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STATE OF DELAWARE

JOURNAL

OF THE

House of Representatives

1939

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JOURNAL

OF THE

House of Representatives

AT A SESSION OF THE

GENERAL ASSEMBLY

CONVENED AND HELD AT DOVER ON MONDAY, THE SECOND DAY OF
JANUARY, IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND THIRTY-NINE, AND OF
THE INDEPENDENCE OF THE UNITED
STATES THE ONE HUNDRED
AND SIXTY-THIRD

1939

State Doc.

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1939

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OF THE

HOUSE OF REPRESENTATIVES

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Speaker's Clerk

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Chief Clerk

FRANK W. SCHROEDER

Assistant Chief Clerk

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(over)

MEMBERS

OF THE

HOUSE OF REPRESENTATIVES

JANUARY 1, 1939

ELLWOOD S. LEACH, First District, New Castle County.....515 S. Heald St., Wilm.
 FRANK R. ZEBLEY, Second District, New Castle County.....1302 King St., Wilm.
 HENRY M. CANBY, Third District, New Castle County.....1307 N. Rodney St., Wilm.
 FRED BROWN, Fourth District, New Castle County.....219 W. 2nd St., Wilmington
 JAMES CARL McGUIGAN, Fifth District, New Castle County.....1413 Maple St., Wilm.
 THOMAS A. KELLUM, Sixth District, New Castle County.....30 3rd Ave., Overlook
 ABNER WOODWARD, Seventh Dist., New Castle Co.....7 N. Woodward Ave., Roselle
 FRANK H. BUCKINGHAM, Eighth District, New Castle County.....Newark, R. D.
 GEORGE W. RHODES, Ninth District, New Castle County.....Newark
 RICHARD E. PINDER, Tenth District, New Castle Co.....29 W. 6th St., New Castle
 GEORGE T. BIERLIN, Eleventh District, New Castle County.....Newark, R. D.
 WILLIAM K. PENNINGTON, Twelfth District, New Castle County.....Delaware City
 HARVEY E. MOORE, Thirteenth District, New Castle County.....Middletown
 RANDOLPH P. REYNOLDS, Fourteenth District, New Castle County.....Townsend
 HERMAN H. STAATS, Fifteenth District, New Castle County.....Smyrna, R. D.
 JOSEPH S. NEWNAM, First District, Kent County.....Smyrna
 ISAAC M. BURRIS, Second District, Kent County.....Little Creek
 JOHN W. RAMBO, Third District, Kent County.....Clayton
 EDWARD S. KNIGHT, Fourth District, Kent County.....Wyoming, R. D.
 ELMER E. BENSON, Fifth District, Kent County.....Dover
 JOHN A. HARTMAN, Sixth District, Kent County.....Felton
 CHARLES FREDERICK FIFER, Seventh District, Kent County.....Wyoming
 ALLEN G. SMITH, Eighth District, Kent County.....Frederica
 FRED S. BAILEY, Ninth District, Kent County.....Harrington
 WILLIAM BIGGS, Tenth District, Kent County.....Houston
 GEORGE MANLOVE, First District, Sussex County.....Milford
 NORMAN A. DRAPER, Second District, Sussex County.....Bridgeville
 SAMUEL J. STEIN, Third District, Sussex County.....Seaford
 FRANK H. THAWLEY, Fourth District, Sussex County.....Laurel
 REESE O. GORDY, Fifth District, Sussex County.....Laurel, R. D.
 MANFORD PENUEL, Sixth District, Sussex County.....Frankford
 FRED PEPPER, Seventh District, Sussex County.....Selbyville
 VERNER P. BURTON, Eighth District, Sussex County.....Millsboro, R. D.
 JOHN LINDEN BARR, Ninth District, Sussex County.....Georgetown
 FREDERICK W. PEPPER, Tenth District, Sussex County.....Milton

JOURNAL

OF THE

House of Representatives

Dover, Delaware, January 3, 1939.

The House assembled in Biennial Session at 12 o'clock, noon.

Mr. Canby called the names of the members who had taken their seats:

WILMINGTON

NEW CASTLE COUNTY

Representative District No. 1—Elwood S. Leach.
Representative District No. 2—Frank R. Zebley.
Representative District No. 3—Henry M. Canby.
Representative District No. 4—Fred Brown.
Representative District No. 5—James Carl McGuigan.

RURAL NEW CASTLE COUNTY

Representative District No. 6—Thomas A. Kellum.
Representative District No. 7—Abner Woodward.
Representative District No. 8—Frank H. Buckingham.
Representative District No. 9—George W. Rhodes.
Representative District No. 10—Richard E. Pinder, Sr.
Representative District No. 11—George T. Bierlin.
Representative District No. 12—William K. Pennington.
Representative District No. 13—Harvey E. Moore.
Representative District No. 14—Randolph P. Reynolds.
Representative District No. 15—Herman A. Staats.

KENT COUNTY

Representative District No. 1—Joseph S. Newman.
Representative District No. 2—Isaac M. Burris.
Representative District No. 3—John W. Rambo.
Representative District No. 4—
Representative District No. 5—Elmer E. Benson.
Representative District No. 6—John A. Hartman.
Representative District No. 7—Charles Frederick Fifer.
Representative District No. 8—Allen G. Smith.
Representative District No. 9—Fred S. Bailey.
Representative District No. 10—William Biggs.

SUSSEX COUNTY

Representative District No. 1—George Manlove.
Representative District No. 2—Norman A. Draper.
Representative District No. 3—Samuel J. Stein.
Representative District No. 4—Frank W. Thawley.
Representative District No. 5—Reese O. Gordy.
Representative District No. 6—Manford Penuel.
Representative District No. 7—Fred Pepper.
Representative District No. 8—Verner P. Burton.
Representative District No. 9—John Linden Barr.
Representative District No. 10—Frederick W. Pepper.

The House was called to order by Mr. Zebley.

The members were led in prayer by the Temporary Chaplain.

Mr. Canby nominated Mr. Benson for Temporary Speaker.

Motion prevailed.

Mr. Bierlin moved that the Chairman appoint two members to escort Mr. Benson to the Speaker's Chair.

Motion prevailed.

Mr. Buckingham moved to nominate Mr. Manlove as Temporary Clerk.

Motion prevailed.

Mr. Pennington moved that a Committee of two be appointed to notify the Judges of the Superior Court of the several counties that the House of Representatives is ready to receive the certificates of election of its members.

Motion prevailed.

Mr. Woodward moved that the certificates of the Temporary Speaker and the Temporary Clerk be read.

Motion prevailed.

THE STATE OF DELAWARE

KENT COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and thirty-eight, for Kent County, according to the Constitution and Laws of the State of Delaware, Elmer E. Benson was duly elected Representative for the Fifth Representative District for said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the Hundreds and Election Districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Josiah O. Wolcott and William Watson Harrington, constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this tenth day of November, A. D. 1938.

J. O. WOLCOTT

Chancellor

WM. WATSON HARRINGTON

Resident Associate Judge

[SEAL]

Mr. Biggs moved a Notary Public administer the oath of office to the Temporary Speaker and Temporary Clerk.

THE STATE OF DELAWARE

SUSSEX COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and thirty-eight, for Sussex County, according to the Constitution and Laws of the State of Delaware, George Manlove was duly elected Representative for Representative District Number One in said County in General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the county, according to the provision made by law in this behalf.

IN TESTIMONY WHEREOF, We, Charles S. Richards and Richard S. Rodney, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed

at the Court House in said county on this tenth day of November,
A. D., 1938.

RICHARD S. RODNEY

Associate Judge

CHARLES S. RICHARDS

Resident Associate Judge

[SEAL]

The State of Delaware }
Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Five in Kent County (to which office I was elected at the General Election held in said State in the year A. D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

ELMER E. BENSON

Sworn to this 3rd day of January, A. D. 1939, before me.

[SEAL]

P. WARREN GREEN, *Notary Public*

The State of Delaware }
Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number One in Sussex County (to which office I was elected at the General Election held in said State in the year A. D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

GEORGE MANLOVE

Sworn to this 3rd day of January, A. D. 1939, before me.

[SEAL]

P. WARREN GREEN, *Notary Public*

The State of Delaware }
 Kent County } ss.

