1
Statutes of Quebec, 41 and 42 Vict..	1878....	....	....	1
Presented by Senator Eli Saulsbury :				
U. S. Official Register.....	1877....	....	....	1
Count of the Electoral Votes; Acts of U. S., passed 2d Session, 42d Congress; Revised Statutes rela- ting to District of Columbia, &c.	....	....	....	1
Statutes of U. S., 1st Session 44th Congress.....	1875-6..	....	....	1
Charters and Constitutions of the several States.....	....	1-2..	....	2
Congressional Record, 2d session of 44th Congress .....	....	1-4..	....	4
Index to same .....	....	....	....	1

MISSISSIPPI.

Journals of Senate and House.....	1877....	....	....	2
Laws of	1877....	....	....	1
Reports of Officers of.....	1877....	....	....	1
State Reports—Harris & Simrall....	....	51-2..	....	2
Journals of Senate and House.....	1878....	....	....	2
Reports—Brown & Hemingway.....	....	53-4..	....	2
Reports of State Officers.....	1878....	....	....	1
Laws of	1878....	....	....	1
Testimony in the Impeachment of Adelbert Ames, as Governor of...	1877....	....	....	1

MISSOURI.

Reports—Post, 21-3.....	....	62-4..	....	3
“	1877....	65....	....	1
Laws of	1877....	....	....	3
Journal of Board of Equalization ...	1878....	....	....	1
Annual Report of Board of St. Louis Public Schools.....	1875-7..	....	....	2
Reports	1877-8..	66....	....	1

MONTANA.		Year.	Vol.	No.	Vols.
Laws of	1877.....				1
Reports of—2d Blake.....			2.....		1
NEBRASKA.					
Reports—Brown			5-7.....		3
Journals of Senate and House	1877.....				2
Laws of	1877.....				1
NEVADA.					
Reports—Bicknell.....	1876.....	11.....			1
“ “		18.....			1
Journals of Senate and House.....	1877.....				2
Appen. to Senate and House Journals.....					2
Statutes	1877.....				1
NEW HAMPSHIRE.					
Journals of Senate and House.....	1876.....				2
Reports of the Legislature.....	1876.....				1
School Report	1876.....				1
Reports—7th Shirley.....		55.....			1
Laws of	1876.....				1
NEW JERSEY.					
Law Reports—9-10 Broom		38-9.....			2
Equity “ 11 and 12 Greene and 1 Stewart.....		26-8.....			3
Senate and House Journals.....	1876.....				2
Laws of	1876.....				1
Legislative Documents	1876.....				1
Stewart's Digest—Law and Equity ..		1-2.....			2
Hood's Index to the Laws.....	1863.....				1
Legislative Documents.....	1877.....				1
Laws of	1877.....				1
Journals of Senate and House	1877.....				2
Geological Survey—Rept. on clay ...	1878.....				1
Report of the Centennial Commis'rs..					1
NEW MEXICO.					
Acts of Assembly.....	1878.....				1
Governor's Message and Journals of Senate and House.....	1878.....				1

NEW YORK.	Year.	Vol.	No.	Vols.
Insurance Report—Fire and Marine..	1877....	1....	1	
“ “ “ ..	1878....	1....	1	
“ “ “ ..	1878....	....	1	
Supreme Court Reports—8th to 14th hundred		15-21.	7	
Reports of N. Y. Court of Appeals— 18-25 Sickels.....		63-70.	8	
Senate Documents.....	1876....	3-7..	5	
Assembly “	1876....	5-7..	3	
“ “	1877....	1-9..	9	
Documents Relating to the History of New York		12....	1	
Census.....	1875....	....	1	
Assembly Documents.....	1877....	1-9..	9	
Senate “	1877....	1-4..	4	
Senate Journal.....	1877....	....	1	
Assembly Journal.....	1877....	1-2..	2	
University of—89th Regent's Report.	1876....	....	1	
“ 90th “	1877....	....	1	
Laws of—100th session.....	1877....	1-2..	2	
Report of Trustees of New York State Library.....	1876....	....	1	
Laws of	1878....	....	1	
Annual Report of the State Museum of Natural History.....	1878....	29....	1	
Journals of Senate and House.....	1878....	....	2	
Assembly Documents.....	1878....	1, 2, 3, 4, 6	5	

NORTH CAROLINA.

Reports	75-7..	3
“ —Kernan.....	79....	1
Laws of	1876-7..	2

OHIO.

Report of Agriculture.....	1875....	....	1
“ Auditor.....	1876....	....	1
Report on Railways.....	1876....	....	1
Laws of.....	1877....	74....	1
Statistics.....	1876....	....	1
Journals of Senate and House.....	1876....	....	2
Executive Documents.....	1876....	1-3..	3

OHIO—CONTINUED.

	Year.	Vol.	No.	Vols.
Report of Supervisor of Public Printing.....	1876....	....	1	
Report of Commiss'rs of Sinking Fund.	1876....	....	1	
" Com. Schools.	1876....	23....	1	
" on Fish.....	1876....	1....	1	
Report of Commissioners of Soldiers' and Sailors' Orphans' Home.....	1876....	7....	1	
Report of Commissioners of State Library.....	1876....	21....	1	
Report of Superintendent and Trustees of the — Home.....	1876....	8....	1	
Report of Superintendent and Trustees of the Cleveland Insane Hospital..	1876....	22....	1	
Report of State Treasurer.....	1876....	....	1	
" Dayton Hospital for the Insane	1876....	....	1	
Report of Athens Hospital of the Insane	1876....	....	1	
Report of the Penitentiary	1876....	....	1	
" Public Charities	1876....	1....	1	
" Inst. for Education of the Blind.....	1876....	40....	1	
Report of Common Reform Schools..	1876....	21....	1	
" Colored Hosp. for Insane..	1876....	28....	1	
" Board of Public Works...	1876....	28....	1	
" Adjutant-General.....	1876....	....	1	
" Comptroller of the Treasury	1876....	....	1	
Report of Agricultural and Mich. College.....	1876....	6....	1	
Report of State Wine Inspector.....	1876....	3....	1	
Message of Governor R. B. Hayes to Legislature.....	1877....	....	1	
Reports—Dewitt.....	....	26-9..	4	
House and Senate Journals.....	1877....	....	2	
Senate Journal.....	1878....	....	1	
Laws of	1878....	75....	1	
Executive Documents	1877....	1-3..	3	
Agricultural Report	1876....	....	1	
Railroad Report.....	1877....	....	1	
Auditor's Report.....	1877....	....	1	
Statistics	1877....	....	1	
Common School Report.....	1877....	....	1	
Official Reports.....	1877....	....	26	

OREGON.

Year. Vol. No. Vols.

Reports—Supreme Court—4 and 5			
Bellinger	4-5..	2	
Biennial Report of Secretary of State..	1878....	1	
“ Superin’t of Public			
Instruction.....	1878....	1	

PENNSYLVANIA.

Reports—29-31st, S. F. Smith	79-81..	3	
“ —1-3 Morris	82-4..	6	
Archives—2d Series	2-7..	6	
Report of Supt. of Public Instruction. 1877....		1	
Annual Report of Secretary of Inter- nal Affairs	1875-6..	3....	1
Executive Documents	1876....	1-3..	3
Legislative “	1877....		1
Senate and House Journals.....	1877....		2
Soldiers’ and Sailors’ Orphans’ Schools of			1
Insurance Report—Fire and Marine..	4....	1	
“ Life.....	4....	1	
Laws of	1877....	1	

RHODE ISLAND.

Census of.....	1875....	1	
Reports	11....	1	
Acts of Assembly.....	1876-7..	2	
General Index to Reports—Clapp....		1	
Public Laws of.....	1873-8..	1	

SOUTH CAROLINA.

Reports—Richardson 6-7.....	1874-6..	6-7..	2
Journals of Senate and House.....	1877....		2
Acts of Extra Session.....	1877....		1
Acts of Assembly.....	1877-8..		1
Reports and Resolutions.....	1877-8..		1

TENNESSEE.

Reports—8th and 9th Heiskell.....	8-9..	2	
Senate and House Journals, with Ap- pendix.....	1877....	3	
Acts of Assembly.....	1877....	1	

TEXAS.	Year.	Vol.	No.	Vols.
Reports—Ferrell & Walker.....	....	44-7..		4
“ Court of Appeals.....	....	1-3..		3
UNITED STATES.				
Report of the Chief of Engineers ...	1876....	1-3..		3
“ “ “ “	1877....	1-2..		2
Specifications and Drawings of Patents, from June, 1876, to August, 1878.	1876-8..	....		27
House Journal, 1st session of 44th Congress.....	1875-6..	....		2
Treaties and Conventions since July 4th, 1776.....	....	....		1
Report of the Commissioner of Educa- tion.....	1875....	....		1
Report of the Life Saving Service...	1876....	....		1
Carroll, Montana, to Yellow Stone Na- tional Park.....	1875....	....		1
Washington Astronomical and Meteo- rological Observations.....	1874....	....		1
Finance Report.....	1876....	....		1
House Journal, 2d session of 44th Congress.....	1876-7..	....		2
Geological Survey of the Territories..	1877....	1....		1
Geological and Geographical Survey of the Territories and Colorado.....	1875....	....		1
Geological and Geographical Survey of the Rocky Mountain Region.....	....	1....		1
Geological and Geographical Survey of the Eleventh Division.....	....	1....		2
Geological Survey of the Territories— Birds of the North-west.....	1874....	1....		1
Descriptive Photographs of the North American Indians.....	....	1....		1
Field Work of the Geological and Geo- graphical Survey of the Territories.	....	1....		1
List of Elevations—Geol, 4th edition.	....	....		1
Bulletin of the U. S. Nat. Museum..	....	....		9
Geological Survey—Fur Bearing Ani- mals, Miss., Part VIII.....	1877....	....		1
Geological Survey—Fur, VIII—Eth- nography and Philology of the Hi- ditsa Indians	1877....	....		1

UNITED STATES—CONTINUED.

