

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

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

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

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

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

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

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

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

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

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

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

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

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

The vote as above ascertained having been announced as follows :

For John Edward Addicks, sixteen votes.

For Richard R. Kenney, twenty-three votes.

For Henry A. Dupont, nine votes.

For Anthony Higgins, three votes.

For Levi C. Bird, one vote.

Total number of votes cast, 52.

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

There was no election to said office.

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

Which motion

Prevailed.

The Clerks were directed to call the rolls of the respective

houses, and the members, as their names were called, responded by viva voce vote, as follows, viz :

- Mr. Abbott, of the Senate, voted for John Edward Addicks.
- Mr. Allee, of the Senate, voted for John Edward Addicks.
- Mr. Blakely, of the Senate, voted for John Edward Addicks.
- Mr. Brasure, of the Senate, voted for John Edward Addicks.
- Mr. Clements, of the Senate, voted for Willard Saulsbury.
- Mr. Farlow, of the Senate, voted for John G. Gray.
- Mr. Groves, of the Senate, voted for William S. Hilles.
- Mr. Hart, of the Senate, voted for Willard Saulsbury.
- Mr. Harrington, of the Senate, voted for Willard Saulsbury.
- Mr. Knox, of the Senate, voted for Charles F. Richards.
- Mr. Maull, of the Senate, voted for Willard Saulsbury.
- Mr. McFarlin, of the Senate, voted for William S. Hilles.
- Mr. McNulty, of the Senate, voted for Willard Saulsbury.
- Mr. Pennewill, of the Senate, voted for John Edward Addicks.
- Mr. Slaughter, of the Senate, voted for Willard Saulsbury.
- Mr. Wright, of the Senate, voted for Willard Saulsbury.
- Mr. President pro tempore, of the Senate, voted for Charles F. Richards.
- Mr. Aron, of the House, voted for John Edward Addicks.
- Mr. Baynard, of the House, voted for Charles F. Richards.
- Mr. Chandler, of the House, voted for Anthony Higgins.
- Mr. Clark, of the House, voted for Charles F. Richards.
- Mr. Clendaniel, of the House, voted for John Edward Addicks.
- Mr. Dayett, of the House, voted for William S. Hilles.
- Mr. Ewing, of the House, voted for John Edward Addicks.

Mr. Flinn, of the House, voted for Charles F. Richards.
Mr. Gooden, of the House, voted for Willard Saulsbury.
Mr. Hardesty, of the House, voted for Willard Saulsbury.
Mr. Hearn, of the House, voted for Willard Saulsbury.
Mr. Healey, of the House, voted for Willard Saulsbury.
Mr. Hitchen, of the House, voted for Charles F. Richards.
Mr. Hodgson, of the House, voted for Charles F. Richards.
Mr. Holcomb, of the House, voted for Willard Saulsbury.
Mr. Hope, of the House, voted for John Edward Addicks.
Mr. Hutchinson, of the House, voted for Willard Saulsbury.
Mr. Layton, of the House, voted for John Edward Addicks.
Mr. Long, of the House, voted for John Edward Addicks.
Mr. Monaghan, of the House, voted for Willard Saulsbury.
Mr. Moore, of the House, voted for John Edward Addicks.
Mr. Pepper, of the House, voted for Willard Saulsbury.
Mr. Pilling, of the House, voted for Charles F. Richards.
Mr. Prettyman, of the House, voted for John Edward Addicks.
Mr. Ralph, of the House, voted for Willard Saulsbury.
Mr. Robertson, of the House, voted for Charles F. Richards.
Mr. Shallcross, of the House, voted for Willard Saulsbury.
Mr. Short, of the House, voted for John Edward Addicks.
Mr. Scotten, of the House, voted for Willard Saulsbury.
Mr. Vinyard, of the House, voted for Willard Saulsbury.
Mr. Warren, of the House, voted for Willard Saulsbury.
Mr. West, of the House, voted for Willard Saulsbury.
Mr. White, of the House, voted for John Edward Addicks.

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

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

The vote as above ascertained having been announced as follows:

For John Edward Addicks, sixteen votes.

For Willard Saulsbury, twenty-two votes.

For John G. Gray, one vote.

For Charles F. Richards, nine votes.

For William S. Hilles, three votes.

For Anthony Higgins, one vote.

Total number of votes cast, 52.

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

There was no election to said office.

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

On motion of Mr. Knox, the Senate took recess until 2.00 o'clock P. M.

Same Day—2.10 o'clock P. M.

Senate reassembled at expiration of recess.

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

Senate Bill No. 72, entitled:

“An act to allow the Council of the town of Seaford to borrow

money, and issue bonds to secure the payment thereof, for the purpose of providing a supply of water for said town, and to provide a sewer system for the same."

And further on his motion, Rule 14 was suspended,
And the bill was read a second time, by its title, and
Referred to the Committee on Cities and Towns.

Mr. Slaughter presented a joint resolution,
Senate Joint Resolution No. 15, entitled :

"Joint resolution requiring the General Assembly to meet at 10.30 A. M. and not to adjourn except for a noon recess, before 4 o'clock P. M."

Which, on his motion,
Was read.

Mr. Slaughter moved that the joint resolution be adopted.

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

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

Yeas—Messrs. Abbott, Allee, Brasure, Clements, Farlow, McNulty, Pennewill, Slaughter—8.

Nays—Messrs. Harrington, Hart, Knox, Maull, McFarlin, Wright, Mr. President pro tempore—7.

So the question was decided in the negative,

And the bill not having received the required constitutional majority,

Was declared Lost.

Mr. Deighton, Clerk of the House, being admitted, presented to the Senate for the signature of the President of the Senate, the following duly and correctly enrolled House bill, the same having been signed by the Speaker of the House :

House Bill No. 97, entitled :

"An act to renew the charter of the Artisans Savings Bank, a corporation of the State of Delaware."

On motion of Mr. McNulty,

House Bill No. 51, entitled:

"An act in relation to pleading and practice,"

Was read a first time.

And on his further motion, Rule 14 was suspended,

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

Referred to the Committee on Judiciary.

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

"An act changing the boundaries of the Third and Fourth Election Districts of the Tenth Representative District in New Castle County."

Mr. Blakely asked that

House Joint Resolution No. 10, entitled:

"Joint resolution appointing directors for the Farmers' Bank of the State of Delaware for the branch in Wilmington,"

Be read.

Mr. Blakely moved that the joint resolution be adopted.

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the joint resolution having received the required constitutional majority,

Was declared.

Adopted.

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

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

Senate Bill No. 73, entitled :

“An act to change the voting place in the Third Election District of the Tenth Representative District in New Castle County to the village of Bear Station.”

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Revised Statutes.

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

Senate Bill No. 49, entitled :

“An act to prohibit the catching of fish in Silver Lake, near Dover, except with hook and line.”

Senate Bill No. 41, entitled :

“An act repealing Chapter 159, Volume 21, Laws of Delaware, entitled, ‘An act designating the voting-place in the First Election District of Representative District number three of Kent County.’”

Senate Bill No. 42, entitled :

“An act repealing Chapter 160, Volume 21, Laws of Delaware, entitled, ‘An act designating the voting place in the Second Election District of Representative District number three of Kent County’.”

Senate Bill No. 43, entitled :

“An act designating the voting place in First Election District of Representative District number three of Kent County.”

Senate Bill No. 44, entitled :

"An act designating the voting place in Second Election District of Representative District number three of Kent County."

And returned the same to the Senate.

Also, informed the Senate that the House had concurred in the following Senate bill :

Senate Bill No. 31, entitled :

"An act for the suppression of gambling by means of slot machines or other devices."

And returned the same to the Senate.

Mr. Maull, from the Committee on Revised Statutes, reported back

Senate Bill No. 52, entitled :

"An act to amend Chapter 22, Volume 21, of the Laws of Delaware, entitled, 'An act reorganizing the Levy Court of Kent County and defining its powers and duties,'"

With amendment.

On motion of Mr. Maull, the amendment

Was read.

And on his further motion, was adopted.

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

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

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

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

Nays—Messrs. Clements, Harrington, Hart, Maull, McNulty, Slaughter—6.

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. Deighton, 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 bill :

House Bill No. 39, entitled :

“An act to amend Chapter 462, of Volume 20, Laws of Delaware, relating to fishing in Drummond’s Mill Pond, otherwise known as Silver Lake, and Noxentown Mill Pond in New Castle County, by changing the size of mesh of nets to be used.”

And presented the same to the Senate.

On motion of Mr. Hart,

House Bill No. 39, entitled :

“An act to amend Chapter 462, of Volume 20, Laws of Delaware, relating to fishing in Drummond’s Mill Pond, otherwise known as Silver Lake, and Noxentown Mill Pond in New Castle County, by changing the size of mesh of nets to be used,”

Was read a first time.

And on his further motion, Rule 14 was suspended,

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

Referred to the Committee on Fish, Oysters and Game.

On motion of Mr. Allee,

House Bill No. 79, entitled :

“An act to amend Chapter 507, of Volume 17, Laws of Delaware, entitled, ‘An act for the protection and preservation of game and game fish, changing the time in which reed birds may be killed,”

Was read a first time.

And on his further motion, Rule 14 was suspended,

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

Referred to the Committee on Fish, Oysters and Game.

Mr. Maull, from the Committee on Revised Statutes, reported back

Senate Bill No. 51, entitled :

“An act amending Chapter 62 of the Revised Code, by decreasing the amount of official bond required to be given by wreck-masters,”

With amendment.

On motion of Mr. Maull, the amendment

Was read.

And on his further motion, was adopted.

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

Ordered to the House for concurrence.

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

Tuesday, February 12, 1901—10.40 o'clock A. M.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

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

Journal read and approved.

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

“An act providing free transportation by all the railroads in the State of Delaware of the State Judiciary, certain other State officers and members of the General Assembly.”

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

“An act to amend Chapter 746, of Volume 19, Laws of Delaware, entitled, ‘An act to reincorporate the town of Dover,’ by giving the town constable power to arrest without warrant any disorderly or drunken person or persons breaking the peace in any hotel, store or other place of business in said town, upon request of the proprietor, owner or employee of such hotel, store or place of business.”

Mr. Allee presented a joint resolution,

Senate Joint Resolution No. 16, entitled :

“Joint resolution appointing directors on the part of the State for the Farmers’ Bank of the State of Delaware at Georgetown,”

Which, on his motion,

Was read.

Mr. Allee moved that the joint resolution be adopted.

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the joint resolution having received the required constitutional majority,

Was declared

Adopted.

Ordered to the House for concurrence.

Mr. Allee presented a joint resolution,

Senate Joint Resolution No. 17, entitled:

"Joint resolution appointing directors on the part of the State for the Farmers' Bank of the State of Delaware at Dover,"

Which on his motion,

Was read.

Mr. Allee moved that the joint resolution be adopted.

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the joint resolution having received the required constitutional majority,

Was declared Adopted.

Ordered to the House for concurrence.

Mr. Pennewill, on behalf of the Committee on Cities and Towns, to whom had been referred

Senate Bill No. 72, entitled :

“An act to allow the Council of the town of Seaford to borrow money, and issue bonds to secure the payment thereof, for the purpose of providing a supply of water for said town and to provide a sewer system for the same,”

Reported the same back to the Senate favorably.

On motion of Mr. Pennewill, the bill just reported

Was taken up for consideration,

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

Ordered to the House for concurrence.

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

Senate Bill No. 74, entitled :

“An act to amend Section 2, Chapter 39, Revised Statutes, concerning religious societies.”

And further on his motion, Rule 14 was suspended,
 And the bill was read a second time, by its title, and
 Referred to the Committee on Revised Statutes.

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

Senate Bill No. '75, entitled :

“An act to amend Chapter 449, of the Revised Statutes of Delaware, being an act entitled, ‘An act regulating Pilots and Pilotage of and in the Bay and River Delaware,’ ”

And further on his motion, Rule 14 was suspended,
 And the bill was read a second time, by its title, and
 Referred to the Committee on Revised Statutes.

Hon. Caleb R. Layton, Secretary of State, was announced and on being admitted, presented the following appointments for confirmation by the Senate from the Governor :

THE STATE OF DELAWARE, EXECUTIVE DEPARTMENT.

Dover, February 12, 1901.

To the Honorable, the Senate of Delaware :

Gentlemen: In conformity with the Constitution and Laws I have the honor hereby to nominate and appoint for the consent and confirmation of the Senate, James E. Carroll to be Superintendent of Public Schools for Kent County, for the term of two years from the 9th day of July, A. D. 1901.

JOHN HUNN,
 Governor.

THE STATE OF DELAWARE, EXECUTIVE DEPARTMENT.

Dover, February 12, 1901.

To the Honorable, the Senate of Delaware :

Gentlemen: In conformity with the Constitution and Laws I have the honor hereby to nominate and appoint for the consent and confirmation of the Senate, Daniel B. Jones to be Superin-

tendent of Public Schools for New Castle County, for the term of two years from the 9th day of July, A. D. 1901.

JOHN HUNN.

Governor.

THE STATE OF DELAWARE, EXECUTIVE DEPARTMENT.

Dover, February 12, 1901.

To the Honorable, the Senate of Delaware :

Gentlemen : In conformity with the Constitution and Laws I have the honor hereby to nominate and appoint for the consent and confirmation of the Senate, Leon A. Davis, to be Superintendent of Public Schools for Sussex County, for the term of two years from the 9th day of July, A. D. 1901.

JOHN HUNN,

Governor.

THE STATE OF DELAWARE, EXECUTIVE DEPARTMENT.

Dover, February 12, 1901.

To the Honorable, the Senate of Delaware :

Gentlemen : In conformity with the Constitution and Laws I have the honor hereby to nominate and appoint for the consent and confirmation of the Senate, Cornelius Frear, Jr., to be State Librarian, for the term of two years from the 12th day of February, A. D. 1901.

JOHN HUNN,

Governor.

Mr. Slaughter, on behalf of the Committee on Judiciary, to whom had been referred

House Bill No. 47, entitled :

"An act authorizing the Governor to appoint an additional Notary Public for Indian River Hundred, Sussex County,"

Reported the same back to the Senate favorably.