I, Elmer E. Benson, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Temporary Speaker in the General Assembly of the State of Delaware according to the best of my ability.

ELMER E. BENSON

Sworn to and subscribed before me this 3rd day of January, A. D. 1939.

[SEAL]

P. WARREN GREEN, *Notary Public*

The State of Delaware }
 Kent County } ss.

I, George Manlove, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Temporary Clerk in the General Assembly of the State of Delaware according to the best of my ability.

GEORGE MANLOVE

Sworn to and subscribed before me this 3rd day of January, A. D. 1939.

[SEAL]

P. WARREN GREEN, *Notary Public*

Mr. Zebley moved that the Temporary Speaker be authorized and directed to have read the certificates of the members-elect.

Motion prevailed.

THE STATE OF DELAWARE

NEW CASTLE COUNTY, SS.

BE IT REMEMBERED; That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and thirty-eight, for New Castle County, according to the Constitution and Laws of the State of Delaware, Ellwood S. Leach was duly elected Representative for Representative District Number One in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Daniel J. Layton and Frank L. Speakman, the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this twelfth day of November, A. D. 1938.

DANIEL J. LAYTON
Chief Justice

F. L. SPEAKMAN
Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

NEW CASTLE COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and thirty-eight, for New Castle County, according to the Constitution and Laws of the State of Delaware, Frank R. Zebley was duly elected Representative for Representative District Number Two in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Daniel J. Layton and Frank L. Speakman, the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this twelfth day of November, A. D. 1938.

DANIEL J. LAYTON
Chief Justice

F. L. SPEAKMAN
Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

NEW CASTLE COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and thirty-eight, for New Castle County, according to the Constitution and Laws of the State of Delaware, Henry M. Canby was duly elected Representative for Representative District Number Three in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election

districts of the County, according to the provisions made by law in this behalf.

In TESTIMONY WHEREOF, We, Daniel J. Layton and Frank L. Speakman, the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this twelfth day of November, A. D. 1938.

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

NEW CASTLE COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and thirty-eight, for New Castle County, according to the Constitution and Laws of the State of Delaware, Fred Brown was duly elected Representative for Representative District Number Four in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

In TESTIMONY WHEREOF, We, Daniel J. Layton and Frank L. Speakman, the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this twelfth day of November, A. D. 1938.

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

NEW CASTLE COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and thirty-eight, for New Castle County, according to the Constitution and Laws of the State of Delaware, James Carl McGuigan was duly elected Representative for Representative District Number Five in said County in the General Assembly;

which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Daniel J. Layton and Frank L. Speakman, the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this twelfth day of November, A. D. 1938.

DANIEL J. LAYTON
Chief Justice

F. L. SPEAKMAN
Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

NEW CASTLE COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and thirty-eight, for New Castle County, according to the Constitution and Laws of the State of Delaware, Thomas A. Kellum was duly elected Representative for Representative District Number Six in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Daniel J. Layton and Frank L. Speakman, the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this twelfth day of November, A. D. 1938.

DANIEL J. LAYTON
Chief Justice

F. L. SPEAKMAN
Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

NEW CASTLE COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and thirty-eight, for New Castle County, according to the Constitution and Laws of the State of Delaware,

Abner Woodward was duly elected Representative for Representative District Number Seven in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Daniel J. Layton and Frank L. Speakman, the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this twelfth day of November, A. D. 1938.

DANIEL J. LAYTON
Chief Justice

F. L. SPEAKMAN
Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE
NEW CASTLE COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and thirty-eight, for New Castle County according to the Constitution and Laws of the State of Delaware, Frank H. Buckingham was duly elected Representative for Representative District Number Eight in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Daniel J. Layton and Frank L. Speakman, the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this twelfth day of November, A. D. 1938.

DANIEL J. LAYTON
Chief Justice

F. L. SPEAKMAN
Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE
NEW CASTLE COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and thirty-eight, for New Castle County accord-

ing to the Constitution and Laws of the State of Delaware, George W. Rhodes was duly elected Representative for Representative District Number Nine in said County in the General Assembly ; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Daniel J. Layton and Frank L. Speakman, the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this twelfth day of November, A. D. 1938.

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

NEW CASTLE COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and thirty-eight, for New Castle County according to the Constitution and Laws of the State of Delaware, Richard E. Pinder, Sr., was duly elected Representative for Representative District Number Ten in said County in the General Assembly ; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Daniel J. Layton and Frank L. Speakman, the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this twelfth day of November, A. D. 1938.

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

NEW CASTLE COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and thirty-eight, for New Castle County accord-

ing to the Constitution and Laws of the State of Delaware, George T. Bierlin was duly elected Representative for Representative District Number Eleven in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Daniel J. Layton and Frank L. Speakman, the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this twelfth day of November, A. D. 1938.

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

NEW CASTLE COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and thirty-eight, for New Castle County according to the Constitution and Laws of the State of Delaware, William K. Pennington was duly elected Representative for Representative District Number Twelve in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Daniel J. Layton and Frank L. Speakman, the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this twelfth day of November, A. D. 1938.

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

NEW CASTLE COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and thirty-eight, for New Castle County accord-

ing to the Constitution and Laws of the State of Delaware, Harvey E. Moore was duly elected Representative for Representative District Number Thirteen in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Daniel J. Layton and Frank L. Speakman, the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this twelfth day of November, A. D. 1938.

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

NEW CASTLE COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and thirty-eight, for New Castle County according to the Constitution and Laws of the State of Delaware, Randolph P. Reynolds was duly elected Representative for Representative District Number Fourteen in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Daniel J. Layton and Frank L. Speakman, the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this twelfth day of November, A. D. 1938.

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

NEW CASTLE COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord nineteen hundred and thirty-eight, for New Castle County accord-

ing to the Constitution and Laws of the State of Delaware, Herman H. Staats was duly elected Representative for Representative District Number Fifteen in said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Daniel J. Layton and Frank L. Speakman, the Judges constituting the Superior Court in New Castle County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this twelfth day of November, A. D. 1938.

DANIEL J. LAYTON
Chief Justice

F. L. SPEAKMAN
Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

KENT COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and thirty-eight for Kent County, according to the Constitution and Laws of the State of Delaware, Joseph S. Newman was duly elected Representative for the First Representative District for said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Josiah O. Wolcott and William Watson Harrington, constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this tenth day of November, A.D. 1938.

J. O. WOLCOTT
Chancellor

WM. WATSON HARRINGTON
Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

KENT COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and thirty-eight for Kent County,

according to the Constitution and Laws of the State of Delaware, Isaac M. Burris was duly elected Representative for the Second Representative District for said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Josiah O. Wolcott and William Watson Harrington, constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this tenth day of November, A.D. 1938.

J. O. WOLCOTT

Chancellor

WM. WATSON HARRINGTON

Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

KENT COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and thirty-eight for Kent County, according to the Constitution and Laws of the State of Delaware, John W. Rambo was duly elected Representative for the Third Representative District for said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Josiah O. Wolcott and William Watson Harrington, constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this tenth day of November, A.D. 1938.

J. O. WOLCOTT

Chancellor

WM. WATSON HARRINGTON

Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

KENT COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and thirty-eight for Kent County, according to the Constitution and Laws of the State of Delaware,

Joseph R. Smith was duly elected Representative for the Fourth Representative District for said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Josiah O. Wolcott and William Watson Harrington, constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this tenth day of November, A.D. 1938.

J. O. WOLCOTT

Chancellor

WM. WATSON HARRINGTON

Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

KENT COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and thirty-eight for Kent County, according to the Constitution and Laws of the State of Delaware, John A. Hartman was duly elected Representative for the Sixth Representative District for said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Josiah O. Wolcott and William Watson Harrington, constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this tenth day of November, A.D. 1938.

J. O. WOLCOTT

Chancellor

WM. WATSON HARRINGTON

Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

KENT COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and thirty-eight for Kent County, according to the Constitution and Laws of the State of Delaware,

Charles Frederick Fifer was duly elected Representative for the Seventh Representative District for said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Josiah O. Wolcott and William Watson Harrington, constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this tenth day of November, A.D. 1938.