	Year.	Vol.	No.	Vols.
Geological Survey of the Territories—				
Hayden	1878....	7....		1
U. S. Official Register.....	1877....			1
Geological and Geographical Survey of				
the Rocky Mountain Region—Eth.	....	3....		1
Geological and Geographical Survey of				
the Territories—Bulletin of.....	....	4....		1
Geographical Survey west of 100th				
Mer. Alronomy and Barometric Hy-				
pametry—Paleontology, Zoology..	....	1, 4, 5.		3
Geological Explorations of 40 Par...	....	VI....		1
“ “ “	....	1....		1
Descriptive Geology—Ornithology and				
Paleontology	1876....	I, IV.		2
Geological Survey of the Territories—				
Invertebrated Monograph of the				
Geometrid Moths.....	1876....	9-10.		2
Report of Chief of Ordnance.....	1877....			2
Finance Report	1877....			1
House Journal, 1st Session 45th Con-				
gress.....	1877....			4
Foreign Relations and Papers relating				
to.....	1877....			2
Report of the Commissioner of Patents.	1876....			1
“ Life Saving Service	1877....			1
Report of Commission to investigate				
affairs of Red Cloud Agency.....	1875....			1
Report of the Commissioner of Edu-				
cation.....	1876....			1
Geological and Geographical Survey of				
Colorado and Wyoming Territories.	1874....			1
Geological Survey of Wyoming and				
contig. Territories	1870....			1
Geological Survey of Territories....	1867-9..			1
Smithsonian Report	1876....			1
Bulletin of U. S. National Museum..	1877....	1-5..		5
“ “ “				
Entomg. Commission.....	1877....	1-2..		2
Bulletin of Geological Survey of the				
Territories.....	1877....	1-3..		3
Classifications of Coll. to Mineral,				
Animal Resources of U. S.....	1876....			1

UNITED STATES—CONTINUED.

Year. Vol. No. Vols.

List of Elevations, Synopsis of those of Col., Mineral Wealth, Climate and Rain-fall of the Black Hills of Dakota			
Annual Report of Commissioner of Patents	1877-8	2	
Geological Explorations of 40th Parallel, Lyst Geol.	1878	1	
Hournal Journal, 2d session of 45th Congress	1877-8	2	
Official Catalogue of Paris Exhibition	1878	1	
Reports of Committees, 1st session 44th Congress	1874-5	15	
Foreign Relations of the U. S.	1874-5	4	
Report of the Secre'y of the Treasury	1874-5	2	
“ Comptroller of Currency and Internal Revenue	1874-5	2	
Commercial Relations of	1874-5	2	
Commerce and Navigation	1874-5	2	
Vienna International Exhibition	1874-5	8	
Smithsonian Report	1874-5	2	
Labor in Europe and America, with Ex. Documents	1874-5	2	
Reports of the Secretary of the Navy and Postmaster-General	1874-5	2	
Senate Journal	1874-5	2	
House Journal	1874-5	2	
Estimates of Appropriations and Indian Disbursements and Pat. Office Reports	1874-5	2	
Emma Mine Investigation	1875-6	2	
Senate Reports	1875-6	4	
Propagation of Food Fishes	1875-6	2	
Mississippi Election of 1875	1875-6	4	
Report of Secretary of Interior	1875-6	4	
Executive Documents	1875-6	6	
Senate “	1875-6	2	
House Miscellaneous	1875-6	12	
Contested Elections—Lethoyne vs. Farwell and Platt vs. Good	1875-6	2	
Offers for Carrying the Mails	1875-6	2	
Investigation of the Navy Department	1875-6	6	
Senate Miscellaneous	1875-6	2	

UNITED STATES—CONTINUED.

	Year.	Vol.	No.	Vols.
Report of Secretary of War—Engineers, Ord., and Sig. Office.....	1875-6..	1-4...	10	
Statutes of U. S.....	1876-7..		80	
“.....	1877-8..		180	
Executive Documents, 2d Session 44th Congress.....	1876-7..	2....	2	
Offers for Carrying the Mails.....	1876-7..	1....	2	
Senate Reports.....	1876-7..		2	
House Miscellaneous.....	1876-7..	1....	2	
Senate “.....	1876-7..	1....	2	
“ Louisiana Election.....	1876-7..	1....	2	
“ Documents.....	1876-7..	1-2..	4	
House and Senate Journals.....	1876-7..		4	
Finance Report.....	1876-7..	1....	2	
Commercial Relations.....	1876-7..	1....	2	
Report of Silver Commission.....	1876-7..	1....	2	
General Commerce of the U. S.....	1876-7..	1....	2	
Commerce and Navigation.....	1876-7..	1....	2	
Report of Secretary of War.....	1876-7..	1-4..	12	
“ “ the Interior..	1876-7..	1-2..	4	
“ “ the Navy and				
Postmaster-General.....	1876-7..	1....	2	
Chinese Immigration.....	1876-7..	1....	2	
District of Columbia Reports and Executive Documents.....	1876-7..	1....	2	
Foreign Relations of the U. S.....	1876-7..	1....	2	
Report of the Comptroller of the Currency and Internal Revenue Report.	1876-7..	1....	2	
U. S. Survey.....	1874-5..	1....	2	
“.....	1869-70.	1....	2	
Claims of Citizens of the United States and Mexico.....	1876-7..	1....	1	
Estimates of Appropriations, Indian Disbursements and Report of the Commissioner of Patents.....	1876-7..	1....	2	
Mississippi Elections.....	1876-7..	1....	2	
Election in S. Carolina.....	1876-7..	1....	2	
“ “ (Senate Committee).....	1876-7..	1-3..	6	
Louisiana Elections (Sub. Committee).	1876-7..	1-3..	6	
Election in Louisiana.....	1876-7..	1-3..	6	
“ Florida.....	1876-7..	1....	2	
Counting Electoral Votes.....	1876-7..	1....	2	

UNITED STATES—CONTINUED.

	Year.	Vol.	No. Vols.
Florida Election.....	1876-7..	1....	2
Reports of Committees.....	1876-7..	1-2..	4
Electoral Votes of New Jersey, Mis- souri, Virginia, W. Virginia, Ore- gon and South Carolina, and the Smithsonian Report.....	1876-7..	1....	2
Geological Atlas of a Portion of Ninta Mountain.....	1876....	....	2
Geological Atlas accompanying the Exploration of 40th Parallel.....	1876....	....	1
Various Maps of the War.....	.....	....	9
Maps Illustrating the Operations of the Armies of the Potomac.....	.....	....	3
Map of the Battle Field of Gettys- burg.....	.....	....	3
Charters and Constitutions of the va- rious States.....	.....	....	4

VERMONT.

Legislative Documents.....	1876....	1-3..	3
Laws of.....	1876....	....	1
House and Senate Journals.....	1876....	....	2
Legislative Directory.....	1876-7..	....	1
Roberts' Digest.....	.....	....	1
Transactions of Dairymen's Associa'n.	1875-6..	....	1
Address before Historical Society....	1876....	....	1
Registration Report.....	1873-4..	....	2
Reports—4 and 5 Rowell.....	.....	....	2
Governor and Council.....	.....	4 & 5.	2

VIRGINIA.

Report of the Railroad Com.....	1877....	....	1
Senate and House Journals and Docu- ments.....	1875-6..	....	2
Annual Reports.....	1875-6..	....	1
Board of Public Works.....	1875-6..	....	1
Reports—Grattan.....	.....	26-8..	3
House Journal and Documents.....	1876-7..	....	1
Acts of Assembly.....	1876-7..	....	1
Catalogue of State Library.....	1877....	....	1
Senate and House Journals.....	1877-8..	....	2
Annual Reports.....	1877....	....	1
Acts of Assembly.....	1877-8..	....	1

WASHINGTON TERRITORY.	Year.	Vol.	No. Vols.
Journal of House	1875....	....	1
Her Past and Present, and her Elements of Wealth.....	1876-7...	....	1
Laws of	1877....	....	1
“ —School.....	1877....	....	1
“ —Election	1877....	....	1
“ —Road.....	1877....	....	1

WEST VIRGINIA.

Acts of Assembly.....	1877....	....	1
Resources of.....	.....	....	1
Reports.....	.....	9-11.	3

WISCONSIN.