On motion of Mr. Slaughter, the bill just reported

Was taken up for consideration,

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

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

Mr. Blakely, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred

Senate Bill No. 36, entitled :

"An act providing for the appointment of the Oyster Revenue Collector and fixing his term of office and salary,"

Reported the same back to the Senate favorably.

On motion of Mr. Blakely, the bill just reported

Was taken up for consideration,

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

Ordered to the House for concurrence.

Mr. Slaughter, on behalf of the Committee on Judiciary, to whom had been referred

Senate Bill No. 62, entitled :

“An act in relation to the misapplication or embezzlement of money or trust funds,”

Reported the same back to the Senate favorably.

On motion of Mr. Slaughter, the bill just reported

Was taken up for consideration,

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

Ordered to the House for concurrence.

Mr. Deighton, 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 :

House Bill No. 85, entitled :

“An act to amend Chapter 209, of Volume 20, Laws of Delaware, entitled, ‘An act to prevent deception in the manufacture

and sale of imitation butter,' by striking out Section 4 of said act, requiring a placard on tubs, &c., and inserting the same in Section 1 thereof."

House Bill No. 114, entitled :

"An act appropriating one hundred dollars to defray the expenses of holding the Colored Teachers' Institute."

And presented the same to the Senate.

On motion of Mr. Allee,

House Bill No. 114, entitled :

"An act appropriating one hundred dollars to defray the expenses of holding the Colored Teachers' Institute,"

Was read a first time.

And on his further motion, Rule 14 was suspended,

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

Referred to the Committee on Finance.

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

"An act to amend Chapter 67, of Volume 21, Laws of Delaware, entitled, 'An act concerning the establishment of a general system of free public schools,' by changing the term of certificates of teachers and abolishing provisional grade certificates."

JOINT SESSION.

The hour of 12 o'clock, M., having arrived, the Senate, preceded by the President pro tempore and attended by the Clerks and Sergeant-at-Arms, proceeded to the Hall of the House of Representatives, for the purpose of voting for a United States Senator, in obedience to the act of Congress, entitled :

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

Passed July 25, 1866.

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

All members present.

Mr. Harrington, of the Senate, moved that the reading of the journals be dispensed with,

Which motion

Prevailed.

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

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

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

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

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

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

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

Mr. Groves, of the Senate, voted for Anthony Higgins.

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

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

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

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

Mr. McFarlin, of the Senate, voted for Anthony Higgins.

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

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

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

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

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

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

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

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

Mr. Clark, of the House, voted for Henry A. Dupont.
Mr. Clendaniel, of the House, voted for John Edward Addicks.
Mr. Dayett, of the House, voted for Anthony Higgins.
Mr. Ewing, of the House, voted for John Edward Addicks.
Mr. Flinn, of the House, voted for Henry A. Dupont.
Mr. Gooden, of the House, voted for Richard R. Kenney.
Mr. Hardesty, of the House, voted for Richard R. Kenney.
Mr. Hearn, of the House, voted for Richard R. Kenney.
Mr. Healey, of the House, voted for Richard R. Kenney.
Mr. Hitchen, of the House, voted for Henry A. Dupont.
Mr. Hodgson, of the House, voted for Henry A. Dupont.
Mr. Holcomb, of the House, voted for Richard R. Kenney.
Mr. Hope, of the House, voted for John Edward Addicks.
Mr. Hutchinson, of the House, voted for Richard R. Kenney.
Mr. Layton, of the House, voted for John Edward Addicks.
Mr. Long, of the House, voted for John Edward Addicks.
Mr. Monaghan, of the House, voted for Richard R. Kenney.
Mr. Moore, of the House, voted for John Edward Addicks.
Mr. Pepper, of the House, voted for Richard R. Kenney.
Mr. Pilling, of the House, voted for Henry A. Dupont.
Mr. Prettyman, of the House, voted for John Edward Addicks.
Mr. Ralph, of the House, voted for Richard R. Kenney.
Mr. Robertson, of the House, voted for Levi C. Bird.
Mr. Shallcross, of the House, voted for Richard R. Kenney.
Mr. Short, of the House, voted for John Edward Addicks.
Mr. Scotten, of the House, voted for Richard R. Kenney.

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

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

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

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

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

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

The vote as above ascertained having been announced as follows :

For John Edward Addicks, sixteen votes.

For Richard R. Kenney, twenty-three votes.

For Henry A. Dupont, nine votes.

For Anthony Higgins, three votes.

For Levi C. Bird, one vote.

Total number of votes cast, 52.

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

There was no election to said office.

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

Which motion

Prevailed.

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

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

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

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

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

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

- Mr. Farlow, of the Senate, voted for Willard Saulsbury.
- Mr. Groves, of the Senate, voted for William S. Hilles.
- Mr. Hart, of the Senate, voted for Willard Saulsbury.
- Mr. Harrington, of the Senate, voted for Willard Saulsbury.
- Mr. Knox, of the Senate, voted for Charles F. Richards.
- Mr. Maull, of the Senate, voted for Willard Saulsbury.
- Mr. McFarlin, of the Senate, voted for William S. Hilles.
- Mr. McNulty, of the Senate, voted for Willard Saulsbury.
- Mr. Pennewill, of the Senate, voted for John Edward Addicks.
- Mr. Slaughter, of the Senate, voted for Willard Saulsbury.
- Mr. Wright, of the Senate, voted for Willard Saulsbury.
- Mr. President pro tempore, of the Senate, voted for Charles F. Richards.
- Mr. Aron, of the House, voted for John Edward Addicks.
- Mr. Baynard, of the House, voted for Charles F. Richards.
- Mr. Chandler, of the House, voted for Anthony Higgins.
- Mr. Clark, of the House, voted for Charles F. Richards.
- Mr. Clendaniel, of the House, voted for John Edward Addicks.
- Mr. Dayett, of the House, voted for William S. Hilles.
- Mr. Ewing, of the House, voted for John Edward Addicks.
- Mr. Flinn, of the House, voted for Charles F. Richards.
- Mr. Gooden, of the House, voted for Willard Saulsbury.
- Mr. Hardesty, of the House, voted for Willard Saulsbury.
- Mr. Hearn, of the House, voted for Willard Saulsbury.
- Mr. Healey, of the House, voted for Willard Saulsbury.
- Mr. Hitchen, of the House, voted for Anthony Higgins.
- Mr. Hodgson, of the House, voted for Charles F. Richards.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The vote as above ascertained having been announced as follows :

For John Edward Addicks, sixteen votes.

For Willard Saulsbury, twenty-three votes.

For William S. Hilles, three votes.

For Charles F. Richards, eight votes.

For Anthony Higgins, two votes.

Total number of votes cast, 52.

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

There was no election to said office.

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

Mr. Knox presented the report of Mr. George W. Marshall, Insurance Commissioner, and moved the same be read,

Which motion

Prevailed.

REPORT OF THE INSURANCE COMMISSIONER.

To the Senate and House of Representatives :

Gentlemen : It is incumbent upon the Insurance Commissioner "to report to each regular session of the General Assembly, on or before the twentieth day of February, the receipts and expenses of his department for the two years previous, etc.," Chapter 347, Volume 14, Section 2, paragraph eighth, Laws of Delaware.

The term of office for which my predecessor was commissioned, was curtailed three months by the amended Constitution, and, as he is not in office, he holds to the opinion that it is not his duty to make a report to the General Assembly : That there shall be no dereliction on the part of the present Commissioner of Insurance, I herewith beg to report that I took the oath of office on January first, nineteen hundred and one, and between that date and January twenty-fourth I received the books, papers and seal of the department, and the blank licenses and certificates of authority to agents and companies, the latter obtained from the present Secretary of State.

From the books of my office, as audited by the Auditor of Accounts, from October first, 1898, to January first, 1901, I find the amount turned over to the State treasury was \$38,823.81, exclusive of the salary of the Commissioner.

There is no record of the expenses of the office.

I hold that I am not the proper person to report the official acts of my predecessor.

The biennial report of a former Commissioner, Peter K. Meredith, Esq., was not authorized to be published, and the reports of my immediate predecessor have never been prepared, as they were not authorized to be published by the last General Assembly.

I would be pleased to know what is the wish of the General Assembly as to the publication of these last three reports.

Within the past twelve days, I, as Insurance Commissioner, have already received \$11,721.68 and deposited the same in the Farmers' Bank at Dover; and as no contingency fund was turned over to me by my predecessor, and as yet none has been provided by law for this department, I have myself furnished thirty dollars for postage stamps, and about forty dollars of United States documentary stamps, besides defraying other expenses of stationery, printing, etc., and the expense of clerk hire.

On a careful study of the Insurance Laws, I find they are defective and at times inconsistent with the requirements of the business of insurance and with one another.

The general law organizing the department of Insurance in Delaware was passed by the Legislature in 1879; subsequent legislatures have amended the law, and given special privileges to certain companies, which materially conflict with the general law, and, in the opinion of the present Attorney General, supervene the general law.

The Insurance Law specifies that the Insurance Commissioner shall grant certificates of authority to Delaware companies only when they shall have a paid up capital of one hundred thousand dollars. The General Assembly, at dates later than the passage of the General Insurance Law, have at various times granted special charters to insurance companies, authorizing them to issue policies and transact business with a paid up capital of less than one hundred thousand dollars; and some instances as low as twenty-five thousand dollars "in cash or good securities," and one company has been authorized to do business on a capital of five thousand dollars.

The Chancellor has ruled that the measure of the duties of these companies is contained in their charters. Because one General Assembly must have equal powers with any other General Assembly,

and as the acts of incorporation are the later, they are, therefore, the conclusive announcement of the will of the law-making body.

The Insurance Commissioner, as I understand and interpret the laws, acts under the authority of the Insurance Law, therefore he cannot grant regular licenses to those companies which do not comply therewith.

The Insurance Commissioner cannot prevent these companies from doing business, because they have complied with their charters, therefore, these companies, so organized, are under no direct supervision.

I would respectfully recommend that these apparent and other inconsistencies be obviated, which, in my judgment, can be done by an act revising and re-enacting the General Insurance Laws of Delaware. Respectfully submitted,

GEORGE W. MARSHALL,
Insurance Commissioner.

Mr. Knox moved that the Insurance Commissioner's report be spread upon the minutes of the Journal.

Which motion Prevailed.

Mr. Allee moved the Senate go into executive session.

Which motion Prevailed.

Senate of Delaware

Being convened in Executive Session,

The communication from the Governor, nominating Harrington Messick to be a member of the State Board of Agriculture,

Was read.

On the question, "Does the Senate consent to and confirm the appointment of Samuel Harrington Messick to be a member of the State Board of Agriculture, for the term of three years from the sixth day of February, A. D. 1901?"

Mr. Allee offered the following resolution:

Dover, Delaware, February 12, 1901.

In Executive Session, Senate of Delaware,

“Resolved, That the Senate do confirm the appointment of Samuel Harrington Messick.”

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

Yeas—17.

Nays—None.

So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Was declared

Adopted.

The communication from the Governor, nominating Andrew W. Slaymaker to be a member of the State Board of Agriculture,

Was read.

On the question, “Does the Senate consent to and confirm the appointment of Andrew W. Slaymaker to be a member of the State Board of Agriculture, for the term of two years from the sixth day of February, A. D. 1901?”

Mr. Allee offered the following resolution :

Dover, Delaware, February 12, 1901.

In Executive Session, Senate of Delaware,

“Resolved, That the Senate do confirm the appointment of Andrew W. Slaymaker.”

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

Yeas—17.

Nays—None.

So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Was declared

Adopted:

The communication from the Governor nominating James T. Shallcross to be a member of the State Board of Agriculture,

Was read.

On the question, "Does the Senate consent to and confirm the appointment of James T. Shallcross to be a member of the State Board of Agriculture, for the term of one year from the sixth day of February, A. D. 1901?"

Mr. Slaughter offered the following resolution :

Dover, Delaware, February 12, 1901.

In Executive Session, Senate of Delaware,

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

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

Yeas—17.

Nays—None.

So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Was declared

Adopted.

The communication from the Governor nominating James E. Carroll to be Superintendent of the Public Schools,

Was read.

On the question, "Does the Senate consent to and confirm the appointment of James E. Carroll to be Superintendent of the Public Schools for Kent County, for the term of two years from the ninth day of July, A. D. 1901?"

Mr. Allee offered the following resolution :

Dover, Delaware, February 12, 1901.

In Executive Session, Senate of Delaware,

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

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

Yeas—17.

Nays—None.

So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Was declared

Adopted.

The communication from the Governor, nominating Daniel B. Jones to be Superintendent of the Public Schools,

Was read.

On the question, “Does the Senate consent to and confirm the appointment of Daniel B. Jones to be Superintendent of the Public Schools for New Castle County, for the term of two years from the ninth day of July, A. D. 1901?”

Mr. Blakely offered the following resolution:

Dover, Delaware, February 12, 1901.

In Executive Session, Senate of Delaware,

“Resolved, That the Senate do confirm the appointment of Daniel B. Jones.”

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

Yeas—17.

Nays—None.

So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Was declared

Adopted.

The communication from the Governor nominating Leon A. Davis to be Superintendent of the Public Schools,

Was read.

On the question, "Does the Senate consent to and confirm the appointment of Leon A. Davis to be Superintendent of the Public Schools for Sussex County, for the term of two years from the ninth day of July, A. D. 1901?"

Mr. Pennewill offered the following resolution:

Dover, Delaware, February 12, 1901.

In Executive Session, Senate of Delaware,

"Resolved, That the Senate do confirm the appointment of Leon A. Davis."

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

Yeas—17.

Nays—None.

So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Was declared

Adopted.

The communication from the Governor nominating Cornelius Frear, Jr., to be State Librarian,

Was read.

On the question, "Does the Senate consent to and confirm the appointment of Cornelius B. Frear, Jr., to be State Librarian for the term of two years from the twelfth day of February, A. D. 1901."