J. O. WOLCOTT

Chancellor

WM. WATSON HARRINGTON

Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

KENT COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and thirty-eight for Kent County, according to the Constitution and Laws of the State of Delaware, Allen G. Smith was duly elected Representative for the Eighth Representative District for said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Josiah O. Wolcott and William Watson Harrington, constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this tenth day of November, A.D. 1938.

J. O. WOLCOTT

Chancellor

WM. WATSON HARRINGTON

Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

KENT COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and thirty-eight for Kent County, according to the Constitution and Laws of the State of Delaware,

Fred S. Bailey was duly elected Representative for the Ninth Representative District for said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Josiah O. Wolcott and William Watson Harrington, constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this tenth day of November, A.D. 1938.

J. O. WOLCOTT

Chancellor

WM. WATSON HARRINGTON

Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

KENT COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and thirty-eight for Kent County, according to the Constitution and Laws of the State of Delaware, William Biggs was duly elected Representative for the Tenth Representative District for said County in the General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Josiah O. Wolcott and William Watson Harrington, constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County, on this tenth day of November, A.D. 1938.

J. O. WOLCOTT

Chancellor

WM. WATSON HARRINGTON

Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

SUSSEX COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and thirty-eight, for Sussex County, according to the Constitution and Laws of the State of Delaware, Frederick W. Pepper was duly elected Representative for Representative

District Number Ten in said County in General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Charles S. Richards and Richard S. Rodney, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this tenth day of November, A. D. 1938.

RICHARD S. RODNEY
Associate Judge

CHARLES S. RICHARDS
Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE
SUSSEX COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and thirty-eight, for Sussex County, according to the Constitution and Laws of the State of Delaware, John Linden Barr was duly elected Representative for Representative District Number Nine in said County in General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Charles S. Richards and Richard S. Rodney, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this tenth day of November, A. D. 1938.

RICHARD S. RODNEY
Associate Judge

CHARLES S. RICHARDS
Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE
SUSSEX COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and thirty-eight, for Sussex County, according to the Constitution and Laws of the State of Delaware,

Verner P. Burton was duly elected Representative for Representative District Number Eight in said County in General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Charles S. Richards and Richard S. Rodney, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this tenth day of November, A. D. 1938.

RICHARD S. RODNEY
Associate Judge

CHARLES S. RICHARDS
Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

SUSSEX COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and thirty-eight, for Sussex County, according to the Constitution and Laws of the State of Delaware, Fred Pepper was duly elected Representative for Representative District Number Seven in said County in General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Charles S. Richards and Richard S. Rodney, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this tenth day of November, A. D. 1938.

RICHARD S. RODNEY
Associate Judge

CHARLES S. RICHARDS
Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

SUSSEX COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and thirty-eight, for Sussex County, according to the Constitution and Laws of the State of Delaware,

Manford Penuel was duly elected Representative for Representative District Number Six in said County in General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Charles S. Richards and Richard S. Rodney, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this tenth day of November, A. D. 1938.

RICHARD S. RODNEY
Associate Judge

CHARLES S. RICHARDS
Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE
SUSSEX COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and thirty-eight, for Sussex County, according to the Constitution and Laws of the State of Delaware, Reese O. Gordy was duly elected Representative for Representative District Number Five in said County in General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Charles S. Richards and Richard S. Rodney, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said county, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this tenth day of November, A. D. 1938.

RICHARD S. RODNEY
Associate Judge

CHARLES S. RICHARDS
Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE
SUSSEX COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and thirty-eight, for Sussex County,

according to the Constitution and Laws of the State of Delaware, Frank W. Thawley was duly elected Representative for Representative District Number Four in said County in General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Charles S. Richards and Richard S. Rodney, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this tenth day of November, A. D. 1938.

RICHARD S. RODNEY

Associate Judge

CHARLES S. RICHARDS

Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

SUSSEX COUNTY, SS.

BE IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and thirty-eight, for Sussex County, according to the Constitution and Laws of the State of Delaware, Samuel J. Stein was duly elected Representative for Representative District Number Three in said County in General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Charles S. Richards and Richard S. Rodney, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this tenth day of November, A. D. 1938.

RICHARD S. RODNEY

Associate Judge

CHARLES S. RICHARDS

Resident Associate Judge

[SEAL]

THE STATE OF DELAWARE

SUSSEX COUNTY, SS.

Be IT REMEMBERED, That at the General Election held on the Tuesday next after the first Monday in November in the year of our Lord one thousand nine hundred and thirty-eight, for Sussex County, according to the Constitution and Laws of the State of Delaware, Norman A. Draper was duly elected Representative for Representative District Number Two in said County in General Assembly; which is manifest by calculating and ascertaining the aggregate amount of all the votes given for each person voted for in all the hundreds and election districts of the County, according to the provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Charles S. Richards and Richard S. Rodney, the Judges constituting the Superior Court in Sussex County, who have met and ascertained the state of election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court to be hereunto affixed at the Court House in said County on this tenth day of November, A. D. 1938.

RICHARD S. RODNEY

Associate Judge

CHARLES S. RICHARDS

Resident Associate Judge

[SEAL]

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number One in New Castle County (to which office I was elected at the General Election held in said State in the year A. D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

ELLWOOD S. LEACH

Sworn to this 3rd day of January, A. D. 1939, before me.

ELMER E. BENSON

Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Two in New Castle County (to which office I was elected at the General Election held in said State in the year A. D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

FRANK R. ZEBLEY

Sworn to this 3rd day of January, A. D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Three in New Castle County (to which office I was elected at the General Election held in said State in the year A. D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

HENRY M. CANBY

Sworn to this 3rd day of January, A. D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Four in New Castle County (to which office I was elected at the General Election held in said State in the year A. D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

FRED BROWN

Sworn to this 3rd day of January, A. D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Five in New Castle County (to which office I was elected at the General Election held in said State in the year A. D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

JAMES CARL McGUIGAN

Sworn to this 3rd day of January, A. D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Six in New Castle County (to which office I was elected at the General Election held in said State in the year A. D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

THOMAS A. KELLUM

Sworn to this 3rd day of January, A. D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Seven in New Castle County (to which office I was elected at the General Election held in said State in the year A. D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

ABNER WOODWARD

Sworn to this 3rd day of January, A. D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Eight in New Castle County (to which office I was elected at the General Election held in said State in the year A. D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

FRANK H. BUCKINGHAM

Sworn to this 3rd day of January, A. D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Nine in New Castle County (to which office I was elected at the General Election held in said State in the year A. D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

GEORGE W. RHODES

Sworn to this 3rd day of January, A. D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Ten in New Castle County (to which office I was elected at the General Election held in said State in the year A. D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

RICHARD E. PINDER

Sworn to this 3rd day of January, A. D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Eleven in New Castle County (to which office I was elected at the General Election held in said State in the year A. D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

GEORGE T. BIERLISS

Sworn to this 3rd day of January, A. D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Twelve in New Castle County (to which office I was elected at the General Election held in said State in the year A. D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

WILLIAM K. PENNINGTON

Sworn to this 3rd day of January, A. D. 1939, before me.

ELMER E. BENSON

Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Thirteen in New Castle County (to which office I was elected at the General Election held in said State in the year A.D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

HARVEY E. MOORE

Sworn to this 3rd day of January, A.D. 1939, before me.

ELMER E. BENSON

Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Fourteen in New Castle County (to which office I was elected at the General Election held in said State in the year A.D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

RANDOLPH P. REYNOLDS

Sworn to this 3rd day of January, A.D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Fifteen in New Castle County (to which office I was elected at the General Election held in said State in the year A.D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

HERMAN H. STAATS

Sworn to this 3rd day of January, A.D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number One in Kent County (to which office I was elected at the General Election held in said State in the year A.D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

JOSEPH S. NEWNAM

Sworn to this 3rd day of January, A.D. 1939, before me.

ELMER E. BENSON

Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Two in Kent County (to which office I was elected at the General Election held in said State in the year A.D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

ISAAC M. BURRIS

Sworn to this 3rd day of January, A.D. 1939, before me.