Reports.....	.....	40-3..	4
Governor's Message and Documents..	1877....	1-2..	2
Senate and House Journals.....	1877....	....	2
Laws.....	1877....	....	1
Brief Sketches of its History, &c....	.....	....	1
Governor's Message.....	1878....	1-2..	2
Senate and House Journals.....	1878....	....	2
Laws.....	1878....	....	1

Mr. Sharpley offered a resolution,

Which was read, as follows :

Resolved, That the Clerk of the Senate be, and is hereby, authorized to have five hundred copies of the Governor's Message printed for the use of the Senate.

Mr. Hopkins moved,

That the resolution be amended by inserting “one hundred,” instead of “five hundred.”

On the request of Mr. Denney, the resolution and the amendment thereto, were, under the rules, laid over for at least one day.

On motion of Mr. Denney,

The Senate adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The Senate met pursuant to adjournment.

Roll called, members present—Messrs. Conoway, Cooch, Hopkins, McWhorter, Pennewill, Rust, Sharpley and Mr. Speaker.

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

“An act in relation to the Estate of Aliens.”

On motion of Mr. Hopkins,

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

WEDNESDAY, January 8th, 1879—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present: Messrs. Conoway, Cooch, Denney, Hopkins, McWhorter, Pennewill, Rust, Sharpley and Mr. Speaker.

Journal read, amended and approved.

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

On motion of Mr. Hopkins,

Obtained leave to introduce a bill entitled,

“An act to incorporate the New Castle Iron and Steel Company,”

Which, on motion of Mr. Sharpley,

Was read.

On motion of Mr. Denney,

The resolution instructing the Clerk to have 500 copies of the Governor's Message printed for the use of the Senate,

Was taken up for consideration.

Mr. Hopkins offered an amendment,

Which, was read, as follows :

Strike out the figures "500" where it occurs in the resolution, and substitute the figures "100."

Mr. Denney offered an amendment to the amendment,

Which, was read, as follows :

Strike out the figures "100" in the amendment and insert "200."

On the question, "Shall the amendment be adopted?"

Mr. Sharpley called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Conoway, Denney, Hopkins, Pennewill, Rust and Mr. Speaker—6.

Nays—Messrs Cooch, Sharpley and McWhorter—3.

So the question was decided in the affirmative,

And the amendment was

Adopted.

Mr. Denney moved,

The adoption of the amendment as amended,

On the question, "Shall the amendment to the amendment be adopted?"

Mr. Sharpley called for the yeas and nays,

Which, being taken were as follows :

Yeas—Messrs. Conoway, Denney, Hopkins, Pennewill, Rust and Mr. Speaker—6.

Nays—Messrs. Cooch, Sharpley and McWhorter—3.

So the question was decided in the affirmative,

And the amendment to the amendment was

Adopted.

Mr. Hopkins moved,

The adoption of the resolution as amended.

On the question, "Shall the resolution, as amended, be adopted?"

Mr. Sharpley called for the yeas and nays,

Which, being taken, were as follows:

Yeas—Messrs. Canoway, Denney, Hopkins, Pennewill, Rust and Mr. Speaker—6.

Nays—Messrs. Cooch, McWhorter and Sharpley—3.

So the question was decided in the affirmative,

And the resolution was

Adopted.

Mr. Pennewill 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 payment made to or by executors or administrators of persons presumed to be dead."

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

"An act to repeal Chapter 414, Volume 15, Delaware Laws, in relation to certain gates across a certain public road in Sussex county."

Mr. Denney moved,

That the Clerk proceed to the House and respectfully request, for the use of the Senate, the reports of the State Treasurer and the Superintendent of Free Schools,

Which motion

Prevailed.

Mr. Hall, a member of the House, being admitted, presented, in accordance with the request of the Senate, the Reports of the State Treasurer and the Superintendent of Free Schools.

On motion of Mr. Sharpley,

That portion of yesterday's Journal relating to the State Treasurer's Report was stricken from the Journal.

On motion of Mr. Denney,

The State Treasurer's Report was read, as follows:

REPORT OF THE STATE TREASURER.

OFFICE OF STATE TREASURER, {
Dover, Del., Dec. 12th, 1878. }

TO HIS EXCELLENCY, JOHN P. COCHRAN,

Governor of the State of Delaware:

SIR:—I have the honor to submit the following report of the receipts and disbursements of the Treasury of the State since my settlement with the Legislative Committee, in January last, together with a statement of our liabilities and a summary of our assets, and also the number of bonds that have been redeemed and cancelled as authorized by an act of the General Assembly at its last session.

At the beginning of the present administration of this department, in January, 1875, the State debt amounted to the sum of one million, two hundred and seventy-two thousand, eight hundred and thirty-five dollars and ninety cents (\$1,272,835.90), as follows:

Remainder of bonds issued to pay bounties and for volunteers.	\$795,000 00
Remainder of the bonds loaned to the Junction and Breakwater Railroad, and secured by first mortgage on said road and its equipments.	230,000 00
Bonds loaned to the Breakwater and Frankford Railroad, which are also secured by first mortgage on said road and its equipments.	176,000 00
Bonds outstanding and due January 1st, 1875.	23,000 00
Interest outstanding and due January 1st, 1875.	660 00
Loan created by late Treasurer to redeem bonds due January 1st, 1875.	40,000 00
Judgment obtained against late Treasurer by the Junction and Breakwater Railroad Company.	8,175 90
	<hr/>
	\$1,272,835 90

Although at the incoming of this administration we met a depleted Treasury, a general gloom and depression curtailing the revenues of all business, public as well as private, the Legislature at its first session, believing that the prostration of business demanded a reduction of our taxes, repealed the law taxing bonds and mortgages. Two years thereafter, the same body thinking that our already decreased revenue could yet bear a greater cur-

Amount brought over\$1,272,835 90

tailment, abolished the entire process tax and repealed the law imposing a ten per cent. tax upon real and personal property. Thus, at the outset, our revenue was diminished at least seventy-five thousand (\$75,000) dollars per annum. It has, nevertheless, by rigid collections, been sufficient to meet the interest on the above debt promptly, and reduce our indebtedness as follows:

Residue of bonds due January 1st, 1875..	\$23,000 00	
Interest due January 1st, 1875	660 00	
Loan created by late Treasurer.....	40,000 00	
Judgment obtained against late Treasurer by J. & B. R. R. Co.....	8,175 90	
Bonds redeemed and cancelled.....	164,000 00	
Call made for January 1st, 1879.....	84,000 00	
		<hr/> \$319,835 90

The present bonded debt, with no floating debt whatever, \$953,000 00

The above reduction of our State debt, in the midst of all the difficulties which we have had to encounter, must be a source of gratification as well as pride to every citizen of our Commonwealth. For, while larger States, at the maturity of their bonds, are compelled to renew them with others maturing at more distant periods, we are pursuing a course which, if continued, will, in a comparatively few years, extinguish our whole liabilities.

As an offset against the foregoing indebtedness, the State has semi-annual interest-bearing investments as follows:

Mortgage on the Junction and Breakwater Railroad....	\$400,000 00
Mortgage on the Breakwater and Frankford Railroad...	200,000 00
1250 Shares Farmers' Bank Stock, at \$50.....	62,500 00
20 Shares National Bank Del., at \$465.....	9,300 00

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

500 Shares Farmers' Bank Stock, at \$36.....	180,000 00
Loan to Philadelphia, Wilmington and Baltimore Rail- road Company.....	85,000 00
Loan to Sussex county	5,000 00
2439 Shares Farmers' Bank Stock, at \$50.....	121,950 00

Amount carried forward.....\$1,063,750 00

<i>Amount brought forward</i>	\$1,063,750 00
37 Shares National Bank Delaware, at \$465.....	17,205 00
114 Shares Smyrna Bank, at \$50.....	5,700 00
254 Shares Union National Bank, at \$36.....	9,144 00
Invested in State Bonds.....	4,000 00
Balance in hand, which was received from New Castle and Wilmington Railroad.....	21,000 00
	<hr/> <hr/>
	\$1,120,799 00

If the total assets were deducted from the total debt it would leave our assets in excess of our indebtedness one hundred and sixty-five thousand, seven hundred and ninety-nine (\$165,799.00), dollars, with prospective receipts due January 1st, as follows:

Interest from Breakwater and Frankford Railroad.....	\$23,886 66
Interest from Junction and Breakwater Railroad.....	12,000 00
Balance of direct tax from Sussex county.....	14,000 00
Balance of direct tax from Kent county.....	12,000 00
Interest on investments, other than those belonging to School Fund.....	2,130 00
Tax on Bank Shares.....	3,326 31
Tax on Net Earnings of Railroads and Capitation.....	8,000 00
Interest from investments for benefit of School Fund...	15,513 00
	<hr/> <hr/>
	\$90,855 97

The amount which the Breakwater and Frankford Railroad was in arrears previous to the assembling of the last Legislature has been collected, as directed by that body, but the amount which has accumulated since has reached a sum sufficiently alarming to attract attention. The mortgage would have been foreclosed and the road sold, but I could not believe I was expected to assume such a grave responsibility with its attending consequences, without explicit instructions to do so.

The other amounts, as specified by the foregoing, I have every reason to believe will be forthcoming, except that from Sussex county, which is either held back by the unwise instruction of its Levy Court to its Treasurer or his inability to collect the taxes.