Mr. Abbott offered the following resolution:

Dover, Delaware, February 12, 1901.

In Executive Session, Senate of Delaware,

"Resolved, That the Senate do confirm the appointment of Cornelius Frear, Jr."

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

Yeas—17.

Nays—None.

So the question was decided in the affirmative,

And the resolution having received the required constitutional majority,

Was declared

Adopted.

Mr. Abbott moved that the Executive Session adjourn,

Which motion

Prevailed.

The Senate being reconvened in regular session.

On motion of Mr. Slaughter, the Senate took recess until 2.00 o'clock P. M.

Same Day—2.20 o'clock P. M.

Senate reassembled at expiration of recess.

Mr. McFarlin offered the following communication, which, on his motion, was read :

To the Honorable, the Judges of the Court of General Sessions of the State of Delaware, in and for New Castle County :

The Grand Jury of New Castle County, beginning with the May term, A. D. 1900, and ending with the present term, respectfully submits the following report :

The Attorney-General presented 178 bills, of which number 168 were returned as true bills and 10 were ignored.

In our examination of these bills, we found a great many of them for minor offenses and would recommend that the General Assembly

make provision for the transfer of such cases to the Municipal Court, where speedy trials could be had at a small expense, compared with the present system.

The Grand Jury have made examination of the Court House building and would recommend that the inclosure within the bar, and also the Judges' room be recarpeted, and that additional chairs be provided for the use of jurors. We also recommend that the sanitary arrangements of the building be attended to. We desire also to call attention to the rooms on the third floor, which are assigned for the use of jurors. The rooms should be heated and ventilated and some one directed to look after them. We would recommend that the building be thoroughly renovated and cleaned. The sleeping accommodations for prisoners, in the basement, should also receive attention. While the officers in charge of prisoners were found attentive to their duties, they are seriously embarrassed by the large number of visitors who are permitted to visit the prisoners, while they are detained there awaiting trial. This privilege should be restricted and more discretion should be exercised in allowing people to visit this apartment while prisoners are confined there.

The Grand Jury also recommend that the court bailiffs and tipstaves should be uniformed, while in the performance of their duty, in order that persons visiting the court room could recognize and respect their authority. We recommend that an office be provided for the Coroner in the Court House building.

We are of the opinion that some place other than the court room, while the court is in session, should be provided to pay witness fees.

In pursuance of our duties, the Grand Jury visited the Almshouse, at Farnhurst, and the County Jail, also the new Workhouse and the Ferris Reform School.

The visit to the Workhouse was made on November 22, 1900. The Board of Trustees, under whose direction the buildings are being erected, were present and accompanied the jury in their tour of inspection. The various details and arrangements were pointed out and explained, and the judgment of the members was, that the buildings were splendidly adapted for the purpose and would fully meet the expectations of the people, who have repeatedly expressed the desire that a proper institution should be provided for the care and custody of the county prisoners. This institution will not only

provide for the detention of criminals, but is making arrangements whereby prisoners will be obliged to work. We, therefore, recommend that a stone breaker be erected on the premises and the crushed stone be used to improve the public roads of the county. After an examination of the building and premises, we approve of the request of the trustees for an additional appropriation for the completion of the buildings and furnishing the same.

The visit to the County Almshouse was made on November 28. This institution was found to be in splendid condition and evidence of careful management on the part of those in charge was apparent in every department. We desire to state that the efforts of the trustees in establishing a hospital in connection with the institution meets our approval and should prove a great benefit.

The jury visited the County Jail, at New Castle, on December 13. We found the place in as good condition as it is possible to make it, under the circumstances, but as has before been expressed in previous reports, it is entirely inadequate and unsuitable for the number of prisoners confined there. The condition of the Jail fully justifies the erection of the new Workhouse and, in our judgment, the change cannot be made too soon.

On December 20, a visit was made to the Ferris Industrial School. This institution was found to be in excellent condition and reflects credit upon the management. The boys had every appearance of good treatment, and besides a well conducted school for their education and advancement, they have excellent opportunities of learning useful occupations in the manual training department. More buildings are needed to accommodate the increasing number of inmates, whereby the trustees could more efficiently carry on the work. In our judgment an institution of this character, when properly managed, should accomplish great good in the community. During the past year complaint was made to the Grand Jury of gross irregularities of expenditure by the Levy Court Commissioners. The matter was carefully considered and the Grand Jury are of the opinion that such charges should be made to the Legislature, who have full power and authority to make a thorough investigation.

F. B. WATKINS,
Secretary.

P. A. HORTY,
Foreman.

February 8, 1901.

ATTEST: J. P. QUIGLEY,
Clerk of the Peace.

Mr. McFarlin moved that the communication be spread upon the minutes of the Journal, and referred to proper committee.

Which motion

Prevailed.

Mr. President referred the communication to the Committee on Judiciary.

Mr. Abbott presented a joint resolution,

Senate Joint Resolution No. 17, entitled :

“Joint resolution appointing a joint committee to make arrangements to attend the inauguration of President-elect McKinley,”

Which, on his motion,

Was read.

Mr. Abbott moved that the joint resolution be adopted.

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the joint resolution having received the required constitutional majority,

Was declared

Adopted.

Ordered to the House for concurrence.

Mr. Deighton, 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 bill :

House Bill No. 15, entitled :

“An act to amend Section 17, Chapter 418, Volume 14, Laws of Delaware, and providing for a division of the monies arising from licenses for the sale of intoxicating liquors.”

And presented the same to the Senate.

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

Senate Bill No. 76, entitled :

“An act relating to the trade of barbers in the city of Wilmington, Delaware.”

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Judiciary.

Mr. Maull, on behalf of the Committee on Revised Statutes, to whom had been referred

Senate Bill No. 27, entitled :

“An act to repeal an act entitled, ‘An act in relation to State Detectives,’ approved March 18, A. D. 1898, being Chapter 64, Volume 21, Laws of Delaware,”

Reported the same back to the Senate favorably,

With the following minority report :

Whereas, The majority of the committee on Revised Statutes have decided to report Senate Bill No. 27 favorably; and

Whereas, We the minority members of said committee feel the interests of the State at large would suffer very materially if the provisions of said act were passed upon favorably; therefore beg leave to submit a minority report on said Senate Bill No. 27, and recommend that said bill be reported unfavorably.

F. C. MAULL,

FRANCIS J. McNULTY,

Minority members of Committee on Revised Statutes.

Mr. McNulty moved that the minority report be adopted,

Which motion was

Lost.

On motion of Mr. Allee, the bill just reported

Was taken up for consideration,

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

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

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

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

Nays—Messrs. Clements, Harrington, Hart, Maull, McNulty, Slaughter, Wright—7.

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. Knox presented a joint resolution,

Senate Joint Resolution No. 18, entitled :

"Joint resolution relative to the preparation of the Revised Code as amended, with additional laws,"

Which, on his motion,

Was read.

Mr. Knox moved that the joint resolution be adopted.

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the joint resolution having received the required constitutional majority,

Was declared

Adopted.

· Ordered to the House for concurrence.

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

Wednesday, February 13, 1901—10.30 o'clock A. M.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

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

Journal read and approved.

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

Senate Bill No. 77, entitled :

“An act to amend Chapter 67, of Volume 21, Laws of Delaware, entitled, ‘An act concerning the establishment of a general system of free public schools,’ by changing the term of certificates of teachers and abolishing provisional grade certificates.”

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Education.

Mr. Brasure moved to reconsider the vote on

Senate Joint Resolution No. 19, entitled :

“Joint resolution relative to the preparation of the Revised Code as amended, with additional laws.”

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

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

Yeas—Messrs. Abbott, Allee, Blakely, Brasure, Clements, Harrington, Hart, McFarlin, McNulty, Pennewill, Slaughter—11.

Nays—Mr. Knox—1.

So the question was decided in the affirmative,

And the joint resolution having received the required constitutional majority,

Was declared

Reconsidered.

Mr. Brasure moved that

Senate Joint Resolution No. 19, entitled :

“Joint resolution relative to the preparation of the Revised Code as amended, with additional laws,”

Be read.

Which motion

Prevailed.

Mr. Brasure moved that the joint resolution be adopted.

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

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

Yeas—Messrs. Blakely, Knox, McNulty—3.

Nays—Messrs. Abbott, Allee, Brasure, Clements, Harrington, Hart, McFarlin, Pennewill, Slaughter, Wright, Mr. President pro tempore—11.

So the question was decided in the negative,

And the joint resolution not having received the required constitutional majority,

Was declared

Lost.

Mr. Deighton, 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 :

House Joint Resolution No. 11, entitled :

“Joint resolution appointing a committee of five, three on the

part of the House to be appointed by the Speaker of the House, and two on the part of the Senate to be appointed by the President of the Senate, to confer with the Insurance Commissioner concerning needed legislation and to make a report of their conclusions to the General Assembly."

And presented the same to the Senate.

Also, informed the Senate that the House had adopted and concurred in the following Senate joint resolutions:

Senate Joint Resolution No. 16, entitled:

"Joint resolution appointing directors on the part of the State for the Farmers' Bank of the State of Delaware at Georgetown."

Senate Joint Resolution No. 17, entitled:

"Joint resolution appointing directors on the part of the State for the Farmers' Bank of the State of Delaware at Dover,"

Senate Joint Resolution No. 18, entitled:

"Joint resolution appointing a joint committee to make arrangements to attend the inauguration of President-elect McKinley."

And presented the same to the Senate.

Also, informed the Senate that the House had passed and requested the concurrence of the Senate in the following House bills:

House Bill No. 90, entitled:

"An act to amend Section 31, of Chapter 106, of the Revised Code as amended by Chapter 32, of Volume 13, Laws of Delaware, relating to unincorporated associations of persons doing business in this State, by fixing a penalty for violation of the provision of said section."

House Bill No. 62, entitled:

"An act to amend Chapter 754, Volume 19, Laws of Delaware, entitled, 'An act being a supplement to Chapter 36, Volume 12, Laws of Delaware,' entitled, 'An act to incorporate the town of Middletown by extending the time within which abatement of taxes will be made.'"

And presented the same to the Senate.

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

Senate Bill No. 78, entitled :

“An act to create a Railroad Commission for the State of Delaware.”

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Judiciary.

Mr. McNulty moved the Printing Committee have five hundred copies of Senate Bill No. 78 printed at once.

Which motion

Prevailed.

Mr. Allee asked that

House Joint Resolution, No. 11, entitled :

“Joint resolution appointing a committee of five, three on the part of House to be appointed by the Speaker of the House, and two on the part of the Senate to be appointed by the President of the Senate, to confer with the Insurance Commissioner concerning needed legislation and to make a report of their conclusions to the General Assembly,”

Be read.

Mr. Allee moved that the joint resolution be adopted.

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the joint resolution having received the required constitutional majority,

Was declared

Adopted.

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

Mr. President appointed Mr. Knox and Mr. Hart committee to confer with the Insurance Commissioner concerning needed legislation and to make a report of their conclusions to the General Assembly.

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

Senate Bill No. 84, entitled :

“An act to amend Chapter 535, Volume 30, Laws of Delaware, entitled, ‘An act to reincorporate the town of Clayton’, concerning the compensation of certain officials of the town of Clayton; the collection of money due and owing to the town of Clayton by attachment process; prohibiting bonfires; the issuing of warrants in the name of the State; the collection of taxes; and the assessed valuation of real estate in the town of Clayton.”

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

Senate Bill No. 79, entitled :

“An act to amend Chapter 746, of Volume 19, Laws of Delaware, entitled, ‘An act to reincorporate the town of Dover,’ by giving the town constable power to arrest without warrant any disorderly or drunken person or persons breaking the peace in any hotel, store or other place of business in said town, upon request of the proprietor, owner or employee of such hotel, store or place of business.”

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Cities and Towns.

JOINT SESSION.

The hour of twelve o'clock, M., having arrived, the Senate, preceded by the President pro tempore, and attended by the Clerks and Sergeant-at-Arms, proceeded to the Hall of the House of Rep-

representatives, for the purpose of voting for a United States Senator, in obedience to the act of Congress, entitled :

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

Passed July 25, 1866.

Mr. President pro tempore directed the clerks to call the rolls of the respective houses.

All members present except Mr. Farlow and Mr. Maull of the Senate and Mr. Hardesty of the House.

Mr. Hutchinson, of the House, moved that the reading of the Journals be dispensed with.

Which motion

Prevailed.

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

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

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

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

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

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

Mr. Farlow, of the Senate, was absent.

Mr. Groves, of the Senate, voted for Anthony Higgins.

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

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

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

Mr. Maull, of the Senate, was absent.

Mr. McFarlin, of the Senate, voted for Anthony Higgins.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Hardesty, of the House, was absent.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The vote as above ascertained having been announced as follows :

For John Edward Addicks, sixteen votes.

For Richard R. Kenney, twenty votes.

For Henry A. Dupont, nine votes.

For Anthony Higgins, three votes.

For Levi C. Bird, one vote.

Total number of votes cast, 49.

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

There was no election to said office.

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

Which motion

Prevailed.

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

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

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

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

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

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

Mr. Farlow, of the Senate, was absent.

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

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

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

Mr. Knox, of the Senate, voted for Levi C. Bird.

Mr. Maull, of the Senate, was absent.

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

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

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

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

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

Mr. President pro tempore, of the Senate, voted for Levi C. Bird.

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

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

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

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

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

Mr. Dayett, of the House, voted for William S. Hilles.