ELMER E. BENSON

Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Three in Kent County (to which office I was elected at the General Election held in said State in the year A.D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

JOHN W. RAMBO

Sworn to this 3rd day of January, A.D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Six in Kent County (to which office I was elected at the General Election held in said State in the year A.D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

JOHN A. HARTMAN

Sworn to this 3rd day of January, A.D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Seven in Kent County (to which office I was elected at the General Election held in said State in the year A.D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

CHARLES FREDERICK FIFER

Sworn to this 3rd day of January, A.D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Eight in Kent County (to which office I was elected at the General Election held in said State in the year A.D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

ALLEN G. SMITH

Sworn to this 3rd day of January, A.D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Nine in Kent County (to which office I was elected at the General Election held in said State in the year A.D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

FRED S. BAILEY

Sworn to this 3rd day of January, A.D. 1939, before me.

ELMER E. BENSON

Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Ten in Kent County (to which office I was elected at the General Election held in said State in the year A.D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

WILLIAM BIGGS

Sworn to this 3rd day of January, A.D. 1939, before me.

ELMER E. BENSON

Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Two in Sussex County (to which office I was elected at the General Election held in said State in the year A.D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

NORMAN A. DRAPER

Sworn to this 3rd day of January, A.D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Three in Sussex County (to which office I was elected at the General Election held in said State in the year A.D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

SAMUEL J. STEIN

Sworn to this 3rd day of January, A.D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Four in Sussex County (to which office I was elected at the General Election held in said State in the year A.D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

FRANK W. THAWLEY

Sworn to this 3rd day of January, A.D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Five in Sussex County (to which office I was elected at the General Election held in said State in the year A.D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

REESE O. GORDY

Sworn to this 3rd day of January, A.D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Six in Sussex County (to which office I was elected at the General Election held in said State in the year A.D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

MANFORD PENUEL

Sworn to this 3rd day of January, A.D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Seven in Sussex County (to which office I was elected at the General Election held in said State in the year A.D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

FRED PEPPER

Sworn to this 3rd day of January, A.D. 1939, before me.

ELMER E. BENSON
Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Eight in Sussex County (to which office I was elected at the General Election held in said State in the year A.D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

VERNER P. BURTON

Sworn to this 3rd day of January, A.D. 1939, before me.

ELMER E. BENSON

Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Nine in Sussex County (to which office I was elected at the General Election held in said State in the year A.D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

JOHN LINDEN BARR

Sworn to this 3rd day of January, A.D. 1939, before me.

ELMER E. BENSON

Temporary Speaker

The State of Delaware }
 Kent County } ss.

I do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Delaware from Representative District Number Ten in Sussex County (to which office I was elected at the General Election held in said State in the year A.D. 1938), according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

FREDERICK W. PEPPER

Sworn to this 3rd day of January, A.D. 1939, before me.

ELMER E. BENSON

Temporary Speaker

Mr. Canby nominated Mr. Zebley for Speaker of the One Hundred and Seventh General Assembly of the State of Delaware.

Mr. Pennington seconded the nomination of Mr. Zebley for Speaker.

Motion prevailed.

Mr. Draper moved that a Committee of two be appointed to escort the Speaker-elect to the Chair.

Motion prevailed.

Mr. Brown moved that the Temporary Speaker administer the oath to the Speaker-elect.

Motion prevailed.

The State of Delaware }
 Kent County } ss.

I, Frank R. Zebley, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Speaker in the General Assembly of the State of Delaware according to the best of my ability.

FRANK R. ZEBLEY

Sworn to and subscribed before me this 3rd day of January, A. D. 1939.

ELMER E. BENSON

Temporary Speaker

Mr. Benson introduced the following Resolution :

HOUSE RESOLUTION NO. 1

BE IT RESOLVED by the House of Representatives, That the said House proceed to the nomination and election of the following officers to serve during the session of the 107th General Assembly of the State of Delaware, the said election to be given via voce vote on roll call :

Speaker's Clerk, Chief Clerk, Assistant Chief Clerk, Reading Clerk, Assistant Reading Clerk, Document Clerk, Assistant Document Clerks, Bill Clerk, Assistant Bill Clerk, Attorneys, Chaplain, Sergeant-at-Arms, Assistant Sergeant-at-Arms, Stenographers, Mail Clerks, Telephone Messengers, Door Keepers, Assistant Door Keepers, Messengers, Budget Room Attendants, Cloak Room Attendants, Clerk to Office of Attorney, Attorneys' Messengers, Assistant Cloak Room Attorney, Caretaker, Janitor.

Speaker's Clerk—Dauphin D. Wharton.

Chief Clerk—Frank W. Schroeder.

Assistant Chief Clerk—Leon C. Bulow.

Reading Clerk—Clarence Esham.

Assistant Reading Clerk—Robert H. Yerkes.

Document Clerk—Harry F. Newlin.

Assistant Document Clerk—Aimee S. Wigglesworth.

Assistant Document Clerk—John P. Warrington.

Bill Clerk—Mildred Tomlinson.

Assistant Bill Clerk—Naomi D. Jensen.

Attorney—H. Albert Young.

Attorney—James F. Allee, Jr.

Chaplain—Rev. Lester E. Windsor.

Sergeant-at-Arms—Robert A. Groves.

Sergeant-at-Arms—Louis V. Spencer.

Assistant Sergeant-at-Arms—Henry D. Downham.

Stenographers—Florence Casey.

Sylvia Weinstein.

Mildred Vincent.

Dorothy D. Beebe.

Mail Clerk—Olen W. Simpson.

Mail Clerk—Charles P. Blest.

Telephone Messenger—Warren W. Buckingham.

Telephone Messenger—Willard Loreman.

Door Keeper—John J. Caruso.

Door Keeper—Edward Laws.

Assistant Door Keeper—William A. Truitt.

Assistant Door Keeper—Paul Clogg.
 Messenger—Henry Chapman.
 Messenger—Marvel C. Pepper.
 Budget Room Attendant—George F. Swain.
 Budget Room Attendant—Harvey B. Short.
 Cloak Room Attendant—Oscar Vickers.
 Cloak Room Attendant—George E. Smith.
 Assistant Cloak Room Attendant—Walter Scott Rhiem.
 Clerk to Office of Attorney—Mrs. Clifton J. Ellis.
 Attorney's Messenger—John Hill.
 Attorney's Messenger—Walter J. Murphy.
 Caretaker—J. Corbitt Reynolds.
 Janitor—Charles H. Bowers.
 Attorney's Messenger—F. Davis Watson.

Resolution adopted.

The attaches of the House were sworn in as follows :

OATH OF EMPLOYEES

State of Delaware }
 Kent County } ss.

I, Frank W. Schroeder, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Chief Clerk of the House in the General Assembly of the State of Delaware according to the best of my ability.

FRANK W. SCHROEDER

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Dauphin D. Wharton, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Speaker's Clerk in the General Assembly of the State of Delaware according to the best of my ability.

DAUPHIN D. WHARTON

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, H. Albert Young, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Attorney in the General Assembly of the State of Delaware according to the best of my ability.

H. ALBERT YOUNG

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, James F. Allee, Jr., do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Attorney in the General Assembly of the State of Delaware according to the best of my ability.

JAMES F. ALLEE, JR.

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Lester E. Windsor, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Chaplain of House in the General Assembly of the State of Delaware according to the best of my ability.

LESTER E. WINDSOR

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 } ss.
 Kent County

I, Naomi D. Jensen, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Assistant Bill Clerk in the General Assembly of the State of Delaware according to the best of my ability.

NAOMI D. JENSEN

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 } ss.
 Kent County

I, Robert H. Yerkes, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Assistant Reading Clerk in the General Assembly of the State of Delaware according to the best of my ability.

ROBERT H. YERKES

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 } ss.
 Kent County

I, Leon C. Bulow, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Assistant Chief Clerk in the General Assembly of the State of Delaware according to the best of my ability.

LEON C. BULOW

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Aimee S. Wigglesworth, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Assistant Document Clerk in the General Assembly of the State of Delaware according to the best of my ability.

AIMEE S. WIGGLESWORTH

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Mildred Tomlinson, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Bill Clerk in the General Assembly of the State of Delaware according to the best of my ability.

MILDRED TOMLINSON

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Clarence Esham, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Reading Clerk in the General Assembly of the State of Delaware according to the best of my belief.

CLARENCE ESHAM

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Harry F. Newlin, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Document Clerk in the General Assembly of the State of Delaware according to the best of my ability.

HARRY F. NEWLIN

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, John P. Warrington, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Assistant Document Clerk in the General Assembly of the State of Delaware according to the best of my ability.