I am gratified to inform your Excellency that all the other railroads within the State are prompt in the payment of their dues. The Delaware and Western, and Wilmington and Northern Railroads have demanded within the past year to be allowed to settle their capitation tax upon the same basis as the Philadelphia, Wilmington and Baltimore

Railroad, although there is an act granting them this privilege. Yet, to obtain a correct estimate as to the amount we should know the exact number of passengers which pass over the Philadelphia, Wilmington and Baltimore Railroad each year, between points within the State, and, as I could not secure the above information, I embodied in the receipts to said railroads that if the manner of settlement was not entirely satisfactory to the Legislature, said receipts should be null and void.

There has been received since January 16th, 1878, the date of my settlement with the Legislative Committee, under the various acts to raise revenue, and from all other sources belonging to the General Fund, as follows :

From the Clerk of the Peace, New Castle county, for licenses, (other than School Fund).....	\$34,905 48
From the Clerk of the Peace, Kent county, for licenses, (other than School Fund)	7,876 20
From the Clerk of the Peace, Sussex county, for licenses, (other than School Fund).....	5,257 29
From County Treasurer, New Castle county.....	15,225 19
" " Kent county	15,000 00
" " Sussex county.....	1,000 00
From tax on Net Earnings of railroads.....	20,250 00
" Passengers	13,694 56
Process tax from Registers and Recorders.....	1,794 85
Dividends from Banks.....	2,272 50
Tax on Bank Shares.....	5,294 57
Fines and forfeitures, (other than School Fund).....	2,407 75
Interest on Mortgage from Junction and Breakwater Railroad.....	24,000 00
Interest on Mortgage from Breakwater and Frankford Railroad.....	4,874 00
Tax from Fire Insurance companies, (other than School Fund).....	300 00
Secretary of State, for fees, (other than School Fund)...	693 75
	<hr/>
	\$154,846 14
	<hr/>

Disbursed from the General Fund since January 16th, to pay interest on the public debt, to redeem bonds and to pay the necessary expenses of the State Government, as follows :

Executive.....	\$1,500 00
Judicial.....	8,850 00

Amount carried forward..... \$10,350 00

<i>Amount brought forward</i>	\$10,350 00
Salaries of other State officers	5,462 50
Replenishing Library.....	150 00
Bonds redeemed.....	53,000 00
Interest on State debt.....	30,020 00
Allowances.....	2,092 16
Printing.....	209 20
Commissions to Attorney-General.....	300 00
Repairs on State Capitol.....	56 85
Advertising calls for bonds.	123 75
Interest on amount held for benefit of Free Schools....	1,500 00
Chancery reports.....	1,000 00
Interest to Delaware College	4,980 00
	<hr/>
	\$109,244 46

The amount received for the benefit of Free Schools up to August last, or at the time of the distribution, was thirty thousand, eight hundred and five dollars and eleven cents, (\$30,805.11), and was distributed to the different counties, as follows :

To New Castle county.....	\$11,287 06
To Kent county.....	8,862 07
To Sussex county.....	10,655 98
	<hr/>
	\$30,805 11

The foregoing sums were subdivided as follows :

The districts of Wilmington received, each.	\$119 81
The other districts in New Castle county received, each.	91 95
The districts of Kent county received, each.....	71 47
Those of Sussex county received, each.....	52 37

From the amounts which each county is entitled to receive there was appropriated to the different institutions for the education of the blind, deaf and dumb, and feeble-minded, the sum of twenty-nine hundred and seventy-one dollars and twenty-five cents, (\$2,971.25), as follows :

From the amount belonging to New Castle county, for the education of nine pupils.....	\$2,061 25
From the amount belonging to Kent county, for the education of one pupil	100 00
From the amount belonging to Sussex county, for the education of three pupils	810 00
	<hr/>
	\$2,971 25

In consequence of the rapid increase of scholars in the public schools, thereby causing the formation of new districts, and of the number of feeble-minded, blind and deaf and dumb pupils in the different Asylums being also increased each year, the amount to be distributed to the districts is gradually diminishing. While I would extend a helping hand to all the unfortunates, and illuminate their gloomy lives with sunshine and joy, it appears to me to be more than just to give to thirteen pupils, from the School Fund, twenty-nine hundred and seventy-one dollars and twenty-five cents, (\$2,971.25), when at the same time we only distribute to four hundred and nine districts (409), representing twenty-one thousand, four hundred and thirty-two (21,432) scholars, twenty-seven thousand, eight hundred and thirty-three dollars and eighty-six cents, (\$27,833.86), making a difference in favor of the unfortunate of two hundred and twenty-seven dollars and twenty-six cents, (\$227.26), which is permanent and fixed, according to our present laws, while the amounts to be distributed to the districts is constantly growing less. And, in addition to the above, each indigent, blind or deaf and dumb pupil can remain a beneficiary for a period of five years, thus abstracting from the School Fund eleven hundred and thirty-six dollars and thirty cents (\$1,136.30), more than any other one scholar within the State for the same time, and about eight times more than the average amount received by any one district from the combined assistance of both State and county.

The amounts appropriated to these institutions, I am compelled to say, are gradually absorbing our School Fund, and if the dictates of charity advise us to maintain the unfortunates, let us not do so to the detriment of those who are also entitled to share our sympathy.

The amount received since the distribution in August, for the benefit of Free Schools is two thousand, four hundred and fifty-one dollars and seventy-one cents, (\$2,451.71), and a portion of the same disbursed as follows :

To the Pennsylvania Institute, for board, tuition, &c., for the feeble-minded.....	\$300 00
To the Pennsylvania Deaf and Dumb Asylum, for board, tuition, &c.....	945 00
	<hr/>
	\$1,245 00
	<hr/>

Under the act known as the Oyster Law, there has been received during this administration fifteen thousand, seven hundred and thirty-four dollars and fifty-six cents, (\$15,734.56), and invested as directed by resolution.

And now, in conclusion, your Excellency will permit me to say that for the past four years I have endeavored to perform the duties of this office with diligence and economy, and to serve the State with a zeal and fidelity which I trust may contribute to the continued maintenance of its credit and the welfare of its people.

Very respectfully, yours,

THOMAS B. GILES,
State Treasurer.

Mr. Denney offered a resolution,

Which was read, as follows :

Resolved, That the Clerk be instructed to have printed 500 copies of the State Treasurer's Report for the use of the Senate.

On motion of Mr. Cooch,

The figures 500 in the resolution were stricken out, and the figures 200 were substituted,

And, on his further motion,

The resolution, as amended, was *Adopted.*

Mr. Rust moved,

That a committee of three be appointed, to draft rules for the government of the Senate, and also to select a manual on parliamentary law,

Which motion *Prevailed.*

Whereupon, Messrs. Rust, Conoway and Sharpley were appointed said committee.

Mr. Denney moved,

That the Report of State Superintendent of Free Schools be read,

Which motion *Prevailed,*

And the Clerk proceeded to read the report.

After some time spent in reading the report,

Mr. Denney moved,

That the further reading of the report be dispensed with,

Which motion *Prevailed.*

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

Which, on his motion,

Was read,

And further, on his motion,

Was

Adopted.

Whereupon, Messrs. Denney and Cooch were appointed said committee on the part of the Senate.

Ordered to the House for concurrence.

Mr. Sharpley offered a joint resolution appointing a joint committee of two on the part of the Senate, and three on the part of the House to draft joint rules for the government of intercourse between the two Houses,

Which, on his motion,

Was read,

And further, on his motion,

Was

Adopted.

Whereupon, Messrs. Sharpley and Rust were appointed said committee on the part of the Senate.

Ordered to the House for concurrence.

Mr. Sharpley offered a joint resolution directing the Sergeants-at-Arms of the two Houses to raise on the State House the national flag during the sessions of the General Assembly,

Which, on his motion,

Was read,

And further, on his motion,

Was

Adopted.

Ordered to the House for concurrence.

On motion of Mr. Hopkins,

The Senate adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The Senate met pursuant to adjournment.

Mr. Hopkins offered a joint resolution adjourning the two Houses from this day until Monday next, at 3 o'clock, P. M.,

Which, on his motion,

Was read,

And further, on his motion,

Was

Adopted.

Ordered to the House for concurrence.

Mr. Cooch 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 Justice of the Peace and Notary Public for New Castle county.”

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

And returned the same to the Senate.

He also presented for concurrence a House joint resolution convening the two Houses in joint session to publish the returns of the vote for Governor at the last election.

On motion of Mr. Sharpley,

The joint resolution just received from the House,

Was read,

And, on his further motion,

Was

Adopted.

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

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

“An act to extend the time for recording of deeds.”

The Speaker announced the Standing Committees as follows :

Committee on Corporations :

Messrs. Denney,
Rust,
Cooch.

Committee on Enrollment :

Messrs. Pennewill,
Cooch,
Conoway.

Committee on Elections :

Messrs. Conoway,
Denney,
McWhorter.

Committee on Accounts :

Messrs. Hopkins,
Pennewill,
Sharpley.

Committee on Claims :

Messrs. Hopkins,
Denney,
Sharpley.

Committee on Finance :

Messrs. Denney,
Cooch,
Rust.

Committee on Roads and Highways :

Messrs. McWhorter,
Pennewill,
Conoway.