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

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

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

- Mr. Hardesty, of the House, was absent.
- Mr. Hearn, of the House, voted for Willard Saulsbury.
- Mr. Healey, of the House, voted for Willard Saulsbury.
- Mr. Hitchen, of the House, voted for Levi C. Bird.
- Mr. Hodgson, of the House, voted for Levi C. Bird.
- Mr. Holcomb, of the House, voted for Willard Saulsbury.
- Mr. Hope, of the House, voted for John Edward Addicks.
- Mr. Hutchinson, of the House, voted for Willard Saulsbury.
- Mr. Layton, of the House, voted for John Edward Addicks.
- Mr. Long, of the House, voted for John Edward Addicks.
- Mr. Monaghan, of the House, voted for Willard Saulsbury.
- Mr. Moore, of the House, voted for John Edward Addicks.
- Mr. Pepper, of the House, voted for Willard Saulsbury.
- Mr. Pilling, of the House, voted for Levi C. Bird.
- Mr. Prettyman, of the House, voted for John Edward Addicks.
- Mr. Ralph, of the House, voted for Willard Saulsbury.
- Mr. Robertson, of the House, voted for Charles F. Richards.
- Mr. Shallcross, of the House, voted for Willard Saulsbury.
- Mr. Short, of the House, voted for John Edward Addicks.
- Mr. Scotten, of the House, voted for Willard Saulsbury.
- Mr. Vinyard, of the House, voted for Willard Saulsbury.
- Mr. Warren, of the House, voted for Willard Saulsbury.
- Mr. West, of the House, voted for Willard Saulsbury.
- Mr. White, of the House, voted for John Edward Addicks.
- Mr. Wright, of the House, voted for Willard Saulsbury.
- Mr. Speaker, of the House, voted for John Edward Addicks.

The vote as above ascertained having been announced as follows:

For John Edward Addicks, sixteen votes.

For Willard Saulsbury, twenty votes.

For Charles F. Richards, one vote.

For William S. Hilles, three votes.

For Levi C. Bird, nine votes.

Total number of votes cast, 49.

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

There was no election to said office.

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

On motion of Mr. Brasure, the Senate took recess until 2.00 o'clock P. M.

Same Day—2.10 o'clock P. M.

Senate reassembled at expiration of recess.

On motion of Mr. Abbott,

House Bill No. 74, entitled:

“An act to amend Chapter 464, of Volume 20, Laws of Delaware, entitled, ‘An act for the protection of oysters in Murderkill River and in St. Jones’ River,’ by changing time for taking oysters and taking away the privilege of citizens taking oysters for home consumption fifteen days before oystermen can catch,”

Was read a first time.

And further on his motion, Rule 14 was suspended,
 And the bill was read a second time, by its title, and
 Referred to the Committee on Fish, Oysters and Game.

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

“An act to regulate the summoning and returning of juries.”

Mr. Slaughter presented a joint resolution :

Senate Joint Resolution No. 20, entitled :

“Joint resolution requiring the General Assembly to meet at 10.30 o'clock A. M. and not to adjourn except for a noon recess, before 4 o'clock P. M.”

Which, on his motion,

Was read.

Mr. Slaughter moved that the joint resolution be adopted.

Mr. McNulty offered the following amendment :

“Strike out in fourth paragraph, second, third, and fourth lines, the following: ‘and shall not adjourn, except for a noon recess, before four o'clock P. M., and that.’ ”

On the question, “Shall the amendment be adopted?”

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

Yeas—Messrs. Abbott, Allee, Blakely, Brasure, Clements, Harrington, Hart, Knox, McFarlin, McNulty, Pennewill, Mr. President pro tempore—12.

Nays—Mr. Slaughter—1.

So the question was decided in the affirmative.

And the amendment having received the required constitutional majority,

Was declared

Adopted.

Mr. McNulty moved that the joint resolution be adopted as amended.

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

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

Yeas—Messrs. Abbott, Allee, Blakely, Clements, Harrington, Hart, Knox, McFarlin, McNulty, Slaughter, Wright, Mr. President pro tempore—12.

Nays—Messrs. Brasure and Pennewill—2.

So the question was decided in the affirmative,

And the joint resolution as amended having received the required constitutional majority,

Was declared

Adopted.

Ordered to the House for concurrence.

On motion of Mr. McNulty,

House Bill No. 15, entitled:

"An act to amend Section 17, Chapter 418, Volume 14, Laws of Delaware, and providing for a division of the monies arising from licenses for the sale of intoxicating liquors." as amended,

Was read a first time.

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Cities and Towns.

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

Senate Bill No. 7, entitled:

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

And presented the same to the Senate.

Also, informed the Senate that the House had passed and re-

quested the concurrence of the Senate in the following House bills:

House Bill No. 103, entitled:

"An act to amend Chapter 17, Volume 18, Laws of Delaware, entitled, 'An act to amend an act entitled, An act to incorporate the trustees of the Milford armory.'"

House Bill No. 65, entitled:

"An act to amend an act entitled, 'An act to incorporate the Ferris Reform School.'"

And presented the same to the Senate.

Mr. McNulty, on behalf of the Committee on Enrolled Bills, reported as duly and correctly enrolled and ready for the signature of the President of the Senate, the following bills:

Senate Bill No. 12, entitled:

"An act to amend Chapter 72, Volume 14, Laws of Delaware, and to provide for the apprehension of persons fishing for shad contrary to law."

Senate Bill No. 31, entitled:

"An act for the suppression of gambling by means of slot machines or other devices."

Senate Bill No. 41, entitled:

"An act repealing Chapter 159, Volume 21, Laws of Delaware, entitled, 'An act designating the voting-place in the First Election District of Representative District number three of Kent County.'"

Senate Bill No. 42, entitled:

"An act repealing Chapter 150, Volume 21, Laws of Delaware, entitled, 'An act designating the voting place in the Second Election District of Representative District number three of Kent County.'"

Senate Bill No. 43, entitled:

"An act designating the voting place in First Election District of Representative District number three of Kent County."

Senate Bill No. 44, entitled :

“An act designating the voting place in Second Election District of Representative District number three of Kent County.”

Senate Bill No. 49, entitled :

“An act to prohibit the catching of fish in Silver Lake, near Dover, except with hook and line.”

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

Senate Bill No. 80, entitled :

“An act changing the boundaries of the Third and Fourth Election Districts of the Tenth Representative District in New Castle County.”

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Revised Statutes.

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

Senate Bill No. 81, entitled :

“An act providing free transportation by all the railroads in the State of Delaware of the State Judiciary, certain other State officers and members of the General Assembly.”

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Finance.

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

“An act appointing commissioners to examine the system of taxation, salaries and perquisites of all officers and all matters relating to the government and finances of New Castle County.”

Mr. Deighton, 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:

House Bill No. 161, entitled:

"An act to amend Section 3, of the act entitled, 'An act to provide for an additional constable in New Castle County,' approved March 2, 1899, being Chapter 204, Volume 21, Laws of Delaware."

House Bill No. 75, entitled:

"An act to amend an act entitled, 'An act to incorporate the town of Bridgeville,' being Chapter 126, Volume 14, Laws of Delaware, as amended by an act entitled, 'An act to amend Section 5, Chapter 126, Volume 14, Laws of Delaware,' being Chapter 156, Volume 18, Laws of Delaware, by authorizing and directing the Levy Court of Sussex County to pay the commissioners of Bridgeville the sum of four hundred dollars annually."

And presented the same to the Senate.

On motion of Mr. Allee,

House Bill No. 90, entitled:

"An act to amend Section 31, of Chapter 106, of the Revised Code as amended by Chapter 32, of Volume 13, Laws of Delaware, relating to unincorporated associations of persons doing business in this State, by fixing a penalty for violation of the provisions of said section,"

Was read a first time.

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Judiciary.

On motion of Mr. Allee,

House Bill No. 103, entitled:

"An act to amend Chapter 17, Volume 18, Laws of Delaware, entitled, 'An act to amend an act entitled, "An act to incorporate the trustees of the Milford armory,"'"

Was read a first time.

And further on his motion, Rule 14 was suspended,
And the bill was read a second time, by its title, and
Referred to the Committee on Corporations.

On motion of Mr. Allee,

House Bill No. 71, entitled :

“An act appropriating ninety-nine dollars to Edward Fowler, the late Insurance Commissioner,”

Was read a first time.

And further on his motion, Rule 14 was suspended,
And the bill was read a second time, by its title, and
Referred to the Committee on Claims.

On motion of Mr. Allee,

House Bill No. 43, entitled :

“An act to prevent carp fishing in the Delaware Bay and its tributaries during the months of June, July and August of each year,”

Was read a first time.

And further on his motion, Rule 14 was suspended,
And the bill was read a second time, by its title, and
Referred to the Committee on Fish, Oysters and Game.

On motion of Mr. Allee,

House Bill No. 65, entitled :

“An act to amend an act, entitled, ‘An act to incorporate the Ferris Reform School,’ ”

Was read a first time.

And further on his motion, Rule 14 was suspended,
And the bill was read a second time, by its title, and
Referred to the Committee on Corporations.

On motion of Mr. Blakely,

House Bill No. 161, entitled :

"Act to amend Section 3, of the act entitled, 'An act to provide for an additional constable in New Castle County,' approved March 2, 1899, being Chapter 204, Volume 21, Laws of Delaware,"

Was read a first time.

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Elections.

On motion of Mr. Allee,

House Bill No. 38, entitled :

"An act providing for the punishment of defendants in execution or attachment process who remove from the county property, levied upon or seized under such execution or attachment process,"

Was read a first time.

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Judiciary.

On motion of Allee,

House Bill No. 77, entitled :

"An act to prevent kidnapping,"

Was read a first time.

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Revised Statutes.

On motion of Mr. Allee,

House Bill No. 85, entitled :

"An act to amend Chapter 209, of Volume 20, Laws of Delaware, entitled, 'An act to prevent deception in the manufacture and sale of imitation butter,' by striking out Section 4 of said act, requiring a placard on tubs, &c., and inserting the same in Section 1 thereof,"

Was read a first time.

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Agriculture.

On motion of Mr. Allee,

House Bill No. 62, entitled :

"An act to amend Chapter 754, Volume 19, Laws of Delaware, entitled, 'An act being a supplement to Chapter 36, Volume 12, Laws of Delaware,' entitled, 'An act to incorporate the town of Middletown,' by extending the time within which abatement of taxes will be made,"

Was read a first time.

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Cities and Towns.

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

Thursday, February 14, 1901—10.45 o'clock A. M.

Senate met pursuant to adjournment.

Prayer by Dr. C. S. Baker.

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

Journal read and approved.

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

Senate Bill No. 48, entitled:

“An act to exempt from taxation the lands, tenements and hereditaments and personal estate of The Sarah White Home,”

And returned the same to the Senate.

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

Senate Bill No. 82, entitled:

“A supplement to Chapter 225, of the Revised Statutes of Delaware, being an act to regulate the fees of justices of the peace, constables and sheriffs in certain classes,”

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Judiciary.

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

"An act to repeal Chapter 551, Volume 12, Laws of Delaware, entitled, 'An act requiring a license for the carrying on the business of opening oysters for the purpose of exportation from this State.'"

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

"An act to reincorporate the town of Lewes."

Mr. Abbott, on behalf of the Committee on Education, to whom had been referred

Senate Bill No. 77, entitled:

"An act to amend Chapter 67, of Volume 21, Laws of Delaware, entitled, 'An act concerning the establishment of a general system of free public schools,' by changing the term of certificates of teachers and abolishing provisional grade certificates."

Reported the same back to the Senate favorably.

On motion of Mr. Abbott, the bill just reported

Was taken up for consideration,

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

Ordered to the House for concurrence.

Mr. Blakely asked that the following communication be read:

Wilmington, Delaware, February 13, 1901.

Hon. Webster Blakely.

At the regular stated meeting of the Phoenix Fire Co., held on the evening of February 11, 1901, a unanimous vote of thanks was extended to the members of the Senate for their efforts in passing the act known as the "Phoenix Ambulance Appropriation Bill." Our appreciation for the same will always be held with the greatest esteem by the members of the Phoenix Fire Co.

JOHN V. GARTLAND,
Secretary.

On motion of Mr. Blakely, the communication was ordered spread upon the minutes of the Journal.

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

Senate Bill No. 83, entitled :

"An act to regulate the summoning and returning of juries."

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Revised Statutes.

Mr. Knox, on behalf of the Committee on Corporations, to whom had been referred

Senate Bill No. 50, entitled :

"An act to incorporate the Kent Savings Bank,"

Reported the same back to the Senate favorably.

On motion of Mr. Knox, the bill just reported

Was taken up for consideration,

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

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

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

Yeas—Messrs. Abbott, Allee, Blakely, Hart, Knox, Maull, Pennewill—7.

Nays—Messrs. Clements, Farlow, Harrington, McFarlin, McNulty, Slaughter, Mr. President pro tempore—7.

So the question was decided in the negative,

And the bill not having received the required constitutional majority,

Was declared

Lost.

Mr. Ellison, on behalf of the Committee on Finance, to whom had been referred

House Bill No. 114, entitled:

“An act appropriating one hundred dollars to defray the expenses of holding the Colored Teachers’ Institute,”

Reported the same back to the Senate favorably.

On motion of Mr. Ellison, the bill just reported

Was taken up for consideration,

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

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

Mr. Slaughter, from the Committee on Judiciary, reported back Senate Bill No. 63, entitled :

“An act to authorize the levying of a special tax for shelling the county roads of Little Creek Hundred, Sussex County,”

With amendment.

On motion of Mr. Slaughter, the amendment

Was read.

And on his further motion, was adopted.

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

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

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

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

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.

JOINT SESSION.

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

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

Passed July 25, 1866.

Mr. President pro tempore directed the clerks to call the rolls of the respective houses.

All members present.

Mr. Holcomb, of the House, moved that the reading of the journals be dispensed with,

Which motion

Prevailed.

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

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

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

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

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

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

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

Mr. Groves, of the Senate, voted for Anthony Higgins.

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

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

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

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

Mr. McFarlin, of the Senate, voted for Anthony Higgins.