JOHN P. WARRINGTON

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

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

ROBERT A. GROVES

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

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

LOUIS V. SPENCER

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

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

HENRY D. DOWNHAM

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Dorothy D. Beebe, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Stenographer in the General Assembly of the State of Delaware according to the best of my ability.

DOROTHY D. BEEBE

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Mildred Vincent, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Stenographer in the General Assembly of the State of Delaware according to the best of my ability.

MILDRED VINCENT

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Florence Casey, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Stenographer in the General Assembly of the State of Delaware according to the best of my ability.

FLORENCE CASEY

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Sylvia Weinstein, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Stenographer in the General Assembly of the State of Delaware according to the best of my ability.

SYLVIA WEINSTEIN

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Olen W. Simpson, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Mail Clerk in the General Assembly of the State of Delaware according to the best of my ability.

OLEN W. SIMPSON

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Warren W. Buckingham, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Telephone Messenger in the General Assembly of the State of Delaware according to the best of my ability.

WARREN W. BUCKINGHAM

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, John J. Caruso, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Doorkeeper in the General Assembly of the State of Delaware according to the best of my ability.

JOHN J. CARUSO

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Edward Laws, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Doorkeeper in the General Assembly of the State of Delaware according to the best of my ability.

EDWARD LAWS

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Charles P. Blest, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Mail Clerk in the General Assembly of the State of Delaware according to the best of my ability.

CHARLES P. BLEST

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Willard Loreman, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Telephone Messenger in the General Assembly of the State of Delaware according to the best of my ability.

WILLARD T. LOREMAN

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, George F. Swain, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Budget Room Attendant in the General Assembly of the State of Delaware according to the best of my ability.

GEORGE F. SWAIN

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Henry Chapman, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Messenger in the General Assembly of the State of Delaware according to the best of my ability.

HENRY CHAPMAN

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Marvel C. Pepper, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Messenger in the General Assembly of the State of Delaware according to the best of my ability.

MARVEL C. PEPPER

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, William A. Truitt, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Doorkeeper in the General Assembly of the State of Delaware according to the best of my ability.

WILLIAM A. TRUITT

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Paul Clogg, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Assistant Doorkeeper in the General Assembly of the State of Delaware according to the best of my ability.

PAUL CLOGG

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Mrs. Clifton J. Ellis, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Clerk of Attorney in the General Assembly of the State of Delaware according to the best of my ability.

MRS. CLIFTON J. ELLIS

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Harvey B. Short, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Budget Room Attendant in the General Assembly of the State of Delaware according to the best of my ability.

HARVEY B. SHORT

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, George E. Smith, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Cloak Room Attendant in the General Assembly of the State of Delaware according to the best of my ability.

GEORGE E. SMITH

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Oscar Vickers, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Cloak Room Attendant in the General Assembly of the State of Delaware according to the best of my ability.

OSCAR G. VICKERS

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, James Corbit Reynolds, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Caretaker in the General Assembly of the State of Delaware according to the best of my ability.

JAMES CORBIT REYNOLDS

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Walter *Scott* Riehm, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Assistant Cloak Room Attendant in the General Assembly of the State of Delaware according to the best of my ability.

WALTER SCOTT RIEHM

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, John Hill, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Attorney's Messenger in the General Assembly of the State of Delaware according to the best of my ability.

JOHN U. HILL

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, F. Davis Watson, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Attorney's Messenger in the General Assembly of the State of Delaware according to the best of my ability.

F. DAVIS WATSON

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Walter J. Murphy, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Attorney's Messenger in the General Assembly of the State of Delaware according to the best of my ability.

WALTER J. MURPHY

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

State of Delaware }
 Kent County } ss.

I, Charles H. Bowers, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Janitor in the General Assembly of the State of Delaware according to the best of my ability.

CHARLES H. BOWERS

Sworn to and subscribed before me this 3rd day of January,
 A. D. 1939.

FRANK R. ZEBLEY
Speaker

Speaker announced the committees.

COMMITTEES

ACCOUNTS

Chairman, F. W. Pepper, Biggs, Kellum, Leach, McGuigan.

AGRICULTURE

Chairman, Bierlin, Biggs, Burton, Woodward, Gordy.

APPROPRIATIONS

Chairman, Benson, Canby, Manlove, Zebley, Pinder.

CHARITY

Chairman, Reynolds, Fifer, F. W. Pepper, Rhodes, Staats.

CLAIMS

Chairman, Zebley, Benson, Buckingham, Manlove, Stein.

CORPORATIONS—MUNICIPAL

Chairman, Brown, Benson, Draper, Pennington, Thawley.

CORPORATIONS—PRIVATE

Chairman, Woodward, Barr, Burton, Canby, Pinder.

EDUCATION

Chairman, Draper, Biggs, Canby, Zebley, Thawley.

FEDERAL RELATIONS

Chairman, Barr, Bierlin, Brown, Leach, Burris.

FISH, OYSTERS AND GAME

Chairman, Woodward, Pennington, F. W. Pepper, Reynolds, Rambo.

INSURANCE AND BANKING

Chairman, Pennington, Brown, Draper, Fifer, J. R. Smith. See Note.

JUDICIARY AND CRIME

Chairman, Canby, Leach, Pennington, Fred Pepper, Hartman.

LABOR

Chairman, Leach, Barr, Bierlin, Penuel, A. G. Smith.

NOTE: A. G. Smith will serve until J. R. Smith's successor is elected and sworn in.

MANUFACTURES AND COMMERCE

Chairman, Fred Pepper, Barr, Kellum, Reynolds, McGuigan.

MILITARY AFFAIRS

Chairman, Burton, Fifer, Kellum, Rhodes, Bailey.

MISCELLANEOUS

Chairman, Zebley, Buckingham, Woodward, Draper, Gordy.

PAST BILLS

Chairman, Buckingham, F. W. Pepper, Moore.

PRINTING

Chairman, Zebley, Benson, Buckingham, Manlove, Bailey.

PUBLIC LANDS AND BUILDINGS

Chairman, Fifer, Brown, F. W. Pepper, Rhodes, Staats.

PUBLIC HEALTH

Chairman, Rhodes, Brown, Fifer, Penuel, Newman.

PUBLIC HIGHWAYS

Chairman, Biggs, Bierlin, Burton, Leach, Burris.

REVENUE AND TAXATION

Chairman, Kellum, Burton, Penuel, Rhodes, Rambo.

REVISED STATUTES

Chairman, Manlove, Canby, Fred Pepper, Reynolds, Hartman.

RULES

Chairman, Zebley, Bierlin, Buckingham, Draper, Newman.

SUPPLIES

Chairman, Penuel, Kellum, Pennington, Fred Pepper, Stein.

TEMPERANCE

Chairman, Buckingham, Benson, Manlove, Woodward, Moore.

Speaker announced a recess for 10 minutes.

House called to order.

Mr. Canby acted as Speaker.

Mr. Zebley presented the Rules, which were adopted.

RULES OF ORDER

RULE 1—The House of Representatives shall meet every day (Sunday excepted) at eleven o'clock A. M., unless otherwise ordered.

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

RULE 3—In accordance with the provisions of the Constitution, eighteen of the members elected to the House shall constitute a quorum to do business, but a less number may recess or adjourn from day to day.

RULE 4—The daily order of business shall be as follows:

1. Calling of House to Order.
2. Prayer by Chaplain.
3. Calling of Roll.
4. Reading of Journal.
5. Communications from the Speaker and presentation of Petitions and Memorials.
6. Reports from Standing Committees in regular order.
7. Reports from Special Committees in order of appointment.
8. Introduction of new business by districts and first and second readings of bills and resolutions when required by rules.
9. Business on the Calendar.
10. Miscellaneous.

DUTIES OF THE SPEAKER

RULE 5—He shall take the presiding officer's chair at the hour to which the House shall have adjourned and call the members to order.

RULE 6—He shall have general direction of the House Chamber and shall preserve order and decorum. In debate he shall prevent personal reflection and confine the members to the question under discussion. No member shall have the floor except when recognized by the Speaker.

RULE 7—He shall decide all questions of order or may submit the question to the House. An appeal from his decision may be made by any member, if properly seconded.