Committee on Vacant Lands :

Messrs. Pennewill,
Hopkins,
McWhorter.

Committee on Revised Statutes :

Messrs. Sharpley,
McWhorter,
Hopkins.

Committee on Agriculture :

Messrs. Cooch,
Rust,
Denney.

Committee on Education :

Messrs. Sharpley,
Pennewill,
Hopkins.

Committee on Printing :

Messrs. Rust,
Sharpley,
Conoway.

On motion of Mr. McWhorter,

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

MONDAY, January 13th, 1879—3 o'clock, P. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present: Messrs. Conoway, Denney, Pennewill, Rust, Sharpley and Mr. Speaker.

Journal read and approved.

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

“Joint resolution appointing a joint committee to make arrangements for the inauguration of the Governor elect,”

And presented the same to the Senate, with a request that they concur therein.

And informed the Senate that Messrs. Conoway, Ware, Sharp, Fooks and Doran were appointed said committee on the part of the House.

He also informed the Senate that the House had concurred in the Senate

“Joint resolution appointing a joint committee to settle with the State Treasurer,”

And had appointed Messrs. Cochran, Sharp and Houston said committee on the part of the House.

He also reported that the House had concurred in the Senate

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

And had appointed Messrs. Collins and Connaway said committee on the part of the House,

And returned the same to the Senate.

On motion of Mr. Sharpley,

The House joint resolution to appoint a joint committee to make arrangements for the inauguration of the Governor elect,

Was read,

And, on his further motion,

~~F~~ Was

Concurred in.

Whereupon, Messrs. Sharpley, Pennewill and Conoway were appointed the committee on the part of the Senate.

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

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

Which, on his motion,

Was read, as follows :

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

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

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

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

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

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

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

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

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

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

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

RULE 12. When a question has been decided in the affirmative or negative, any member who voted in the majority may move for reconsideration thereof at any time within three days of actual session of the Senate, and the word "majority" shall, in the application of this rule, be 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 at least shall be given of an intended motion for leave to bring in a bill.

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

10.30 A. M., Second Reading of Bills.

11.30 " First Reading of Bills.

3.30 P. M., Third Reading of Bills.

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

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

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

RULE 17. All messages from the Senate to the House of Representatives shall be conveyed by the Clerk or a member, as the Speaker may direct.

RULE 18. All bills and resolutions which the standing rules of the Senate require to be three several times read, may be amended at any time before they are taken up for the third or final reading, and no

amendment shall afterwards be made so as to materially change or alter their meaning.

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

RULE 20. The rules of Parliamentary practice, comprised in 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 21. A vote of the majority shall prevail, except in special cases to the contrary.

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

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

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

On motion of Mr. Denney,

The report was

Adopted.

Mr. Denney offered a resolution,

Which, on his motion,

Was read, as follows :

Resolved by the Senate, That the Committee on Printing be, and they are hereby, directed to have printed in pamphlet form, for the use of the Senate, — copies of the Report of the Superintendent of Free Schools for the year ending April 1st, 1878,

And, on his further motion,

The blank was filled with the figures 500,

And further, on his motion,

The resolution was

Adopted.

Mr. Rust presented a petition from George S. Neal, William H. Allen and seventeen others, citizens and voters of School District No.

177, in Seaford hundred, Sussex county, praying for the passage of an act to prevent stock from running at large on the public road,

Which, there being no objection,

Was read,

And further, on motion of Mr. Rust,

Was referred to the Committee on Agriculture.

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

“A joint resolution appointing a joint committee of two on the part of the Senate and three on the part of the House to investigate charges of immorality and neglect of duty on the part of W. Fisk Townsend, late Clerk of the Peace for Sussex county,”

And presented the same to the Senate, with the request that it be concurred in.

He also informed the Senate that Messrs. Cannon, Hall and Cochran had been appointed said committee on the part of the House.

On motion of Mr. Pennewill,

The joint resolution just received,

Was read,

And, on his further motion,

Was

Concurred in,

Whereupon, the Speaker appointed Messrs. Rust and Hopkins said committee on the part of the Senate.

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

Mr. Rust presented a petition from C. P. Rust, E. L. Wright and twenty-six others, citizens of North West Fork hundred, Sussex county, and State of Delaware, praying for a law restraining stock from running at large in School District No. 74, and such part of School District No. 118 as lays in North West Fork hundred, Sussex county,

Which, there being no objection,

Was read,

And further, on motion of Mr. Rust,

Was referred to the Committee on Agriculture.

Mr. Pennewill presented a petition from William B. Ladoux, praying for the passage of an act to divorce him from his wife, Mary Emily Ladoux,

Which, there being no objection,

Was read,

And further, on his motion,

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

Whereupon, Messrs. Pennewill, Denney and Conoway were appointed said committee.

On motion of Mr. McWhorter,

The following preambles and resolutions from the Teachers' Institute of New Castle county,

Were read :

WHEREAS, We know that the services of special educators, at our County Teachers' Institute, would be of the highest practical benefit, not only to the teachers, but also, through them to the pupils of our public schools; therefore, be it

Resolved, That we, the teachers of New Castle County Public Schools in Institute assembled, do most earnestly and respectfully commend to our Legislature the pressing necessity of appropriating the requisite funds towards securing such services.

WHEREAS, We believe that the teachers' certificate is a distinctive mark of merit and qualification, rather than a license; that the law requiring a tax of two dollars on each certificate granted is wrong in principle; that whenever it is executed it carries with itself imposition; that the apparent inability of executing it is sufficient proof of its impracticability, if not injustice; therefore, be it

Resolved, That we, the teachers of New Castle County Public Schools, in Institute assembled, do earnestly protest against the continuance of this law, and do most respectfully ask our legislators to repeal it.

WHEREAS, We believe, that under our present system of teaching Public Schools positive injury is done to children of a tender age;

Resolved, That we, the teachers of New Castle County Public Schools, in Institute assembled, do most urgently and respectfully beseech our legislators to amend the present law so as to make six instead of five years the minimum age that would admit children to our public schools.

And, on his further motion,

Were referred to the Committee on Education.

On motion of Mr. Denney,

Those portions of the Governor's Message referring to the State Bonds, and to the arrearage of interest of certain railroad companies,

Were referred to the Committee on Finance.

On motion of Mr. Pennewill,

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

TUESDAY, January 14th, 1879—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present: Messrs. Conoway, Cooch, McWhorter, Pennewill, Sharpley and Mr. Speaker.

Journal read and approved.

Mr. Saulsbury, Clerk of the House, being admitted, informed the Senate that the House had concurred in the Senate

“Joint resolution directing the Sergeants-at-Arms of the two Houses to raise on the State House the national flag during the sessions of the General Assembly,”

And returned the same to the Senate.

He also presented as being duly and correctly enrolled, signed by the Speaker of the House, and ready to receive the signature of the Speaker of the Senate, the following House joint resolution, viz.:

“Joint resolution in relation to opening and publishing the returns of the vote for Governor at the last General Election.”

Mr. Pennewill, from the Committee on Enrollment, reported as being duly and correctly enrolled, signed by the Speaker of the House, and ready to receive the signature of the Speaker of the Senate, the following House joint resolution, viz.:

“Joint resolution in relation to opening and publishing the returns of the vote for Governor at the last General Election.”

Mr. Saulsbury, Clerk of the House, being admitted, informed the Senate that the House would be ready to receive the Senate in joint session at 11 o'clock, A. M.

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

“An act to revive Chapter six hundred and ten, of the Eleventh Volume of the Laws of the State of Delaware, entitled ‘An act to incorporate the Delaware City, Salem and Philadelphia Steamboat Navigation Company.’”

On motion of Mr. Sharpley, the Senate bill entitled
 "An act to incorporate the New Castle Iron and Steel Company,"
 Was read a second time by its title,
 And further, on his motion,
 Was referred to the Committee on Corporations.

On motion of Mr. Pennewill, the Senate bill entitled,
 "An act in relation to the Estate of Aliens,"
 Was read a second time by its title,
 And, on his further motion,
 Was referred to the Committee on Revised Statutes.

Mr. Saulsbury, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following joint resolution, to wit:

"Joint resolution in relation to the charges brought against W. Fisk Townsend, Clerk of the Peace in and for Sussex county,"

And presented the same to the Senate.

The hour of 11 o'clock having arrived, the Senators, in conformity with the joint resolution convening the two Houses in joint meeting to open and publish the vote for Governor, proceeded to the Hall of the House of Representatives, preceded by their Speaker and accompanied by their Clerk and Sergeant-at-Arms.

JOINT MEETING TO OPEN AND PUBLISH THE RETURNS OF THE VOTE FOR GOVERNOR AT THE LAST GENERAL ELECTION.

HALL OF THE HOUSE OF REPRESENTATIVES,
 January 14th, 1879—11 o'clock, A. M.

The two Houses being convened in joint meeting,

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

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

Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That the members of the Senate and members of the House of Representatives assemble in the Hall of the House of Representatives at 11 o'clock, A. M., on Tuesday next, the 14th instant, to be present at the opening and publishing, according to the Constitution of this State, of the returns of the election held in the several counties of the State on the Tuesday next after the first Monday in November last for Governor, and that two tellers be appointed to wit: one on the part of the Senate and one on the part of the House of Representatives, to make a list of the votes as the same shall be published from said returns.