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

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

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

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

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

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

- Mr. Baynard, of the House, voted for Anthony Higgins.
- Mr. Chandler, of the House, voted for Henry A. Dupont.
- Mr. Clark, of the House, voted for Henry A. Dupont.
- Mr. Clendaniel, of the House, voted for John Edward Addicks.
- Mr. Dayett, of the House, voted for Anthony Higgins.
- Mr. Ewing, of the House, voted for John Edward Addicks.
- Mr. Flinn, of the House, voted for Henry A. Dupont.
- Mr. Gooden, of the House, voted for Richard R. Kenney.
- Mr. Hardesty, of the House, voted for Richard R. Kenney.
- Mr. Hearn, of the House, voted for Richard R. Kenney.
- Mr. Healey, of the House, voted for Richard R. Kenney.
- Mr. Hitchen, of the House, voted for Levi C. Bird.
- Mr. Hodgson, of the House, voted for Henry A. Dupont.
- Mr. Holcomb, of the House, voted for Richard R. Kenney.
- Mr. Hope, of the House, voted for John Edward Addicks.
- Mr. Hutchinson, of the House, voted for Richard R. Kenney.
- Mr. Layton, of the House, voted for John Edward Addicks.
- Mr. Long, of the House, voted for John Edward Addicks.
- Mr. Monaghan, of the House, voted for Richard R. Kenney.
- Mr. Moore, of the House, voted for John Edward Addicks.
- Mr. Pepper, of the House, voted for Richard R. Kenney.
- Mr. Pilling, of the House, voted for Henry A. Dupont.
- Mr. Prettyman, of the House, voted for John Edward Addicks.
- Mr. Ralph, of the House, voted for Richard R. Kenney.
- Mr. Robertson, of the House, voted for Levi C. Bird.
- Mr. Shallcross, of the House, voted for Richard R. Kenney.

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

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

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

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

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

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

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

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

The vote as above ascertained having been announced as follows:

For John Edward Addicks, sixteen votes.

For Richard R. Kenney, twenty-three votes.

For Henry A. Dupont, seven votes.

For Anthony Higgins, four votes.

For Levi C. Bird, two votes.

Total number of votes cast, 52.

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

There was no election to said office.

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

Which motion

Prevailed.

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

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

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

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

- Mr. Brasure, of the Senate, voted for John Edward Addicks.
- Mr. Clements, of the Senate, voted for Willard Saulsbury.
- Mr. Farlow, of the Senate, voted for John H. Layton.
- Mr. Groves, of the Senate, voted for William S. Hilles.
- Mr. Hart, of the Senate, voted for Willard Saulsbury.
- Mr. Harrington, of the Senate, voted for Willard Saulsbury.
- Mr. Knox, of the Senate, voted for Levi C. Bird.
- Mr. Maull, of the Senate, voted for Willard Saulsbury.
- Mr. McFarlin, of the Senate, voted for William S. Hilles.
- Mr. McNulty, of the Senate, voted for Willard Saulsbury.
- Mr. Pennewill, of the Senate, voted for John Edward Addicks.
- Mr. Slaughter, of the Senate, voted for Willard Saulsbury.
- Mr. Wright, of the Senate, voted for Willard Saulsbury.
- Mr. President pro tempore, of the Senate, voted for Levi C. Bird.
- Mr. Aron, of the House, voted for John Edward Addicks.
- Mr. Baynard, of the House, voted for Levi C. Bird.
- Mr. Chandler, of the House, voted for Levi C. Bird.
- Mr. Clark, of the House, voted for Levi C. Bird.
- Mr. Clendaniel, of the House, voted for John Edward Addicks.
- Mr. Dayett, of the House, voted for William S. Hilles.
- Mr. Ewing, of the House, voted for John Edward Addicks.
- Mr. Flinn, of the House, voted for Levi C. Bird.
- Mr. Gooden, of the House, voted for Willard Saulsbury.
- Mr. Hardesty, of the House, voted for Willard Saulsbury.
- Mr. Hearn, of the House, voted for Willard Saulsbury.
- Mr. Healey, of the House, voted for Willard Saulsbury.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The vote as above ascertained having been announced as follows :

For John Edward Addicks, sixteen votes.

For Willard Saulsbury, twenty-two votes.

For William S. Hilles, three votes.

For Charles F. Richards, two votes.

For Levi C. Bird, eight votes.

For John H. Layton, one vote.

Total number of votes cast, 52.

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

There was no election to said office.

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

On motion of Mr. McNulty, the Senate took recess until 2.00 o'clock P. M.

Same Day—2.40 o'clock P. M.

Senate reassembled at expiration of recess.

Mr. Blakely, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred

House Bill No. 39, entitled:

"An act to amend Chapter 462, of Volume 20, Laws of Delaware, relating to fishing in Drummond's Mill Pond, otherwise known as Silver Lake, and Noxentown Mill Pond in New Castle County, by changing the size of mesh of nets to be used,"

Reported the same back to the Senate favorably.

On motion of Mr. Blakely, the bill just reported

Was taken up for consideration,

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

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

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

Senate Bill No. 72, entitled:

"An act to allow the Council of the town of Seaford to borrow money, and issue bonds to secure the payment thereof, for the purpose of providing a supply of water for said town, and to provide a sewer system for the same."

And returned the same to the Senate.

Also, informed the Senate that the House had passed and requested the concurrence of the Senate in the following House bill:

House Bill No. 44, entitled:

"An act to amend Chapter 193, Volume 21, Laws of Delaware, entitled, 'An act providing for the auditing of the books and accounts of certain county officers of New Castle County,'"

And presented the same to the Senate.

Mr. Knox, on behalf of the Committee on Corporations, to whom had been referred

House Bill No. 103, entitled:

"An act to amend Chapter 17, Volume 18, Laws of Delaware, entitled, 'An act to amend an act entitled, "An act to incorporate the trustees of the Milford armory," ' ' "

Reported the same back to the Senate favorably.

On motion of Mr. Knox, the bill just reported

Was taken up for consideration,

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

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

Mr. Blakely, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred

House Bill No. 79, entitled:

"An act to amend Chapter 507, of Volume 17, Laws of Delaware, entitled, 'An act for the protection and preservation of game and game fish,' changing the time in which reed birds may be killed,"

Reported the same back to the Senate favorably.

On motion of Mr. Blakely, the bill just reported

Was taken up for consideration,

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

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

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

Senate Bill No. 84, entitled :

"An act to amend Chapter 535, Volume 20, Laws of Delaware, entitled, 'An act to reincorporate the town of Clayton,' concerning the compensation of certain officials of the town of Clayton; the collection of money due and owing to the town of Clayton by attachment process; prohibiting bonfires; the issuing of warrants in the name of the State; the collection of taxes; and the assessed valuation of real estate in the town of Clayton."

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Cities and Towns.

On motion of Mr. Pennewill,

House Bill No. 75, entitled :

"An act to amend an act entitled, 'An act to incorporate the

town of Bridgeville,' being Chapter 126, Volume 14, Laws of Delaware, as amended by an act entitled, 'An act to amend Section 5, Chapter 126, Volume 14, Laws of Delaware,' being Chapter 156, Volume 18, Laws of Delaware, by authorizing and directing the Levy Court of Sussex County to pay the commissioners of Bridgeville the sum of four hundred dollars annually,"

Was read a first time.

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Cities and Towns.

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

Friday, February 15, 1901—10.45 o'clock A. M.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

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

Journal read and approved.

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

“An act to further amend the charter of the city of Wilmington, and providing for a deputy city judge.”

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

“An act to amend Section 5, of Chapter 40, Volume 20, Laws of Delaware, entitled, ‘An act regulating the practice of medicine and surgery in this State,’ so that physicians from other States may be licensed by the State Board of Medical Examiners without examination, under certain restrictions.”

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

“An act to reincorporate the commissioners of Rehoboth.”

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

Senate Bill No. 85, entitled :

“An act to repeal Chapter 551, Volume 12, Laws of Delaware, entitled, ‘An act requiring a license for the carrying on the busi-

ness of opening oysters for the purpose of exportation from this State.' "

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Revised Statutes.

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

Senate Bill No. 86, entitled :

"An act to reincorporate the town of Lewes."

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Cities and Towns.

Mr. Slaughter, on behalf of the Committee on Judiciary, to whom had been referred

House Bill No. 51, entitled :

"An act in relation to pleading and practice,"

Reported the same back to the Senate unfavorably.

On motion of Mr. Slaughter, the bill just reported

Was taken up for consideration,

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

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

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

Yeas—Messrs. Clements, Harrington, Maull, McNulty—4.

Nays—Messrs. Abbott, Allee, Brasure, Groves, Hart, Knox, McFarlin, Slaughter, Mr. President pro tempore—9.

So the question was decided in the negative,

And the bill not having received the required constitutional majority,

Was declared

Lost.

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

Mr. Deighton, 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 bill :

House Bill No. 52, entitled :

“An act providing for the establishment and maintenance of free public libraries.”

And presented the same to the Senate.

Also, presented to the Senate for the signature of the President, the following duly and correctly enrolled House bills, the same having been signed by the Speaker of the House :

House Bill No. 25, entitled :

“An act to authorize the Town Council of Dover to pass ordinances preventing the erection of wooden buildings on Loocker-man Street, in said town.”

House Bill No. 47, entitled :

“An act authorizing the Governor to appoint an additional Notary Public for Indian River Hundred, Sussex County.”

Also, presented for the signature of the President of the Senate the following duly and correctly enrolled House joint resolution, the same having been signed by the Speaker of the House,

House Joint Resolution, No. 10, entitled :

“Joint resolution appointing directors for the Farmers' Bank of the State of Delaware for the branch in Wilmington.”

Also, returned to the Senate the following duly and correctly enrolled Senate bills, the same having been signed by the President of the Senate and Speaker of the House :

Senate Bill No. 12, entitled :

"An act to amend Chapter 72, Volume 14, Laws of Delaware, and to provide for the apprehension of persons fishing for shad contrary to law."

Senate Bill No. 31, entitled :

"An act for the suppression of gambling by means of slot machines or other devices."

Senate Bill No. 41, entitled :

"An act repealing Chapter 159, Volume 21, Laws of Delaware, entitled, 'An act designating the voting-place in the First Election District of Representative District number three of Kent County.'"

Senate Bill No. 42, entitled :

"An act repealing Chapter 610, Volume 21, Laws of Delaware, entitled, 'An act designating the voting place in the Second Election District of Representative District number three of Kent County.'"

Senate Bill No. 43, entitled :

"An act designating the voting place in First Election District of Representative District number three of Kent County."

Senate Bill No. 44, entitled :

"An act designating the voting place in Second Election District of Representative District number three of Kent County."

Senate Bill No. 49, entitled :

"An act to prohibit the catching of fish in Silver Lake, near Dover, except with hook and line."

Mr. Slaughter, on behalf of the Committee on Judiciary, to whom had been referred

Senate Bill No. 70, entitled :

"An act in relation to closing county offices in New Castle County at twelve o'clock noon on Saturday,"

Reported the same back to the Senate unfavorably.

Mr. Groves moved the bill be recommitted.

Which motion

Prevailed.

Mr. Slaughter, on behalf of the Committee on Judiciary, to whom had been referred

House Bill No. 38, entitled :

“An act providing for the punishment of defendants in execution or attachment process who remove from the county property, levied upon or seized under such execution or attachment process,”

Reported the same back to the Senate favorably.

On motion of Mr. Slaughter, the bill just reported

Was taken up for consideration,

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

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

Mr. McFarlin moved the vote on

Senate Bill No. 50, entitled :

“An act to incorporate the Kent Savings Bank,”

Be reconsidered.

On the question, “Shall the vote be reconsidered?”

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

Yeas—Messrs. Abbott, Allee, Blakely, Brasure, Farlow, Groves, Hart, Knox, Maull, McFarlin, Pennewill, Wright—12.

Nays—Messrs. Clements, McNulty, Slaughter—3.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Was Reconsidered.

Mr. Slaughter moved the bill be recommitted.

On the question, "Shall the bill be recommitted?"

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

Yeas—Messrs. Hart, Knox, Maull, McNulty, Slaughter, Wright—6.

Nays—Messrs. Abbott, Allee, Blakely, Brasure, Farlow, Groves, McFarlin, Pennewill—8.

So the question was decided in the negative,

And the motion

Was declared Lost.

Mr. Allee moved the bill be put on its final passage.

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

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

Yeas—Messrs. Abbott, Allee, Blakely, Brasure, Farlow, Groves, Hart, Knox, Maull, McFarlin, Pennewill—11.

Nays—Messrs. Clements, McNulty, Slaughter, Wright—4.

So the question was decided in the negative,

And the bill not having received the required constitutional majority,

Was declared

Lost.

Mr. Ellison, on behalf of the Committee on Finance, to whom had been referred

House Bill No. 86, entitled :

“An act amending Chapter 65 of Volume 21, Laws of Delaware, by increasing the salary of the stenographer and typewriter for the Governor and Secretary of State to six hundred dollars,”

Reported the same back to the Senate favorably.

On motion of Mr. Ellison, the bill just reported

Was taken up for consideration,

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

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

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

Senate Bill No. 11, entitled :

“An act to provide for the appointment of an additional Notary Public for New Castle County.”

And returned the same to the Senate.

Also, informed the Senate that the House had passed and requested the concurrence of the Senate in the following House Bill :

House Bill No. 45, entitled :

“An act in relation to the Levy Court of New Castle County.”

And presented the same to the Senate.

Mr. McFarlin, from the Committee on Agriculture, reported back,

House Bill No. 85, entitled :

“An act to amend Chapter 209, of Volume 20, Laws of Delaware, entitled, ‘An act to prevent deception in the manufacture and sale of imitation butter,’ by striking out Section 4 of said act, requiring a placard on tubs, &c., and inserting the same in Section 1 thereof,”

With amendment.

On motion of Mr. McFarlin, the amendment

Was read.

And on his further motion, was adopted.

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

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

Mr. Ellison, on behalf of the Committee on Finance, to whom had been referred

Senate Bill No. 24, entitled :

“An act in relation to the money belonging to the State and to the School Fund,”

Reported the same back to the Senate favorably.

Mr. Knox moved that the further consideration of Senate Bill No. 24 be postponed until next Tuesday afternoon at 2.30 o'clock.

Which motion

Prevailed.

Mr. Knox offered the following resolution :

Resolved, That all pairs for to-morrow's session shall be recorded with the Clerk before adjournment to-day, and any member so paired shall not vote for U. S. Senator at said session to-morrow without consent of the member with whom he is paired.

And on his motion,

The resolution was

Adopted.