RULE 8—He may name a member to perform the duties of presiding officer, but such substitution shall not extend beyond an adjournment, except when the Speaker obtains leave of absence, in which case he may depute a member as Speaker Pro Tempore during such leave, which leave shall not exceed five days.

RULE 9—He shall sign all bills and resolutions requiring the signature of the Speaker in the presence of the House, after their titles shall have been publicly read immediately before signing, and the facts of the signing shall be entered upon the Journal; all writs, warrants and subpoenas issued by the House shall be signed by him and attested by the Clerk.

RULE 10—He shall determine the principal object of a bill or joint resolution and assign such bill or joint resolution to a committee to which such subject-matter is appropriate.

RULE 11—He shall appoint all committees unless otherwise ordered by the House.

RULE 12—Every member shall be in his seat at the hour to which the House shall have been adjourned, but any member desiring to be absent from a session may be excused by the presiding officer.

RULE 13—A member shall not be permitted to make a motion or address the Speaker unless such member be at his own desk, and, when about to communicate any matter to the House or to speak in debate, he shall rise and respectfully address himself to "Mr. Speaker," confining his remarks to the subject before the House and avoiding personal reflections. No member shall speak more than twice on the same subject without leave of the House.

RULE 14—While the Speaker is putting the question or addressing the House or while a member is speaking, no member or other person shall engage in private conversation or be permitted to walk across or out of the House or pass between the Speaker and the member addressing the House.

RULE 15—A member transgressing the rules of the House in debate shall be called to order by the Speaker or by any member through the Speaker; the member so called to order shall immediately take his seat, unless permitted by the House to explain; the House shall, if appealed to, decide on the case without debate; if there be no appeal, the decision of the Speaker shall be submitted to, and, if the case requires it, the member so called to order shall be liable to the censure of the House.

RULE 16—A member shall not be interrupted when speaking, except to a call to order by the Speaker, or by a member through Speaker, or by a member to explain (or by a motion for the previous question or to adjourn); nor shall any member be referred to by name in debate, unless for transgression of the rules of the House and then by the Speaker only.

RULE 17—The standing committees of the House, consisting of five members each (except the Committee on Passed Bills of three members), to be appointed by the Speaker and to continue during the session, shall be as follows:

- Committee on Accounts.
- Committee on Agriculture and Forestry.
- Committee on Appropriations.
- Committee on Charities.
- Committee on Claims.
- Committee on Corporations—Municipal.
- Committee on Corporations—Private.
- Committee on Education.
- Committee on Elections.

Committee on Federal Relations.
 Committee on Fish, Oysters and Game.
 Committee on Insurance and Banking.
 Committee on Judiciary, Crimes and Punishment.
 Committee on Labor.
 Committee on Manufacturers and Commerce.
 Committee on Military Affairs.
 Committee on Miscellaneous.
 Committee on Passed Bills.
 Committee on Printing.
 Committee on Public Buildings and Lands.
 Committee on Public Health.
 Committee on Public Highways and Roads.
 Committee on Revenue and Taxation.
 Committee on Revised Statutes.
 Committee on Rules.
 Committee on Stationery and Supplies.
 Committee on Temperance.

RULE 18—Committee meetings shall be held as far as possible when the House is not in session and committee meetings shall not be held while the House is in session without the consent of the Speaker.

RULE 19—Committee reports shall be printed, written or typewritten, and if so desired the minority of a Committee may make a report.

RULE 20—The Committee of the Whole shall proceed under the Rules of the House as far as the same may be applicable.

BILLS AND RESOLUTIONS

RULE 21—The Committee on Rules shall have supervision of and give instructions as to their duties to the attaches of the House, and shall keep a record of the attendance of said attaches; shall be responsible for the seating of members; shall make assignments of offices and committee rooms and shall have charge of the furniture and fittings of the House Chamber, offices and committee rooms.

RULE 22—Every bill and resolution shall be introduced by a member or by order of the House or by report of a committee.

RULE 23—Every bill and resolution, to which the concurrence of both houses of General Assembly may be necessary, shall be introduced with an original and four duplicate copies, the duplicate copies shall be marked "duplicate," and at all times every bill and resolution shall be under the general supervision of the Clerk of the House. Until its passage by the House, the original copy of every bill and resolution shall at all times remain in the custody of the Chairman of the committee to which it was referred or the Clerk of the House. All bills and resolutions shall be either printed or typewritten and backed and no erasures or interlineations shall be allowed.

RULE 24—Every bill and joint resolution, except as to style or form, shall receive three separate readings; the first and second readings shall be had on the same day, the second reading may be by title only.

RULE 25—A bill or joint resolution shall not be passed upon the same day it has been reported to the House by the Committee having charge of such bill or resolution, nor in absence of the member who introduced the same, without his written consent.

RULE 26—Any resolution carrying an appropriation or disposal of public moneys shall not be passed by the House on the same day that it shall have been introduced and read.

RULE 27—Every bill and resolution may be amended at any time before final action is taken, and in the substitution of a bill or resolution after it has been referred to a committee, the original bill or resolution shall receive its third reading before any action is taken on the substitute, if so requested by the member who introduced the original bill or resolution.

RULE 28—Every bill or joint resolution which shall have been in committee for a period of ten days or more shall, upon request of eighteen members of the House, in writing, be reported to the House for a decision as to its further disposal.

RULE 29—Every bill and resolution, to which the concurrence of both houses of the General Assembly may be necessary, shall upon its passage in the House be certified to by the Clerk of the House and the date of the passage of the same noted at the foot of the backing thereof. Said bill or resolution shall then be delivered by the Clerk as soon as possible into the custody of the bill clerk, who shall attach a proper parchment backing to the same and initial, seal or stamp each and every page of each bill or resolution and immediately return the same to the Clerk of the House.

RULE 30—With the exception of the General Appropriation Bill no skeleton bills will be accepted by the Speaker until two legislative days previous to the dead line set for the introduction of new business.

RULE 31—A substitute bill may be introduced under new business or by permission of the Speaker, at which time it shall be given a first and second reading. The member introducing the substitute bill must explain briefly wherein the substitute bill differs from the original bill, after which it shall be referred to the proper committee.

MOTIONS

RULE 32—Every motion, except to adjourn, shall be entered on the Journal with the name of the mover, and any motion, if so desired by the mover, and consented to by the seconder, may be withdrawn before amendment or decision thereon and the proceedings in relation to the same shall be expunged from the Journal.

RULE 33—Every motion, except for leave to introduce a bill or resolution or for reading of the same, the daily adjournment of the

House or to refer or postpone any subject, shall, if required by the Speaker or requested by any member, be reduced to writing by the mover, or may be typewritten as the mover may prefer.

RULE 34—Every motion, if seconded, shall be repeated by the Speaker, or presiding officer, before debate or discussion thereon; and if there has been any debate or discussion, the motion shall again be repeated distinctly by the Speaker or presiding officer before putting the question in the following terms: "As many as are in favor of the question say Aye," and, after the affirmative is expressed, "As many as are opposed say No."

RULE 35—Every motion shall be decided in a fair and impartial manner by the Speaker or presiding officer, and the vote of a majority of the members present and voting shall prevail, unless contrary to these Rules or in conflict with the provisions of the Constitution. The Speaker or presiding officer, if necessary for a fair decision, may cause, or any member may call for, a division, and the members voting in the affirmative shall be required to rise, and after the Clerk has counted and noted those so voting, the question shall be reversed. Excepting when provided by the Constitution, the yeas and nays shall be taken, only on motion that the names of those so voting be entered on the Journal.

RULE 36—Every motion to adjourn shall be in order (unless such motion has just immediately been decided, or the House is voting on another question) and shall be decided without debate.

RULE 37—The only motions, except as otherwise provided, that shall be permitted to interrupt the business regularly before the House, are as follows:

A motion to amend, commit or postpone.

A motion to lay on the table.

A motion for the previous question.

RULE 38—A motion for the previous question shall not be entertained except at the request of five members rising for that purpose, and shall be determined without debate; but when the previous question has been called and sustained, it shall not cut off any pending amendment. The vote shall be taken without debate, first on the amendments in their order and then on the main question.