C. J. Harrington, Esq., Speaker of the Senate, thereupon opened and published the official returns of the election in the several counties of this State for Governor, from which it appears that on the Tuesday next after the first Monday in November last, A. D. 1878, there were given

For John W. Hall,

In New Castle county	5,030 votes.
Kent county.....	2,208 "
Sussex county.....	3,492 "
Total.....	10,730 "

For Kensey Johns Stewart,

In New Castle county	675 votes.
Kent county.....	33 "
Sussex county.....	2,127 "
Total.....	2,835 "

For Christian Febiger,

In New Castle county	30 votes.
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For George Z. Tybout,

In New Castle county	6 votes.
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For Thomas Heaps,

In New Castle county	2 votes.
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For Henry DuPont,

In New Castle county.....	9 votes.
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For W. C. Davis,

In New Castle county	1 vote.
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For A. B. Starr,	
In New Castle county	1 vote.
For Henry Dure,	
In New Castle county	1 vote.
For Thomas Johnson,	
In New Castle county	1 vote.
For Leander F. Riddle,	
In New Castle county	1 vote.
For Samuel Hawkins,	
In New Castle county	1 vote.
For Eli Crozier,	
In New Castle county	1 vote.
For J. Taylor Gause,	
In New Castle county	2 votes.
For Jesse K. Bayliss,	
In New Castle county	1 vote.
For John M. Dunn,	
In New Castle county	3 votes.
For Lewis Thompson,	
In New Castle county	3 votes.
For Charles H. Gallagher,	
In New Castle county	1 vote.
For James Pyle,	
In New Castle county	1 vote.
For David L. Virtue,	
In New Castle county	1 vote.
For J. C. Prettyman,	
In New Castle county	1 vote.
For Cyrus Pyle,	
In New Castle county	1 vote.
For E. K. Crawford,	
In New Castle county	1 vote.

For John Palmer,	
In New Castle county	2 votes.
For John B. Murphey,	
In New Castle county	1 vote.
For John F. Williamson,	
In New Castle county	1 vote.
For Benjamin S. Booth,	
In New Castle county	5 votes.
For Samuel Silvers,	
In New Castle county	1 vote.
For Warren Barnaby,	
In New Castle county	1 vote.
For William D. Clark,	
In Kent county.....	1 vote.
For Dr. Isaac Jump,	
In Kent county	1 vote.
For Dr. Henry Ridgely,	
In Kent county.....	3 votes.
For N. B. Smithers,	
In Kent county.....	1 vote.
For James T. Perkins,	
In Kent county.....	1 vote.

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

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

On motion of Mr. McWhorter, 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, C. J. Harrington, Speaker of the Senate, on the 14th day of January, in the year of our Lord one thousand eight hundred and seventy-nine (1879), did open and publish, in the presence of the members of the Senate and of the House of Representatives, according to the Constitution of the said State, the returns of the elections held in the several counties of the said State, on the Tuesday next after the first Monday in November last, for Governor, and by said returns it appears that John W. Hall was, on the Tuesday next after the first Monday in November last, duly chosen Governor of the State of Delaware, according to the Constitution and laws of the State, to hold said office of Governor during four years from the third Tuesday of January, instant, agreeably to the Constitution.

CHARLES J. HARRINGTON,

Speaker of the Senate.

SWITHIN CHANDLER,

Speaker of the House of Representatives.

Attest:—

ALBERT G. OSBORNE,

Clerk of the Senate.

JOHN F. SAULSBURY,

Clerk of the House of Representatives.

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

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

On motion of Mr. Denney, of the Senate,

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

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

On motion of Mr. Pennewill,

Obtained leave to introduce a bill entitled,

“An act to repeal Chapter 188, Volume 15, Delaware Laws, in reference to the repeal of the ten cents license tax.”

Which, on motion of Mr. Hopkins,

Was read.

Mr. Denney moved,

That so much of the Governor's Message as refers to the Levy Court be referred to a committee composed of the three members of the Senate from New Castle county,

Which motion

Prevailed.

Mr. Hopkins moved,

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

Which motion

Prevailed.

Mr. Hopkins moved,

That so much of the Governor's Message as refers to County Division be referred to the Committee on Agriculture.

Mr. Denney moved,

That the subject be referred to the Committee on Vacant Lands.

And on the question, "Shall this motion prevail?"

The yeas and nays were ordered,

Which, being taken, were as follows:

Yeas—Messrs. Denney, Hopkins and Rust—3.

Nays—Messrs. Conoway, Cooch, McWhorter, Pennewill, Sharpley and Mr. Speaker—6.

So the question was decided in the negative,

And the motion

Did not prevail.

On motion of Mr. Hopkins,

The Senate adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M

The Senate met pursuant to adjournment.

Roll called. Members present—Messrs. Conoway, Hopkins, McWhorter, Pennewill, Rust, Sharpley and Mr. Speaker.

Mr. Conoway moved, that the House

“Joint resolution in relation to the charges brought against Wm. F. Townsend, Clerk of the Peace in and for Sussex county,”

Be taken up for consideration,

Which motion

Prevailed.

Mr. Hopkins moved,

That the resolution be laid over for one day.

And on the question, “Shall this motion prevail?”

Mr. Hopkins called for the yeas and nays,

Which, being taken, were as follows :

Yeas—Messrs. Hopkins, Pennewill and Mr. Speaker—3.

Nays—Messrs. Conoway, McWhorter, Rust and Sharpley—4.

So the question was decided in the negative,

And the motion was

Lost.

At the request of Mr. Sharpley, the resolution

Was read,

And, on motion of Mr. Pennewill,

Was

Concurred in.

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

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

“Joint resolution directing the committee to investigate charges against W. Fisk Townsend not to issue subpoenas until he shall have been notified,”

And presented the same to the Senate.

On motion of Mr. Sharpley,

The joint resolution just received,

Was taken up for consideration.

Mr. Cooch moved,

That the joint resolution be laid on the table

Which motion was

Lost.

Mr. McWhorter moved,

That the joint resolution be concurred in,

Which motion was

Lost.

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

On motion of Mr. Denney,

Obtained leave to introduce a bill entitled,

“An act in relation to the payments made to or by executors or administrators of persons presumed to be dead.”

Which, on motion of Mr. Pennewill,

Was read.

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

On motion of Mr. Pennewill,

Obtained leave to introduce a bill entitled,

“An act to repeal an act authorizing William H. Donovan to place gates across a certain public road in Sussex county.”

Which, on motion of Mr. Hopkins,

Was read.

On motion of Mr. Conoway,

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

WEDNESDAY, January 15th, 1879—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Conoway, Cooch, Denney, Hopkins, Sharpley and Mr. Speaker.

Journal read and approved.

Mr. Saulsbury, Clerk of the House, being admitted, informed the Senate that the House had adopted the following joint resolution, and asked the concurrence of the Senate in the same :

“Joint resolution authorizing the Speaker of the Senate to make the proper disposition of the certificates of the election of John W. Hall for the office of Governor,”

And presented the same to the Senate.

He also informed the Senate that the House had adopted the report of the joint committee appointed to draft rules for the government of intercourse between the two Houses,

And presented the same to the Senate.

On motion of Mr. Hopkins,

The report of the joint committee appointed to draft rules for the government of intercourse between the two Houses,

Was read, as follows :

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

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

the Houses for and against the amendment or other matter of disagreement, and confer freely thereon.

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

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

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

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

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

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

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

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

All of which we most respectfully submit.

HARRY SHARPLEY,
C. F. RUST,

Committee on the part of the Senate.

J. E. COLLINS,
MINOS CONNAWAY,

Committee on the part of the House.

And further, on motion of Mr. Denney,

The report was

Adopted.

Ordered that the House be informed thereof.

Mr. Denney moved,

That the Committee on Printing be instructed to have forty (40) copies of the Joint Rules, Rules of the Senate and the Standing Committees printed for the use of the Senate,

Which motion

Prevailed.

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

“An act to repeal an act authorizing William H. Donovan to place gates across a certain public road in Sussex county,”

Was read a second time by its title.

Mr. Hopkins moved,

That the bill be referred to the Committee on Revised Statutes.

Mr. Sharpley moved,

As an amendment, that the bill be referred to the Committee on Roads and Highways,

Which motion was

Lost.

Mr. Denney moved,

To amend the original motion by referring the bill to a committee composed of the three members of the Senate from Sussex county,

Which motion

Prevailed,

And, on his further motion,

The original motion, as amended, was

Adopted.

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

“An act in relation to payments made to or by executors or administrators of persons presumed to be dead,”

Was read a second time by its title,

And, on his further motion,

Was referred to the Committee on Revised Statutes.

Mr. Rust offered a

“Joint resolution authorizing the Joint Committee on the investigation of the conduct of W. Fisk Townsend, Clerk of the Peace in and for Sussex county, to employ a Clerk, and for other purposes,”

Which, on his motion,

Was read,

And further, on motion of Mr. McWhorter,

Was

Adopted.

Ordered to the House for concurrence.