JOINT SESSION.

The hour of 12 o'clock, M., having arrived, the Senate, preceded by the President pro tempore and attended by the Clerks and Sergeant-at-Arms, proceeded to the Hall of the House of Representatives, for the purpose of voting for a United States Senator, in obedience to the act of Congress, entitled :

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

Passed July 25, 1866.

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

All members present.

Mr. Hardesty, of the House, moved that the reading of the Journals be dispensed with.

Which motion

Prevailed.

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

- Mr. Abbott, of the Senate, voted for John Edward Addicks.
- Mr. Allee, of the Senate, voted for John Edward Addicks.
- Mr. Blakely, of the Senate, voted for John Edward Addicks.
- Mr. Brasure, of the Senate, voted for John Edward Addicks.
- Mr. Clements, of the Senate, voted for Richard R. Kenney.
- Mr. Farlow, of the Senate, voted for Richard R. Kenney.
- Mr. Groves, of the Senate, voted for Anthony Higgins.
- Mr. Hart, of the Senate, voted for Richard R. Kenney.
- Mr. Harrington, of the Senate, voted for Richard R. Kenney.
- Mr. Knox, of the Senate, voted for Henry A. Dupont.
- Mr. Maull, of the Senate, voted for Richard R. Kenney.
- Mr. McFarlin, of the Senate, voted for Anthony Higgins.
- Mr. McNulty, of the Senate, voted for Richard R. Kenney.
- Mr. Pennewill, of the Senate, voted for John Edward Addicks.
- Mr. Slaughter, of the Senate, voted for Richard R. Kenney.
- Mr. Wright, of the Senate, voted for Richard R. Kenney.
- Mr. President pro tempore, of the Senate, voted for Henry A. Dupont.
- Mr. Aron, of the House, voted for John Edward Addicks.
- Mr. Baynard, of the House, voted for Anthony Higgins.
- Mr. Chandler, of the House, voted for Henry A. Dupont.
- Mr. Clark, of the House, voted for Henry A. Dupont.
- Mr. Clendaniel, of the House, voted for John Edward Addicks.
- Mr. Dayett, of the House, voted for Anthony Higgins.
- Mr. Ewing, of the House, voted for John Edward Addicks.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The vote as above ascertained having been announced as follows :

For John Edward Addicks, sixteen votes.

For Richard R. Kenney, twenty-three votes.

For Henry A. Dupont, seven votes.

For Anthony Higgins, four votes.

For Levi C. Bird, two votes.

Total number of votes cast, 52.

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

There was no election to said office.

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

Which motion

Prevailed.

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

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

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

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

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

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

Mr. Farlow, of the Senate, voted for James H. Hughes.

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

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

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

Mr. Knox, of the Senate, voted for Hiram R. Burton.

Mr. Maull, of the Senate, voted for Willard Saulsbury.
 Mr. McFarlin, of the Senate, voted for William S. Hilles.
 Mr. McNulty, of the Senate, voted for Willard Saulsbury.
 Mr. Pennewill, of the Senate, voted for John Edward Addicks.
 Mr. Slaughter, of the Senate, voted for Willard Saulsbury.
 Mr. Wright, of the Senate, voted for Willard Saulsbury.
 Mr. President pro tempore, of the Senate, voted for Hiram R. Burton.

Mr. Aron, of the House, voted for John Edward Addicks.
 Mr. Baynard, of the House, voted for Philip L. Cannon.
 Mr. Chandler, of the House, voted for Hiram R. Burton.
 Mr. Clark, of the House, voted for Hiram R. Burton.
 Mr. Clendaniel, of the House, voted for John Edward Addicks.
 Mr. Dayett, of the House, voted for William S. Hilles.
 Mr. Ewing, of the House, voted for John Edward Addicks.
 Mr. Flinn, of the House, voted for Hiram R. Burton.
 Mr. Gooden, of the House, voted for Willard Saulsbury.
 Mr. Hardesty, of the House, voted for Willard Saulsbury.
 Mr. Hearn, of the House, voted for Willard Saulsbury.
 Mr. Healey, of the House, voted for Willard Saulsbury.
 Mr. Hitchen, of the House, voted for Philip L. Cannon.
 Mr. Hodgson, of the House, voted for Hiram R. Burton.
 Mr. Holcomb, of the House, voted for Willard Saulsbury.
 Mr. Hope, of the House, voted for John Edward Addicks.
 Mr. Hutchinson, of the House, voted for Willard Saulsbury.
 Mr. Layton, of the House, voted for John Edward Addicks.
 Mr. Long, of the House, voted for John Edward Addicks.

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

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

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

Mr. Pilling, of the House, voted for Hiram R. Burton.

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

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

Mr. Robertson, of the House, voted for Philip L. Cannon.

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

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

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

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

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

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

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

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

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

The vote as above ascertained having been announced as follows:

For John Edward Addicks, sixteen votes.

For Willard Saulsbury, twenty-two votes.

For James H. Hughes, one vote.

For William S. Hilles, three votes.

For Hiram R. Burton, seven votes.

For Philip L. Cannon, three votes.

Total number of votes cast, 52.

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

There was no election to said office.

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

On motion of Mr. Abbott, the Senate took recess until 2.00 o'clock P. M.

Same Day—2.20 o'clock P. M.

Senate reassembled at expiration of recess.

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

“An act to authorize the commissioners of Lewes to appoint a Board of Public Works for the town of Lewes, which shall establish, control and regulate an electric light plant, water works, and a sewer system for said town ; prescribing the powers and duties of said board and providing for the election of their successors.”

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

“An act to authorize the commissioners of Lewes to levy a special tax for the support of the water works, electric light and sewer system of the town of Lewes.”

Mr. Ellison, on behalf of the Committee on Finance, to whom had been referred

House Bill No. 19, entitled :

“An act to amend Chapter 642, Volume 19, Laws of Delaware, entitled, ‘An act to establish a State Board of Health for the State of Delaware,’ Chapter 21, Volume 16, as amended,”

Reported the same back to the Senate favorably.

On motion of Mr. Ellison, the bill just reported

Was taken up for consideration,

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

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

Mr. Ellison, from the Committee on Finance, reported back House Bill No. 20, entitled:

"An act to amend Chapter 240, Laws of Delaware, entitled, 'An act to prevent the spread of diseases and to establish a pathological and bacteriological department for such purposes at Delaware College,'"

With amendment.

On motion of Mr. Blakely, the amendment

Was read.

And on his further motion, was adopted.

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

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

Mr. Slaughter, on behalf of the Committee on Judiciary, to whom had been referred

House Bill No. 31, entitled :

“An act concerning the attachment of wages, amending Chapter 542, Volume 16, Laws of Delaware,”

Reported the same back to the Senate favorably.

On motion of Mr. Slaughter, the bill just reported

Was taken up for consideration,

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

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

Mr. Allee, on behalf of the Committee on Claims, to whom had been referred

House Bill No. 71, entitled :

“An act appropriating ninety-nine dollars to Edward Fowler, the late Insurance Commissioner,”

Reported the same back to the Senate favorably.

On motion of Mr. Allee, the bill just reported

Was taken up for consideration,

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

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

On motion of Mr. Knox,

Senate Bill No. 11, entitled :

“An act to provide for the appointment of an additional Notary Public for New Castle County,”

Was taken up for consideration,

And, on his further motion, the House amendment thereto was read.

On the question, "Shall the Senate concur in the amendment?"

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

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

Nays—None.

So the question was decided in the affirmative,

And the amendment having received the required constitutional majority,

Was declared

Concurred in.

Ordered that the House be informed thereof.

Mr. Hart presented the following report as chairman of Special Library Committee:

The special committee appointed according to Joint Resolution No. 8, to examine the House compiling of catalogue containing all the books in the State Library by the Librarian, Thomas W. Jefferson, as authorized in Chapter 161, Volume 21, Laws of Delaware, and to recommend a fair and proper compensation to be paid the said librarian for his services in making said catalogue, would most respectfully report, that we find after careful examination that the catalogue is arranged in excellent order, requiring necessarily a great deal of time and care, and would recommend that he be allowed for his services the sum of seven hundred and fifty dollars.

GEO. M. D. HART,	} Committee.
S. S. PENNEWILL,	
C. B. HOPE,	
JAS. T. SHALLCROSS,	
THEO. F. CLARK,	

On motion of Mr. Slaughter, the report was ordered spread upon the Journal.

Mr. McNulty, on behalf of the Committee on Enrolled Bills, reported as duly and correctly enrolled and ready for the signature of the President of the Senate, the following bill and joint resolutions:

Senate Bill No. 48, entitled :

“An act to exempt from taxation the lands, tenements and hereditaments and personal estate of ‘The Sarah White Home.’”

Senate Joint Resolution No. 16, entitled :

“Joint resolution appointing directors on the part of the State for the Farmers’ Bank of the State of Delaware at Georgetown.”

Senate Joint Resolution No. 17, entitled :

“Joint resolution appointing directors on the part of the State for the Farmers’ Bank of the State of Delaware at Dover,”

Senate Joint Resolution No. 18, entitled :

“Joint resolution appointing a joint committee to make arrangements to attend the inauguration of President-elect McKinley.”

On motion of Mr. Wright, the Clerk read the following pairs for to-morrow’s Senatorial vote :

Mr. President pro tempore, with Mr. Hart.

Mr. Blakely, with Mr. Wright.

Mr. Brasure, with Mr. Harrington.

Mr. McFarlin, with Mr. Clements.

Mr. Knox, with Mr. Maull.

Mr. Abbott, with Mr. McNulty.

Mr. Pennewill, with Mr. Groves.

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

“An act to incorporate the Milford Savings’ Bank.”

On motion of Mr. Blakely, the Senate adjourned until 11.00 o’clock to-morrow morning.

Saturday, February 16, 1901—11.50 o'clock A. M.

Senate met pursuant to adjournment.

Mr. Allee as presiding officer.

Roll called. Members present—Messrs. Allee and Slaughter.

Reading of Journal dispensed with:

JOINT SESSION.

The hour of 12 o'clock, M., having arrived, the Senate, preceded by the presiding officer and attended by the Clerk, proceeded to the Hall of the House of Representatives, for the purpose of voting for a United States Senator, in obedience to the act of Congress, entitled:

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

Passed July 25, 1866.

Mr. Scotten, of the House, moved that Mr. Allee act as presiding officer,

Which motion

Prevailed.

Mr. Allee, presiding officer, directed the Clerks to call the rolls of the respective houses.

All members absent except Mr. Allee and Mr. Slaughter of the Senate, and Mr. Hope and Mr. Scotten of the House.

Mr. Scotten, of the House, moved that the reading of the Journals be dispensed with,

Which motion

Prevailed.

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

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

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

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

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

The vote as above ascertained having been announced as follows :

For John Edward Addicks, two votes.

For Richard R. Kenney, two votes.

Total number of votes cast, 4.

The presiding officer of Joint Session declared that no person having received a majority of all the votes cast for United States Senator,

There was no election to said office.

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

Which motion

Prevailed.

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

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

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

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

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

The vote as above ascertained having been announced as follows :

For John Edward Addicks, two votes.

For Willard Saulsbury, two votes.

Total number of votes cast, 4.

The presiding officer of Joint Session declared that no person having received a majority of all the votes cast for United States Senator,

There was no election to said office.

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

On motion of Mr. Slaughter, the Senate adjourned until 10.30 o'clock Monday morning.

Monday, February 18, 1901—11.05 o'clock A. M.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

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

Journal read and approved.

Hon. Caleb R. Layton, Secretary of State, was announced and on being admitted, presented a communication from the Governor.

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

“An act to amend Chapter 418, Volume 14, Laws of Delaware, entitled, ‘An act regulating the sale of intoxicating liquors,’ by providing that applicants for liquor licenses may make affidavit out of court.”

Mr. Allee moved that the communication from the Governor

Be read.

Which motion,

Prevailed.

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

I have received and herewith transmit for your information a communication from the Attorney-General relating to the suit now pending in the Supreme Court of the United States, between the States of New Jersey and Delaware. It is unnecessary for me to enlarge upon the importance of this report. The unanimity with which the people of this State, through various General Assemblies and Executives, have always defended the integrity of the jurisdiction, territory, and sovereignty of this State in this controversy,

constitutes a just guide for present action. I cannot bring myself to believe that the present generation of Delawareans will, when properly advised on the subject, find themselves less sensitive and earnest in maintaining the rights of the State than the generations which have preceded us. It would seem that if the controversy is ever to be settled finally, it could not be placed in a position of greater advantage than to embrace the present opportunity to have it forever set at rest by the decision of that tribunal which, under the Federal Constitution, is competent to sit in judgment between sovereign States. From personal conference with the Attorney-General and counsel who have heretofore represented the State in this litigation, and from such investigation of the case as I have been able to make, I believe that the interests of the State have been carefully guarded in the past; and that such interests will be fully protected in the future by such of the existing counsel for the State as are now living and as are now free to act in her behalf, together with the Attorney-General of the State.

I, therefore, recommend that the General Assembly renew its declaration of purpose, not to abandon the vindication of its sovereign right and title to the territory which immemorially has been conceded to be a part of its domain, and that it shall make such provision for the further defense thereof against what must be considered the unfounded pretensions of the State of New Jersey, as will comport with the honor, dignity and best interests of the State.

JOHN HUNN,
Governor.

WILMINGTON, DELAWARE, February 14, 1901.

TO HIS EXCELLENCY,

JOHN HUNN,

Governor of the State of Delaware.

DEAR SIR:

It becomes my official duty to direct your attention to the litigation which has long been pending in the Supreme Court of the United States, between the States of New Jersey and Delaware. This litigation grew out of legislation in our State, prohibiting persons who were not citizens of Delaware from fishing within certain limits which were claimed to be within the exclusive jurisdiction of our State, and over which limits the jurisdiction of our State has, from time immemorial, been asserted and maintained.