RULE 39—A motion for the reconsideration of a question which has been decided shall be made and seconded by a member who voted with the majority on the original question; and no motion for reconsideration shall be in order unless made on the same day or one of the three next succeeding days of actual session of the House thereafter. In the application of this Rule the word "Majority" shall be construed to mean the number of votes that were sufficient to prevail in the decision of the original question.

CALENDAR

RULE 40—The Clerk of the House shall keep a calendar of business on which shall be placed the number and subject of all bills and resolutions referred to committee and the name of the introducer thereof;

and, if reported from committee, the action of the committee thereon. Said bills and resolutions shall be kept on the Calendar until final action is taken thereon, and such as lie over and other matters undisposed of, shall be placed in the order in which they are presented, and a printed copy of the Calendar of both houses placed on the desk of each member at the opening of the morning session.

RULE 41—The business on the Calendar shall be called at one-thirty o'clock on each day of the session and shall be called in sequence (but the Calendar will not be called if there is any other unfinished business the House was considering at the time of the previous adjournment or any special order for the day is ready for action). If the call of the Calendar is not completed at any session the next sessions call shall be resumed at the place on the Calendar where the call was interrupted.

A vote of two-thirds of the members present and voting shall be required to take up any matter out of its order on the Calendar, or to make any matter the order of the day for a particular time.

MISCELLANEOUS

RULE 42—Messages from the House shall be conveyed by the Clerk or a member, as the Speaker may direct, and when messages are conveyed to the House by a messenger from the Governor or by a member of the State Senate, the members of the House shall rise. Messages to the House shall not be received while the House is voting on a question or a member is speaking.

RULE 43—Before any petition or memorial addressed to the House shall be presented, a brief statement of the contents shall be made by the introducer, and, upon motion, shall be received at the Clerk's table and read; unless the reference is objected to by a member at the time the petition or memorial is read, it shall be referred without further motion.

RULE 44—The Rules of the House shall not be changed or suspended except by a vote of a constitutional majority of the members, but in all cases to which they are applicable and in which they are not inconsistent with these Rules, the rules of parliamentary practice comprised in Roberts' Rules of Order Revised shall govern the House; and when the rules of parliamentary practice comprised in Jefferson's Manual shall govern in so far as they may be applicable and not inconsistent with these Rules.

COMMITTEE ON RULES.

HOUSE RESOLUTION NO. 2

On motion for leave, Mr. Benson introduced House Resolution No. 2 entitled:

Authorizing the Clerk of the House to notify the Senate that the House is organized.

Which was taken up for consideration and read in order to pass the House.

On request the privilege of the floor was given to

On the question "Shall the Resolution Pass the House"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

So the question was decided in the affirmative and the resolution having received the required constitutional majority, passed the House.

HOUSE RESOLUTION NO. 3

On motion for leave, Mr. Benson introduced House Resolution No. 3 entitled:

WHEREAS, in the death of Honorable Joseph Ropp Smith, a member-elect of the House of Representatives of the 107th General Assembly, the State has lost an honored, respected, and useful citizen; and

WHEREAS, The All-Wise Providence has seen fit to call to his reward the Honorable Joseph Ropp Smith; and

WHEREAS, it is fitting that this General Assembly give public expression and offer, at its first opportunity, its sympathy to the family of the late Joseph Ropp Smith in their bereavement, now therefore

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF DELAWARE, IN GENERAL ASSEMBLY MET:

That the General Assembly of the State of Delaware, on behalf of all the citizens of the State of Delaware, does hereby express its sorrow at the loss the State has sustained in the death of Joseph Ropp Smith and does hereby extend to his family its sympathy in this hour of bereavement; and

That a copy of this resolution be spread at large upon the Journal and a copy delivered to his widow and family.

Which was taken up for consideration and read in order to pass the House.

On the question "Shall the Resolution Pass the House"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

So the question was decided in the affirmative and the resolution having received the required constitutional majority, passed the House.

HOUSE RESOLUTION NO. 4

On motion for leave, Mr. Benson introduced House Resolution No. 4 entitled:

Relative to the naming of Mary A. Burton as Floor Leader's Clerk.

Which was taken up for consideration and read in order to pass the House.

On the question "Shall the Resolution Pass the House"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

So the question was decided in the affirmative and the resolution having received the required constitutional majority, passed the House.

Dover, Delaware.

State of Delaware }
Kent County } ss.

I, Mary W. Burton, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Floor Leader's Clerk in the General Assembly of the State of Delaware according to the best of my ability.

MARY W. BURTON

Sworn to and subscribed before me this third day of January, A. D. 1939.

FRANK R. ZEBLEY

Speaker

Mr Benson moved that the House recess until 2.40 o'clock P. M.
Motion prevailed.

Same Day, 2.40 o'clock P. M.

House met at expiration of recess.

SENATE CONCURRENT RESOLUTION NO. 1

Mr. Pierce, Secretary of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in the following :

Authorizing the appointment of a Joint Committee to notify the Governor, that the General Assembly is duly organized.

And presented the same to the House.

SENATE CONCURRENT RESOLUTION NO. 2

Mr. Pierce, Secretary of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in the following :

Providing for a Joint Session to receive any message that the Governor may have to offer.

And presented the same to the House.

SENATE CONCURRENT RESOLUTION NO. 3

Mr. Pierce, Secretary of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in the following :

Appointing Bill Clerks for Senate and House of Representatives for this Session.

And presented the same to the House.

The Chair presented Senate Concurrent Resolution No. 1, entitled :

Relative authorizing the appointment of a Joint Committee to notify the Governor that the General Assembly is duly organized.

Which was taken up for consideration and read in order to pass the House.

On the question, "Shall the Resolution Pass the House."

The Yeas and Nays were ordered, which being taken, were as follows :

YEAS—Messrs. Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

So the question was decided in the affirmative and the resolution having received the required constitutional majority, passed the House.

And was ordered returned to the Senate.

The Chair presented Senate Concurrent Resolution No. 2, entitled :

Relative to providing for a Joint Session to receive any message that the Governor may have to offer.

Which was taken up for consideration and read in order to pass the House.

On the question, "Shall the Resolution Pass the House."

The Yeas and Nays were ordered, which being taken, were as follows :

YEAS—Messrs. Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

So the question was decided in the affirmative and the resolution having received the required constitutional majority, passed the House.

And was ordered returned to the Senate.

The Chair presented Senate Concurrent Resolution No. 3, entitled :

Relative to appointing Bill Clerks for Senate and House of Representatives for this Session.

Which was taken up for consideration and read in order to pass the House.

On the question, "Shall the Resolution Pass the House."

The Yeas and Nays were ordered, which being taken, were as follows :

YEAS—Messrs. Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

So the question was decided in the affirmative and the resolution having received the required constitutional majority, passed the House.

And was ordered returned to the Senate.

House recessed at the call of the Chair.

Chair called the House to order.

Chair appointed Messrs. Benson, Canby, and Hartman under Senate Concurrent Resolution No. 1.

Mr. Brown moved that the House adjourn until 12 o'clock noon, Wednesday, January 4th, 1939.

Motion prevailed.

SECOND LEGISLATIVE DAY

Dover, Delaware, January 4th, 1939, 12.05 o'clock, P. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll called.

Members Present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

Clerk proceeded to read the Journal of the Previous Session, when Mr. Benson moved so much be considered the reading of the Journal and the Journal be approved.

Motion prevailed.

The Chair presented a communication from the Library of Congress, Washington, D. C. to be read.

Relative to House Journal being mailed daily.

Mr. Benson moved that the House prepare to go to the Senate for Joint Session.

Motion prevailed.

Mr. Heal: I move the Senate now go into Joint Session with the House pursuant to Senate Concurrent Resolution No. 2.

Motion prevailed.

Mr. Heal: I move that the President of the Senate preside over the Joint Session.

Motion prevailed.

Mr. Heal: I move that the Secretary of the Senate and the Chief Clerk of the House act as Secretaries of the Joint Session.

Motion prevailed.

Mr. Heal: I move that the Chair appoint a Committee of two Members of each House to notify the Governor that the General Assembly is now met in Joint Session ready to receive his message and to escort him to the Senate Chamber.

Motion prevailed.