Mr. Rust offered a

“Joint resolution authorizing the Speaker of the Senate to make proper disposition of the certificates of the election of John W. Hall to the office of Governor,”

Which, on his motion,

Was read,

And further, on his motion,

Was

Adopted.

Ordered to the House for concurrence.

On motion of Mr. Denney, the House

“Joint resolution concerning Volume 15, of the Laws of Delaware,”

Was read,

And further, on motion of Mr. Pennewill,

Was referred to the Committee on Claims.

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

“An act to repeal Chapter 188, Volume 15, Delaware Laws, in reference to the repeal of the ten cents license tax,”

Was read a second time by its title,

And, on his further motion,

Was referred to the Committee on Revised Statutes.

Mr. Hopkins offered a

"Joint resolution providing that no new business be received by either branch of the General Assembly after Monday, the tenth of February next,"

Which, on his motion,

Was read,

And further, on his motion,

Was

Adopted.

Ordered to the House for concurrence.

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

On motion of Mr. Pennewill,

Obtained leave to introduce a bill entitled,

"An act to revive Chapter 110 of the Eleventh Volume, Laws of the State of Delaware, incorporating the Delaware City, Salem and Philadelphia Navigation Company,"

Which, on motion of Mr. McWhorter,

Was read.

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

On motion of Mr. Pennewill,

Obtained leave to introduce a bill entitled,

"An act to enable the Governor to appoint an additional Justice of the Peace and Notary Public for New Castle county,"

Which, on motion of Mr. Cooch,

Was read.

Mr. Saulsbury, Clerk of the House, being admitted, respectfully requested the return to the House of the Report of the Superintendent of Free Schools.

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

“An act to amend Chapter 242, Volume 15, of Delaware Laws, in reference to the sale of the Revised Code, now deposited in the Prothonotary's offices of each county.”

On motion of Mr. Denney,

The Senate adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The Senate met pursuant to adjournment.

Roll called. Members present—Messrs. Conoway, Cooch, Denney, Hopkins, Sharpley and Mr. Speaker.

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

On motion of Mr. Denney,

Obtained leave to introduce a bill entitled,

“An act to further extend the time for recording of deeds,”

Which, on his motion,

Was read.

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

“An act authorizing conveyance of certain lands to and by Henry Sweitzer, an alien.”

On motion of Mr. Cooch,

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

THURSDAY, January 16th, 1879—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Conoway, Cooch, Denney, Hopkins, McWhorter, Pennewill, Rust, Sharpley and Mr. Speaker.

Journal read and approved.

Mr. Saulsbury, Clerk of the House, being admitted, informed the Senate that the House had concurred in the Senate

“Joint resolution authorizing the Joint Committee on the investigation of the conduct of W. Fisk Townsend, Clerk of the Peace in and for Sussex county, to employ a Clerk, and for other purposes,”

And returned the same to the Senate.

He also informed the Senate that the House had passed and requested the concurrence of the Senate in the following joint resolution, to wit:

“Joint resolution convening the two Houses in joint session, to attend his Excellency, the Governor elect, while the oaths of office are administered to him,”

And presented the same to the Senate.

On motion of Mr. Hopkins, the House

“Joint resolution convening the two Houses in joint session, to attend his Excellency, the Governor elect while the oaths of office are administered to him,”

Was taken up for consideration and read.

Mr. Hopkins offered an amendment to the joint resolution,

Which, on his motion,

Was read, as follows:

Amend by inserting in the fourth line, between the words “meeting” and “on,” the words “in the Kent County Court House,”

And, on his further motion,

The amendment was

Adopted,

And further, on motion of Mr. Denney,

The joint resolution, as amended,

Was

Concurred in.

Ordered that the House be informed thereof, and the joint resolution, as amended, returned to that body, with the request that the amendment thereto be concurred in.

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

“An act to further extend the time of recording deeds,”

Was read a second time by its title,

And, on his further motion,

Was referred to the Committee on Revised Statutes.

On motion of Mr. Cooch, the Senate bill entitled

“An act to enable the Governor to appoint an additional Justice of the Peace and Notary Public for New Castle county,”

Was read a second time by its title,

And, on his further motion,

Was referred to the Committee on Revised Statutes.

Mr. Saulsbury, Clerk of the House, being admitted, informed the Senate that the House had concurred in the Senate amendment to the House

“Joint resolution relative to convening the two Houses to witness the administering of the oaths of office to the Governor elect.”

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

On motion of Mr. Hopkins,

Obtained leave to introduce a bill entitled,

“An act authorizing the conveyance of certain lands to and by Henry Sweitzer, an alien,”

Which, on motion of Mr. Hopkins,

Was read.

Mr. Pennewill, on behalf of the special committee to whom was referred the petition of William B. Ladoux, praying a divorce from his wife, Mary Emily Ladoux, from the bonds of matrimony, reported a bill entitled,

“An act to divorce William B. Ladoux and his wife, Mary Emily Ladoux, from the bonds of matrimony,”

Which, on motion of Mr. Pennewill,

Was read.

Mr. Denney, on behalf of the joint committee appointed to examine the accounts of the State Treasurer and Trustee of the School Fund, submitted a report,

Which, on his motion,

Was read, as follows :

REPORT OF THE JOINT COMMITTEE TO EXAMINE THE ACCOUNTS OF THE STATE TREASURER AND TRUSTEE OF THE SCHOOL FUND.

On the sixteenth day of January, 1879, on settlement with the Auditor of Accounts, the State Treasurer's general account stood as follows :

Balance in Treasurer's hands (settlement of 1878).....	\$38,655 45
Receipts for the year 1878.....	171,317 46
	<hr/>
	\$209,972 91
Expenditures for the last year.....	196,661 28
	<hr/>
Balance in the hands of Treasurer.....	\$13,311 63

The State Treasurer's account, with the Oyster Fund is as follows :

Receipts for the year.....	\$8,556 03
Balance	14,458 25
	<hr/>
	\$23,014 28
Expenditures.....	3,551 86
	<hr/>
Balance in Treasurer's hands	\$19,462 42

There was due from the State Treasurer as Trustee of the School Fund.....	\$14,381 21
And due School districts,	
In New Castle county.....	\$735 60
Kent county.....	643 23
Sussex county.....	2,409 02

The committee examined the accounts and vouchers for the above stated accounts, and found them correct.

They also compared the books of the Treasurer with the book of the Farmers' Bank, and found them balanced.

Respectfully submitted,

J. FRANK DENNEY,
J. W. COOCH,

Committee on the part of the Senate.

E. R. COCHRAN,
S. P. HOUSTON,
J. W. SHARP.

Committee on the part of the House.

He also informed the Senate that the report of the committee in reference to the State Auditor's accounts was in the House and would be presented to the Senate at some future day.

On motion of Mr. Hopkins,

The report of the committee to examine the Accounts of the State Treasurer and Trustee of the School Fund was accepted, and the committee discharged.

On motion of Mr. Denney,

The Senate adjourned until 3 o'clock this afternoon.

SAME DAY—3 o'clock, P. M.

The Senate met pursuant to adjournment.

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

"A supplement to an act to incorporate the Weccacoe Hose Company, No. 2, of Wilmington, Delaware;"

"An act to incorporate the Ancient Order of Hibernians, of Wilmington, Delaware;"

And presented the same to the Senate.

On motion of Mr. Sharpley, the House bill entitled,

"A supplement to an act to incorporate the Weccacoe Hose Company, No. 2, of Wilmington, Delaware,"

Was read.

On motion of Mr. Sharpley, the House bill entitled,

"An act to incorporate the Ancient Order of Hibernians, of Wilmington, Delaware,"

Was read.

Mr. Cooch offered a resolution,

Which, on his motion,

Was read, as follows:

Resolved, That when the Senate adjourns to-day, it be to meet at 9 o'clock to-morrow morning,

And, on his further motion,

The resolution was

Adopted.

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

"A supplement to an act entitled 'An act to incorporate the Wilmington Navigation Company,' passed at Dover, January 20th, 1859;"

"An act to incorporate the Pusey and Jones Company,"

And presented the same to the Senate.

On motion of Mr. Cooch, the House bill entitled,

"An act to incorporate the Pusey and Jones Company,"

Was read.

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

"An act to revive Chapter 110 of the Eleventh Volume, Laws of the State of Delaware, incorporating the Delaware City, Salem and Philadelphia Navigation Company,"

Was read a second time by its title,

And further, on his motion,

Was referred to the Committee on Corporations.

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

On motion of Mr. Pennewill,

Obtained leave to introduce a bill entitled,

"An act to amend an act regulating the sale of the copies of the Revised Code now remaining in the Prothonotary's offices of each county,"

Which, on motion of Mr. Hopkins,

Was read.

Mr. Saulsbury, Clerk of the House, being admitted, informed the Senate that the House had adopted, and requested the concurrence of the Senate in a

"Joint resolution referring that portion of the Governor's Message relating to Insurance Companies, Savings Banks and Corporations to a joint committee of two on the part of the Senate and three on the part of the House,"

And presented the same to the Senate.

On motion of Mr. Cooch,

The joint resolution just presented,

Was read,

And, on his further motion,

Was

Concurred in.

Whereupon, Messrs Cooch and Pennewill were appointed said committee on the part of the Senate.