The act in question was passed on March 28th, 1871, being Chapter 72 of Volume 14, Laws of Delaware, and such parts of which as are now in force can be found on page 467, &c., of the Revised Code as published in 1893. The jurisdiction in question is that claimed by the State of Delaware over the waters of the Delaware River to the low water mark on the New Jersey shore, within the limits of the twelve miles circle having its center at the court house at New Castle, and an arc of which circle constitutes the northern boundary of this State.

The enforcement of the provisions of the act of March 28th, 1871, by the arrest of citizens of New Jersey engaged in fishing within that portion of the Delaware River lying within the twelve mile circle, was promptly opposed by the authorities of that State, with a claim of jurisdiction over said river east of the middle line, and of the legal right of her citizens to fish on the New Jersey shore of the river without the license of Delaware, either within or without the said circle.

During the year 1872, the then Executives of the two States had certain correspondence and conferences over this controversy, the result of which was their recommendation to the legislatures of their respective States that commissioners should be appointed on the part of each to settle the matter in dispute. Upon such recommendation, a joint commission, consisting of three members from each State, was appointed by legislative authority, and the General Assembly of this State suspended the law of 1871, pending the negotiations between such commissioners.

These joint commissioners having failed to reach a satisfactory basis of settlement of the matter in controversy, the commissioners from this State reported to the Executive, in 1874, their failure to arrive at a satisfactory settlement of the matter in dispute, and delivered a statement asserting and vindicating the claim and title of Delaware. On March 26th, 1875, the General Assembly of this State adopted a joint resolution, declaring that the commissioners on the part of this State having fully performed their duties and reported the results of their labors, were relieved of further duty as such commissioners. This joint resolution appears in Chapter 249, Volume 15, Laws of Delaware. The effect of this resolution was to abrogate the authority of such commissioners, to terminate their negotiations, and to revive the suspended license laws. Such license laws were thereafter enforced by the authorities of this State

and the original conditions resulting therefrom recurred. As the result of this state of affairs, New Jersey in pursuance of leave granted on March 13th, 1877, filed a Bill in Equity in the Supreme Court of the United States to restrain the State of Delaware from the exercise of its jurisdiction.

Prior to the filing of said Bill in Equity, your predecessor, Honorable John P. Cochran, then Governor of the State of Delaware, on the second day of January, 1877, addressed and delivered to the General Assembly his message, in the course of which he recited the foregoing historical facts and informed the General Assembly of the purpose, as communicated to him by the Governor of New Jersey, of said State to commence proceedings in the Supreme Court of the United States. In concluding his discussion of the subject, Governor Cochran said:

"If this proceeding shall be taken by New Jersey, it will be incumbent upon the General Assembly at its present session, to make adequate provisions for the proper vindication of that rightful claim of title and jurisdiction which, I believe, has never before been denied by New Jersey, but which, on the contrary, is based upon original and incontestable grants, and has been uninterruptedly asserted and maintained by the State of Delaware for the space of nigh two centuries, and I would respectfully recommend that such legislation be had as will meet all exigencies likely to arise, pending the litigation."

As a result of this message of Governor Cochran, the General Assembly, on the twenty-sixth day of January, 1877, adopted joint resolutions reciting the claim of this State to the ownership and exclusive jurisdiction of that portion of the Delaware River which is included within a circle of twelve miles radius, taking the Court House in the city of New Castle as a central point, and declaring,

"That the Attorney General be, and he is, hereby, authorized and directed, to cause his appearance, in behalf of this State, to be promptly entered upon the record of the said suit in the Supreme Court of the United States, whenever the same shall be commenced by the State of New Jersey. And be it further resolved, that the Governor be, and he is, hereby, authorized to employ, in behalf of the State, additional counsel to assist the Attorney General in the defense of the said suit."

These resolutions are contained in Chapter 504, Volume 15, Laws of Delaware.

In pursuance of said resolutions and authority, the Governor subsequently, from time to time, appointed Messrs. Thomas F. Bayard, George Gray and George H. Bates, as counsel to represent the State in this cause. Subsequently, Mr. Bayard withdrew from his position as counsel, upon his appointment as Secretary of State of the United States. Mr. George Gray has since been appointed United States Circuit Judge. Of the original counsel in the cause, Mr. George H. Bates now remains.

At a very recent date, I have received communications from the Clerk of the Supreme Court of the United States, from the Honorable Samuel H. Grey, Attorney General for the State of New Jersey, and from the Honorable George H. Bates, the special counsel for the State of Delaware, calling my attention to the cause and communicating to me the order of the Supreme Court that the cause before it should be forthwith proceeded with. Upon a conference with Messrs. Gray and Bates, and upon the examination of the record of the cause, it appears that the State of Delaware must take the next step in the action, by filing its answer to the Bill of Complaint of New Jersey. Inasmuch as the State of New Jersey has not heretofore been pressing its suit against this State, under a written agreement of counsel filed in the cause, no answer for the State of Delaware has heretofore been filed. Further delay is now impracticable on account of the determination of the Supreme Court to bring the case to a final determination.

The action of counsel for this State hitherto seems to me to have been characterized by good judgment and discretion. So long as the representatives of the State of New Jersey seemed disinclined to press the claims of that State, those of Delaware were content to let the matter rest, while they kept themselves prepared at any time to make formal defense to the suit when it should be seriously prosecuted. Now that the court has insisted that the case shall be proceeded with, and the matter has been called to my official attention, I find the case in such condition as will enable those who represent this State to meet promptly the claims set up by the State of New Jersey in its Bill of Complaint.

In the opinion of eminent jurists, upon whose judgment the State of Delaware has a right to rely, the title and jurisdiction of this State to and over the disputed territory is unimpeachable.

The question of jurisdiction and title involved in the present litigation is not a new one. It was submitted to an extended investigation which, though not conducted by a court of record, was eminently judicial in its character, and is entitled to be considered as almost in the rank of judicial precedents by reason of the circumstances which surrounded it, and the high character of the arbitrator who decided it.

This case was to determine the title to the Pea Patch Island, which had been acquired by the United States under cession from the State of Delaware, for the purpose of erecting a fort thereon. The title of the United States, as derived from the State of Delaware, was impeached by an individual of New Jersey, who claimed under the title of New Jersey, so that, although the States were not directly parties to the proceeding, the title and jurisdiction of the respective States to so much of the river as is included in the twelve-mile circle to low water mark on the New Jersey shore, was the exact point involved in the litigation.

After many years of dispute, an amicable arrangement was entered into between the United States Government and the New Jersey claimant for the decision of the controversy by the Honorable John Sergeant, of Philadelphia, who was then recognized as one of the leaders of the bar in the United States. The case was heard in Philadelphia, in Independence Hall, and was argued by Messrs. John M. Clayton and James A. Bayard on behalf of the Delaware title, and Messrs. George M. Bibb and John H. Eaton for the New Jersey claimant. The character of the counsel involved was sufficient guarantee for the thoroughness of the argument; and the decision of the arbitrator was thus characterized at the time:

"As the well reasoned opinion of a very able lawyer whose greater distinction in his profession has made him unsolicitous about judicial station—and as having been framed after full and careful public argument before him for many days together by other able lawyers, it is far more authoritative than any opinion merely professional, and has all the intrinsic weight of the highest judicial opinion. It can scarcely be reversed in any case which may again involve the question of this boundary, and will take its place, of course, among the most enduring historical monuments of the States of New Jersey and Delaware."

The arbitrator, Mr. Sergeant, decided in favor of the title and

jurisdiction of Delaware on every point. He found, as a matter of fact, that upon the paper title the original property was not in New Jersey, but that it was in the State of Delaware, and that that State had not, by any act or default of her own, parted with or lost her right; that no evidence had been adduced to establish a single instance of the exercise by New Jersey of jurisdiction over that part of the river and islands, and that there was no reason to believe that there was one; that, "on the part of Delaware, the evidence is full and complete of the exercise of the jurisdiction over that part of the river and islands as far back as evidence can be expected to go."

This trial took place in January, 1848. In the courses of this trial, the Honorable Kensey Johns, then above eighty-eight years of age, who had been Chief Justice of Delaware for thirty-eight years, and afterwards Chancellor of the State, testified that,

"It has always been considered and held by the courts and public officers and lawyers of Delaware, as far as my memory reaches, that the title and jurisdiction of the State of Delaware extended to a circle of twelve miles around New Castle, to low water mark on the New Jersey shore. I have never heard the title and jurisdiction of the State of Delaware, over that part of the River Delaware, doubted by any court, public officer or lawyer in Delaware, on any occasion whatever. Within my knowledge and remembrance, writs have been often issued out of the courts of Delaware, to seize vessels and persons on all parts of the River Delaware, within the circle to low water mark on the New Jersey shore, and no dispute, question, or plea was ever made or suggested, within my memory, before any court in Delaware, against the title of Delaware, over all such parts;" again, "The State of Delaware, for the whole period of my remembrance, and as far back as my researches extend, has claimed and exercised jurisdiction over the Delaware River and soil thereof, within the circle to low water mark on the Jersey shore, and the State has never failed to exercise this jurisdiction when called upon or asked to do so."

At the time of the passage of the act of 1871, and during the controversy resulting therefrom, Governor Cochran asked the opinion of Chief Justice Gilpin upon the general questions raised in the controversy attending the execution of that act, and in the course of that opinion, the Chief Justice used this language:

"I entertain no doubt that the limits and jurisdiction of this State

extend within the twelve-mile circle about New Castle to low water mark on the Jersey shore, and below or south of the circle, thence by the channel of the bay to the ocean; and that this is so, I think there can be no serious question."

The Commissioners for the State of Delaware above referred to, who were appointed by a joint resolution of the General Assembly of January 30, 1873, were Joseph P. Comegys, afterwards Chief Justice of the State, and the most profound student of our early history, William G. Whiteley, afterwards an Associate Judge of this State, and Edward L. Martin, afterwards a member of Congress from this State. These Commissioners, after an exhaustive investigation of ancient documents, and of all data available at that time, which bore on the question, including some of the records of the Privy Council which had not been considered in the Pea Patch case, found and reached the conclusion that the original title to the river within the twelve-mile circle was valid, and could not be "assailed with success by the State of New Jersey so as to invest her citizens with any right within the river circumscribed by the circle, except that of navigation, which is recognized and protected by the commercial clause of the Federal Constitution." And that "Delaware became entitled to claim and hold all the bed of the river within the twelve-mile circle."

Inasmuch as the controversy involves territory always heretofore steadfastly claimed and defended by the State, and in view of the above mentioned legal opinions, I am of the opinion that the cause now pending in the Supreme Court should be defended by the State.

During the long period in which this case has been pending, counsel heretofore employed by the State have, with diligence and zeal, prepared themselves to meet the claim of the State of New Jersey whenever called upon to do so, and to that end, have expended much time and labor in the preparation of the case of the State of Delaware, and in the collection of documents and investigation of historical and legal authorities. This preparation is now available, and will be continued and extended in the trial of the case in the Supreme Court.

In view, however, of the lapse of time since the commencement of the above mentioned suit in the Supreme Court, and since the General Assembly of the State has acted in relation to this controversy, and in view of the importance to the State of a vigorous and

consistent defense of its jurisdiction, territory and sovereignty, and in view of the fact that under the direction of the Supreme Court, New Jersey must now press the claims which she has so long permitted to slumber, I deem it expedient to advise you of the propriety of your communicating to the General Assembly the past history and present condition of this important controversy and litigation for the information of its members and of the people of the State.

I would suggest that you send to the General Assembly a message, embodying the facts set forth in this report, and that you recommend the passage of a joint resolution by this General Assembly, which shall reiterate the authority of this State to defend said action to its termination, and renew its statement of confidence in the position heretofore assumed in this controversy by this State.

H. H. WARD,
Attorney-General.

Mr. Allee moved the communication be spread upon the Journal,
Which motion Prevailed.

Mr. Slaughter presented a petition from the citizens of Lewes, asking the Senate not to pass

Senate Bill No. 75, entitled :

“An act to amend Chapter 449, of the Revised Statutes of Delaware, being an act entitled, ‘An act regulating Pilots and Pilotage of and in the Bay and River Delaware,’ ”

Also, a communication from Pilot Commissioners of Delaware, and Board of Trade of Lewes.

Mr. President directed that the petition and communications be referred to the Committee on Revised Statutes.

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

Senate Bill No. 87, entitled :

“An act to amend Section 5, of Chapter 40, Volume 20, Laws of Delaware, entitled, ‘An act regulating the practice of medicine and surgery in this State,’ so that physicians from other States may be licensed by the State Board of Medical Examiners without examination, under certain restrictions.”

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Judiciary.

Mr. Pennewill, on behalf of the Committee on Cities and Towns, to whom had been referred

House Bill No. 75, entitled :

“An act to amend an act entitled, ‘An act to incorporate the town of Bridgeville,’ being Chapter 126, Volume 14, Laws of Delaware, as amended by an act entitled, ‘An act to amend Section 5, Chapter 126, Volume 14, Laws of Delaware,’ being Chapter 156, Volume 18, Laws of Delaware, by authorizing and directing the Levy Court of Sussex County to pay the commissioners of Bridgeville the sum of four hundred dollars annually,”

Reported the same back to the Senate favorably.

On motion of Mr. Pennewill, the bill just reported

Was taken up for consideration,

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

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

Mr. Knox, from the Committee on Corporations, reported
back

Senate Bill No. 69, entitled :

"An act to incorporate the Delaware Trust Company."

With amendment.

On motion of Mr. Knox, the amendment

Was read.

And on his further motion, was adopted.

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

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

Mr. Slaughter moved that further action on the bill be postponed until 2.30 o'clock to-morrow afternoon,

Which motion

Prevailed.

On motion of Mr. Abbott,

House Bill No. 52, entitled :

"An act providing for the establishment and maintenance of free public libraries,"

Was read a first time.

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Education.

JOINT SESSION.

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

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

Passed July 25, 1866.

Mr. President pro tempore directed the clerks to call the rolls of the respective houses.

All members present except Mr. Long, of the House.

Mr. Holcomb, of the House, moved that the reading of the Journals be dispensed with,

Which motion

Prevailed.

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

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

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

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

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

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

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

Mr. Groves, of the Senate, voted for Anthony Higgins.