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

Mr. Denney offered a joint resolution,

Which, there being no objection,

Was read, as follows :

Resolved by the Senate and House of Representatives of the State of Delaware, in General Assembly met, That there be appointed a joint committee of two on the part of the Senate and three on the part of the House to examine and settle the accounts of the Secretary of State in relation to the Contingent Fund,

And further, on his motion,

Was

Adopted.

Whereupon, Messrs. Denney and Rust were appointed said committee on the part of the Senate.

Ordered to the House for concurrence.

On motion of Mr. Cooch,

The Senate adjourned until 9 o'clock to-morrow morning.

FRIDAY, January 17th, 1879—9 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present: Messrs. Conoway, Cooch, Denney, Hopkins, McWhorter, Sharpley and Mr. Speaker.

Journal read and approved.

On motion of Mr. Sharpley, the House bill entitled,

“A supplement to an act to incorporate the Weccacoe Hose Company, No. 2, of Wilmington, Delaware,”

Was read a second time by its title,

And further, on his motion,

Was referred to the Committee on Corporations.

On motion of Mr. Sharpley, the House bill entitled,

“An act to incorporate the Ancient Order of Hibernians, of Wilmington, Delaware,”

Was read a second time by its title,

And, on his further motion,

Was referred to the Committee on Corporations.

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

“An act authorizing the conveyance of certain land to and by Henry Sweitzer, an alien,”

Was read a second time by its title.

Mr. Denney further moved,

That the bill under consideration be referred to the Committee on Vacant Lands,

Which motion

Prevailed.

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

"An act to amend an act regulating the sale of the copies of the Revised Code now remaining in the Prothonotary's offices of each county,"

Was read a second time by its title.

And further, on his motion,

Was referred to the Committee on Revised Statutes.

Mr. Denney moved,

That the Clerk be instructed to furnish each member of the Senate with a copy of Volume 14, Laws of Delaware,

Which motion

Prevailed.

Mr. Denney moved,

That when the Senate adjourn it be to meet at 3 o'clock, P. M., on Monday next,

Which motion

Prevailed.

On motion of Mr. Hopkins,

The Senate adjourned until 3 o'clock Monday afternoon.

MONDAY, January 20th, 1879—3 o'clock, P. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Conoway, Cooch, Denney, Pennewill, Rust, Sharpley and Mr. Speaker.

Journal read and approved.

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

“A supplement to the act entitled ‘An act to incorporate the Wilmington Navigation Company,’ passed at Dover, January 20th, 1859,”

And presented the same to the Senate.

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

“An act to supplement an act entitled ‘An act to incorporate the Agricultural Society of Kent county, at Dover,’ passed at Dover, March 14th, 1877.”

Mr. Sharpley presented the petition of Her. Sterling and twelve others, requiring the School Committee of School District No. 8, in Brandywine hundred, County of New Castle and State of Delaware, to lay and collect from the citizens of said District, an annual tax for school purposes, of not less than six hundred dollars per annum, nor more than eight hundred dollars per annum,

Which, there being no objection,

Was read,

And further, on motion of Mr. Denney,

Was referred to the Committee on Education.

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

“An act to amend Chapter 66, Sections 3 and 4, of the Revised Statutes of the Laws of Delaware.”

Mr. Denney, from the Committee on Corporations, reported back favorably, with an amendment, the Senate bill entitled,

“An act to incorporate the New Castle Iron and Steel Company,”

And moved that the same be taken up for consideration,

Which motion

Prevailed.

And further, on motion of Mr. Denney,

The amendment to the bill under consideration,

Was read,

And, on his further motion,

The bill and amendment under consideration,

Was referred back to the Committee on Corporations.

Mr. Saulsbury, Clerk of the House, being admitted, informed the Senate that the House had concurred in the Senate

“Joint resolution appointing a joint committee to settle the accounts of the Secretary of State in relation to the Contingent Fund,”

And returned the same to the Senate.

He also informed the Senate that Messrs. Sharp, Riggs and Cannon had been appointed said committee on the part of the House.

On motion of Mr. Sharpley,

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

TUESDAY, January 21st, 1879—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called. Members present—Messrs. Conoway, Cooch, Denney, Hopkins, McWhorter, Pennewill, Rust, Sharpley and Mr. Speaker.

Journal read and approved.

Ignatius C. Grubb, Esq., Secretary of State, being admitted, presented a List of Appointments to office, made by the Executive authority of the State of Delaware, from January 18th, 1875, to January 21st, 1879; also, the Accounts of Ignatius C. Grubb, Secretary of State of the State of Delaware, and the Adjutant-General's Report.

Mr. Sharpley, on behalf of the Committee of Arrangements for the inauguration of John W. Hall, Governor elect, submitted the following :

The Committee on Arrangements beg leave to report that they have secured the Court House for the inaugural ceremonies.

(Signed)

HARRY SHARPLEY,
Chairman of Senate Committee.

Mr. Hopkins, on behalf of the Committee on Claims, to whom was referred the House

“Joint resolution concerning Volume 15, of the Laws of Delaware,”

Reported favorably, and moved that the same be taken up for consideration,

Which motion

Prevailed,

And, on his further motion,

The Clerk was directed to read the same, for the information of the Senate,

And further, on his motion,

The joint resolution was

Concurred in.

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

Mr. Sharpley offered a resolution,

Which was read, as follows :

Resolved by the Senate of the State of Delaware, That the Clerk of the Senate be, and is hereby, directed to have printed three hundred copies of the tabular list of appointments to office, made by the Executive authority of this State, from the 18th day of January, A. D. 1875, to the 21st day of January, A. D. 1879, two hundred thereof for the use of the General Assembly and one hundred thereof for the use of the Executive Department.

Mr. Sharpley moved,

That the resolution be adopted.

Which motion

Prevailed.

Mr. Sharpley offered the following amendment :

Amend by striking out the words "Clerk of the Senate," in the second line, and inserting in lieu thereof "Committee on Printing,"

Which, on his motion,

Was

Adopted,

And, on his further motion,

The resolution, as amended,

Was

Adopted.

Mr. Denney, from the Committee on Corporations, reported back favorably, with two amendments; the Senate bill entitled,

"An act to incorporate the New Castle Iron and Steel Company,"

And moved that the bill be taken up for consideration,

Which motion

Prevailed,

And, on his further motion,

The amendments were read,

And further, on his motion,

Were

Adopted.

On motion of Mr. Denney,

The amendments were read a second time,

And, on his further motion,

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

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

The yeas and nays were ordered,

Which, being taken, were as follows :

Yeas—Messrs. Conoway, Cooch, Denney, Hopkins, McWhorter, Sharpley and Mr. Speaker—7.

Nays—None.

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

Passed the Senate.

Ordered to the House for concurrence.

Mr. Saulsbury, Clerk of the House, being admitted, reported as being duly and correctly enrolled, signed by the Speaker of the House, and ready to receive the signature of the Speaker of the Senate, the following House joint resolutions, viz :

"Joint resolution referring that portion of the Governor's Message relating to Insurance Companies, &c., to a joint committee ;"

"Joint resolution in relation to the charges brought against William Fisk Townsend, Clerk of the Peace in and for Sussex county ;"

"Joint resolution appointing a joint committee to make suitable arrangements for the inauguration of the Governor elect ;"

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

"Joint resolution appointing a joint committee of two on the part of the Senate and three on the part of the House, to investigate charges of immorality and neglect of duty, preferred against Wm. F. Townsend, Clerk of the Peace in and for Sussex county ;"

"Joint resolution authorizing the Speaker of the Senate to make proper disposition of the certificates of the election of John W. Hall to the office of Governor."

On motion of Mr. Cooch,

The Senate took a recess until 11.45 A. M.

JOINT MEETING FOR THE PURPOSE OF ATTENDING THE INAUGURATION OF JOHN W. HALL, GOVERNOR ELECT.

The hour having arrived for the joint meeting, the two Houses jointly proceeded to the Kent county Court room, and took the seats prepared for their reception.

The General Assembly being thus convened, the Governor elect, attended by the joint committee of the two Houses; His Excellency, Governor Cochran, Ex-Governor Gove Saulsbury, Ex-Governor James Ponder, Hon. Joseph P. Comegys, Chief Justice of the State of Delaware; Hon. John W. Houston, Judge of the Superior Court of the State of Delaware; I. C. Grubb, Esq., Secretary of State; James L. Wolcott, Esq., Hon. Eli Saulsbury, Hon. James Williams, Hon. E. L. Martin, Hon. Charles Brown, Hon. B. T. Biggs, Hon. J. B. Pennington, Attorney General of the State of Delaware; Rev. L. W. Gibson, Rev. Wm. P. Davis, J. Parke Postles, Adjutant General of the State of Delaware; Dr. Henry Ridgely, and G. W. Cummins, Esq., appeared and took seats upon the platform.

Prayer by Rev. L. W. Gibson, Chaplain of the Senate.

On motion of Mr. Sharpley, of the Senate,

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

Hon. Joseph P. Comegys then administered the following oaths of office to the Governor elect, to wit:

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

I, John W. Hall, do solemnly swear on the Holy Evangelists of Almighty God that I will support the Constitution of the State of Delaware, and perform the duties of the office of Governor of the State of Delaware with fidelity, so help me God.

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