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

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

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

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

Mr. McFarlin, of the Senate, voted for Anthony Higgins.

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

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

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

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

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

Mr. Aron, of the House, voted for John Edward Addicks.
Mr. Baynard, of the House, voted for Henry A. Dupont.
Mr. Chandler, of the House, voted for Henry A. Dupont.
Mr. Clark, of the House, voted for Henry A. Dupont.
Mr. Clendaniel, of the House, voted for John Edward Addicks.
Mr. Dayett, of the House, voted for Anthony Higgins.
Mr. Ewing, of the House, voted for John Edward Addicks.
Mr. Flinn, of the House, voted for Henry A. Dupont.
Mr. Gooden, of the House, voted for Richard R. Kenney.
Mr. Hardesty, of the House, voted for Richard R. Kenney.
Mr. Hearn, of the House, voted for Richard R. Kenney.
Mr. Healey, of the House, voted for Richard R. Kenney.
Mr. Hitchen, of the House, voted for Levi C. Bird.
Mr. Hodgson, of the House, voted for Henry A. Dupont.
Mr. Holcomb, of the House, voted for Richard R. Kenney.
Mr. Hope, of the House, voted for John Edward Addicks.
Mr. Hutchinson, of the House, voted for Richard R. Kenney.
Mr. Layton, of the House, voted for John Edward Addicks.
Mr. Long, of the House, was absent.
Mr. Monaghan, of the House, voted for Richard R. Kenney.
Mr. Moore, of the House, voted for John Edward Addicks.
Mr. Pepper, of the House, voted for Richard R. Kenney.
Mr. Pilling, of the House, voted for Henry A. Dupont.
Mr. Prettyman, of the House, voted for John Edward Addicks.
Mr. Ralph, of the House, voted for Richard R. Kenney.
Mr. Robertson, of the House, voted for Levi C. Bird.

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

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

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

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

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

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

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

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

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

The vote as above ascertained having been announced as follows :

For John Edward Addicks, fifteen votes.

For Richard R. Kenney, twenty-three votes.

For Henry A. Dupont, eight votes.

For Anthony Higgins, three votes.

For Levi C. Bird, two votes.

Total number of votes cast, 51.

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

There was no election to said office.

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

Which motion

Prevailed.

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

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

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

- Mr. Blakely, of the Senate, voted for John Edward Addicks.
- Mr. Brasure, of the Senate, voted for John Edward Addicks.
- Mr. Clements, of the Senate, voted for Willard Saulsbury.
- Mr. Farlow, of the Senate, voted for James H. Hughes.
- Mr. Groves, of the Senate, voted for William S. Hilles.
- Mr. Hart, of the Senate, voted for Willard Saulsbury.
- Mr. Harrington, of the Senate, voted for Willard Saulsbury.
- Mr. Knox, of the Senate, voted for Hiram R. Burton.
- Mr. Maull, of the Senate, voted for Willard Saulsbury.
- Mr. McFarlin, of the Senate, voted for William S. Hilles.
- Mr. McNulty, of the Senate, voted for Willard Saulsbury.
- Mr. Pennewill, of the Senate, voted for John Edward Addicks.
- Mr. Slaughter, of the Senate, voted for Willard Saulsbury.
- Mr. Wright, of the Senate, voted for Willard Saulsbury.
- Mr. President pro tempore, of the Senate, voted for Hiram R. Burton.
- Mr. Aron, of the House, voted for John Edward Addicks.
- Mr. Baynard, of the House, voted for William S. Hilles.
- Mr. Chandler, of the House, voted for Hiram R. Burton.
- Mr. Clark, of the House, voted for Hiram R. Burton.
- Mr. Clendaniel, of the House, voted for John Edward Addicks.
- Mr. Dayett, of the House, voted for William S. Hilles.
- Mr. Ewing, of the House, voted for John Edward Addicks.
- Mr. Flinn, of the House, voted for Hiram R. Burton.
- Mr. Gooden, of the House, voted for Willard Saulsbury.
- Mr. Hardesty, of the House, voted for Willard Saulsbury.
- Mr. Hearn, of the House, voted for Willard Saulsbury.

Mr. Healey, of the House, voted for Willard Saulsbury.
Mr. Hitchen, of the House, voted for Charles F. Richards.
Mr. Hodgson, of the House, voted for Hiram R. Burton.
Mr. Holcomb, of the House, voted for Willard Saulsbury.
Mr. Hope, of the House, voted for John Edward Addicks.
Mr. Hutchinson, of the House, voted for Willard Saulsbury.
Mr. Layton, of the House, voted for John Edward Addicks.
Mr. Long, of the House, was absent.
Mr. Monaghan, of the House, voted for Willard Saulsbury.
Mr. Moore, of the House, voted for John Edward Addicks.
Mr. Pepper, of the House, voted for Willard Saulsbury.
Mr. Pilling, of the House, voted for Hiram R. Burton.
Mr. Prettyman, of the House, voted for John Edward Addicks.
Mr. Ralph, of the House, voted for Willard Saulsbury.
Mr. Robertson, of the House, voted for Charles F. Richards.
Mr. Shallcross, of the House, voted for Willard Saulsbury.
Mr. Short, of the House, voted for John Edward Addicks.
Mr. Scotten, of the House, voted for Willard Saulsbury.
Mr. Vinyard, of the House, voted for Willard Saulsbury.
Mr. Warren, of the House, voted for Willard Saulsbury.
Mr. West, of the House, voted for Willard Saulsbury.
Mr. White, of the House, voted for John Edward Addicks.
Mr. Wright, of the House, voted for Willard Saulsbury.
Mr. Speaker, of the House, voted for John Edward Addicks.
The vote as above ascertained having been announced as follows :
For John Edward Addicks, fifteen votes.

For Willard Saulsbury, twenty-two votes.

For William S. Hilles, four votes.

For Charles F. Richards, two votes.

For Hiram R. Burton, seven votes.

For James H. Hughes, one vote.

Total number of votes cast, 51.

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

There was no election to said office.

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

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

“An act to prevent and punish the desecration of the Flag of the United States.”

On motion of Mr. Abbott, the Senate took recess until 2.30 o'clock P. M.

Same Day—2.50 o'clock P. M.

Senate reassembled at expiration of recess.

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

“An act authorizing the commissioners of Rehoboth to borrow money and issue bonds to secure the payment thereof, for the purpose of making public improvements in the town of Rehoboth.”

Mr. McFarlin 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 election of road commissioners in New Castle Hundred.”

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

Senate Bill No. 48, entitled :

“An act to exempt from taxation the lands, tenements and hereditaments and personal estate of ‘The Sarah White Home.’ ”

Mr. Pennewill, on behalf of the Committee on Cities and Towns, to whom had been referred

Senate Bill No. 86, entitled :

“An act to re-incorporate the town of Lewes,”

Reported the same back to the Senate favorably.

On motion of Mr. Pennewill, the bill just reported
Was taken up for consideration,

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

Ordered to the House for concurrence.'

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

Senate Bill No. 38, entitled:

"An act to amend Chapter 379, of Volume 16, Laws of Delaware, entitled, 'An act to prevent the spread of contagious or infectious pleuro-pneumonia among the cattle of this State by making the provisions of said act apply to tuberculosis.'"

Senate Bill No. 55, entitled:

"An act providing that the official ballots shall hereafter be marked by the voter when indicating his choice of candidates with an indelible black lead pencil or indelible black crayon,"

Senate Bill No. 28, entitled:

"An act to repeal Chapter 217, of Vol. 21, Laws of Delaware, entitled, 'An act to amend Chapter 39, Revised Statutes, concerning Religious Societies,' and restoring the provisions stricken out by said act,"

And returned the same to the Senate.

Also, presented for the signature of the President of the Senate the following duly and correctly enrolled House joint resolution, the same having been signed by the Speaker of the House,

House Joint Resolution No. 11, entitled:

"Joint resolution appointing a committee of five to confer with the Insurance Commissioner."

Also, informed the Senate that the House had passed and requested the concurrence of the Senate in the following joint resolution:

House Joint Resolution, No. 17, entitled:

"Joint resolution relating to the controversy concerning the boundary line between New Jersey and Delaware,"

And presented the same to the Senate.

Also, informed the Senate that the House had passed and requested the concurrence of the Senate in the following House Bills:

House Bill No. 132, entitled:

"An act appropriating money to the Delaware Society for the Prevention of Cruelty to Children."

House Bill No. 109, entitled:

"An act fixing the manner in which real property shall be assessed in this State."

House Bill No. 35, entitled:

"An act to prohibit the killing of gray squirrels except between the first day of September and the thirty-first day of December."

House Bill No. 147, entitled:

"An act to amend Chapter 87, Volume 21, Laws of Delaware, entitled, 'An act to further protect oysters in Broadkiln River and in Leipsic River and Simon's Creek,' by changing the license fee to three dollars, exempting Leipsic River and Simon's Creek, and making it unlawful to dredge in the tributaries of Delaware Bay with certain tongs and dredges,"

And presented the same to the Senate.

Also, informed the Senate that the House had concurred in the following Senate joint resolution:

Senate Joint Resolution No. 14, entitled:

"Joint resolution to amend a joint resolution, entitled, 'Joint resolution authorizing the publication of the reports of the Chancellor,' by authorizing the publication therewith of appeals from the Chancellor,"

And returned the same to the Senate.

Also, informed the Senate that the House had concurred in the following Senate bill:

Senate Bill No. 52, entitled:

"An act to amend Chapter 22, Volume 21, of the Laws of Delaware, entitled, 'An act reorganizing the Levy Court of Kent County and defining its powers and duties,'"

And returned the same to the Senate.

Also, returned to the Senate the following duly and correctly enrolled Senate joint resolutions, the same having been signed by the President of the Senate and the Speaker of the House:

Senate Joint Resolution No. 16, entitled:

“Joint resolution appointing directors on the part of the State for the Farmers’ Bank of the State of Delaware at Georgetown.”

Senate Joint Resolution No. 17, entitled:

“Joint resolution appointing directors on the part of the State for the Farmers’ Bank of the State of Delaware at Dover.”

Senate Joint Resolution No. 18, entitled:

“Joint resolution appointing a joint committee to make arrangements to attend the inauguration of President-elect McKinley.”

Mr. Allee asked that

House Joint Resolution No. 17, entitled:

“Joint resolution relating to the controversy concerning the boundary line between the States of New Jersey and Delaware,”

Be read.

Which motion,

Prevailed.

Mr. Allee moved that the joint resolution be adopted.

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the joint resolution having received the required constitutional majority,

Was declared

Adopted.

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

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

Senate Bill No. 88, entitled :

“An act to incorporate the Milford Trust Company.”

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Corporations.

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

Senate Bill No. 89, entitled :

“An act to amend an act, entitled, ‘An act to further amend the charter of the City of Wilmington,’ and providing for a deputy city judge.”

And further on his motion, Rule 14 was suspended,

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

Referred to the Committee on Judiciary.

Mr. Abbott asked unanimous consent to change title of notice given Friday, February 15, from

“An act to incorporate the Milford Savings Bank,” to

“An act to incorporate the Milford Trust Company,”

Which was

Granted.

Mr. Maull, on behalf of the Committee on Revised Statutes, to whom had been referred

Senate Bill No. 74, entitled :

“An act to amend Section 2, Chapter 39, Revised Statutes, concerning religious societies,”

Reported the same back to the Senate favorably.

On motion of Mr. Maull, the bill just reported

Was taken up for consideration,

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

Ordered to the House for concurrence.

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

"A supplement to Chapter 225, Volume 18, Laws of Delaware, being an act to regulate the fees of justices of the peace, constables and sheriffs in certain cases."

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

"An act authorizing the governor to appoint an additional notary public for Wilmington Hundred, for the office of Harry Whiteman."

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

Tuesday, February 19, 1901—10.45 o'clock A. M.

Senate met pursuant to adjournment.

Prayer by the Chaplain.

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

Journal read and approved.

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

“An act to revise and re-enact the Insurance Laws of Delaware, in order to make them conform with the requirements of the amended Constitution and of the General Corporation Law.”

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

“An act in relation to the election of a chief engineer and two assistants for the Fire Department of the city of Wilmington.”

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

“An act authorizing the appointment of a notary public for the Diamond State Trust Company at Dover, Delaware.”

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

“An act to authorize the Clayton Public School to borrow money for building purposes.”

Mr. Pennewill, on behalf of the Committee on Cities and Towns, to whom had been referred

Senate Bill No. 79, entitled :

"An act to amend Chapter 746, of Volume 19, Laws of Delaware, entitled, 'An act to reincorporate the town of Dover,' by giving the town constable power to arrest without warrant any disorderly or drunken person or persons breaking the peace in any hotel, store or other place of business in said town, upon request of the proprietor, owner or employee of such hotel, store or place of business,"

Reported the same back to the Senate favorably.

On motion of Mr. Pennewill, the bill just reported

Was taken up for consideration,

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

Ordered to the House for concurrence.

On motion of Mr. Knox,

House Bill No. 132, entitled:

"An act appropriating money to the Delaware Society for the Prevention of Cruelty to Children,"

Was read a first time.

And on his further motion, Rule 14 was suspended,

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

Referred to the Committee on Finance.

Mr. Pennewill, on behalf of the Committee on Cities and Towns, to whom had been referred

House Bill No. 62, entitled :

“An act to amend Chapter 754, Volume 19, Laws of Delaware, entitled, ‘An act being a supplement to Chapter 36, Volume 12, Laws of Delaware,’ entitled, ‘An act to incorporate the town of Middletown,’ by extending the time within which abatement of taxes will be made.”

Reported the same back to the Senate favorably.

On motion of Mr. Pennewill, the bill just reported

Was taken up for consideration,

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

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

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

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

Nays—None.

So the question was decided in the affirmative,

And the bill having received the required constitutional majority,

Passed the Senate.

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

On motion of Mr. Knox,

House Bill No. 45, entitled :

“An act in relation to the Levy Court of New Castle County,”

Was read a first time.

And further on his motion, Rule 14 was suspended,