MESSAGE OF
HON. RICHARD CANN McMULLEN
GOVERNOR OF DELAWARE

to the

*One Hundred and Seventh General Assembly
of the State of Delaware*

Convening in Regular Session

at Dover on Tuesday

the Third Day of January

Nineteen Hundred and Thirty-nine

*Mr. President and Members of the One Hundred
and Seventh General Assembly of the State of
Delaware:*

First, may I wish each of you a most Happy New Year, and further, much pleasure and success in the important work that you are about to commence.

Although a majority of you, both in the Senate and in the House, are of a political party other than mine, I feel that this should not in any manner deter us in working together for our common interest, the general welfare of the people of the State of Delaware. That must remain foremost.

During my two years in office, I have had an opportunity to inquire into and study the system of government of our State. Our commission form of government has in the main been satisfactory, but I am convinced that changes can be made in its structure and its budget control so as to develop a greater efficiency and economy. I do not believe in the broad term "centralization of power," but I do believe there should be a defined head to any business or governmental enterprise directing the operation of the several branches constituting the whole.

I feel that my many predecessors in office have thought of this same difficulty and searched for the

reason why the financial side of the operation of the State of Delaware was conducted under a budget over which there was so little control after the adjournment of the General Assembly.

I am satisfied that a saving to the citizens of the State would result by the adoption of a budget system controlled jointly by the Governor and the various commissions and I place this thought before you, not as criticism of the past operation of the business of the State, but as a progressive step along the road to economy.

FUNDS

We have three funds of major importance. First, the General Fund; Second, the School Fund, and Third, the Highway Fund. It is to these three major funds that I will first direct your attention.

Before going into an examination of the figures, I wish to say a word about the State's financial condition generally. My administration, when it came into control of the State's affairs, was faced with a serious financial situation. It inherited a substantial estimated deficit. At that time I made it clear that the integrity of the State of Delaware must be maintained and that its record of always meeting its obligations must continue. I am happy to say that the 106th General Assembly cooperated with me in enacting the necessary legislation providing for the State of Delaware to meet its obligations. I am confident in my hope that this General Assembly will show the same cooperation and that Delaware will never fail to meet its debts.

GENERAL FUND

The General Fund is the recipient of all income exclusive of that which by reason of special legislation is deposited to the credit of the Highway and School Funds, and other small special accounts.

The main sources of income to this fund are licenses, race track receipts, liquor taxes, incorporating fees, and other sources of a steady nature.

For quite a few years past and before my administration, the income of this fund has not been sufficient to meet the out-go and in order to balance the fund it has been necessary to look to other channels for income.

During the present biennium, which ends on June 30, 1939, the General Fund legislatively required \$1,160,000 for the first fiscal year over and above its income and approximately \$732,000 for the second fiscal year over and above its income. To meet these deficits it was necessary to divert from the revenues received from Franchise Taxes \$660,000 and to borrow \$500,000 from the Highway Fund for the first fiscal year; and to divert \$432,000 from revenues received from Franchise Taxes and to borrow \$300,000 from the Highway Fund for the second fiscal year, causing a diversion and borrowing for the biennium of approximately \$1,892,000.

Beginning July 1, 1939, the General Fund should show a cash balance of \$314,308.17. However, do not permit this balance to mislead you, for there will be the standing commitment against this sum of \$800,000 borrowed from the Highway Fund.

The income to the General Fund, for the fiscal year beginning July 1, 1939, is estimated at \$2,440,333, as against \$2,839,181.77 recommended expenditures, which would leave an operating deficit of \$398,848.71. For this I recommend the diversion of \$449,320 from the Franchise Tax receipts to the General Fund for the operation of the University of Delaware, State College for Colored Students and the State Tax Department, all being General Fund items, which if done would cause the General Fund to have an operating surplus of \$50,471.29.

In arriving at this operating surplus, you will note that I have not considered the cash balance as of July 1, 1939, of \$314,308.17, for the reason that I feel that it should be for your determination whether to apply it to the commitment before mentioned, or to use the same in meeting demands upon the General Fund which do not yet appear in the Budget already submitted.

If you choose to use the cash balance of \$314,308.17 which I consider committed to the Highway Fund, for other General Fund items as aforesaid, then you will have available for such purposes the sum of \$364,779.46.

I direct your attention to the fact that approximately \$200,000 will be required for the purposes of relief. The sum of \$297,250 will be requested for supplementary appropriations such as fire companies; hospitals; Layton Home for Aged Colored; Palmer Home; Delaware Commission for the Blind; Kent and Sussex Fair Association; Veterans Organizations; Delaware Industrial School for Girls and other miscellaneous organizations.

There has been no provision made for the Legislative costs for the year 1939, which may approximate \$200,000.

The above items amount to a total of \$697,250, which, after deducting \$364,779.46, the amount available as aforesaid, leaves a deficit of \$332,470.54 for the fiscal year beginning July 1, 1939.

Now, if the cash balance is not used as aforesaid, but applied to commitments, then we find a deficit for the fiscal year beginning July 1, 1939, of \$646,778.71.

For the fiscal year beginning July 1, 1940, the income for the General Fund is estimated at \$2,444,157.51, as against \$2,879,482.02 recommended expenditures. This would leave an operating deficit of \$435,324.41. Again I recommend a diversion

of-franchise tax receipts to the General Fund to cover the operation costs of the University of Delaware, State College for Colored Students, and the State Tax Department. For the 1940-41 year the diversion is recommended in the amount of \$452,620, thereby causing an operating surplus for the year of \$17,295.49 on such a basis.

If, however, supplementary appropriations are made, the additional amount of \$295,125 may be required for the purposes described above. Furthermore, the costs of the Legislature must be considered, and it is your problem to decide whether specific amounts should be appropriated by you in the Budget Bill for the 1941 General Assembly, or whether the expenditures for that session be left to the judgment of themselves, as the 1937 General Assembly left the costs of this session to you.

Assuming that the Legislative costs are \$200,000 and that \$200,000 is again required for relief, these appropriations, supplementing the usual budgetary items, total \$695,125. After deducting \$17,295.49, the amount available as an operating surplus on the basis of my recommendations, there would be a deficit of \$677,829.51 for the fiscal year beginning July 1, 1940.

For the fiscal year beginning July 1, 1939, I have made recommendations which would give an operating surplus of \$50,471.29, which together with the recommendations resulting in a surplus of \$17,295.49 for the fiscal year beginning July 1, 1939, shows an operating surplus of \$67,766.75 for the biennium, but if usual supplementary appropriations are made and 1941 Legislative costs and possible relief requirements are included, the General Fund is threatened with an operating deficit for the biennium of \$1,324,608.22.

SCHOOL FUND

Under Article 10 of the Constitution of the State of Delaware a mandate was issued to the

General Assembly for it to provide for the establishment and maintenance of a general and efficient system of free public schools. The Constitution further made it mandatory upon the General Assembly to provide income for the operation and maintenance of the schools.

The General Assembly, in accepting this mandate, enacted legislation providing Delaware with a public school system and at the same time provided in other acts of legislation the ways and means of carrying into effect this school system.

In the passing years, the little red school house has become a part of our historical background. In its place beautiful, modern structures house our educational facilities.

The cost of operation of our schools at first fell upon the land-owners of our State. However, in 1919, with the full expansion of our school system, the land-owner could no longer carry the burden. The Legislature in its wisdom met the progress of expansion by creating four sources of income, together with the income from the Public School Fund. First, graduated income taxes; Second, corporation franchise taxes; Third, filing fee taxes (\$3.00 per person in connection with income tax), and Fourth, County property taxes. However, subsequent Legislatures found it advisable to repeal all tax measures for school benefits except the Income tax and Corporation franchise tax, which together with income from the School Fund, consisting largely of stock of the Farmers Bank, comprise at present the total income of the School Fund.

The expenditures of this fund have naturally over the years of progress increased in accordance with the development of the school system. Until now, the cost of operation and maintenance is \$3,850,000, plus payment of bond maturities of approximately \$135,000, for the fiscal year beginning July 1, 1938, and ending June 30, 1939, as against

\$2,200,000 for the fiscal year beginning July 1, 1921, and ending June 30, 1922. This is an increase in operation and maintenance of 75%. I cite this merely to acquaint you with the progress of our system and the increased cost of operation and maintenance over a period of fifteen years.

Beginning July 1, 1939, a cash balance of \$3,200,000 to the credit of the School Fund is anticipated. However, income to that fund will drop off materially during each of the fiscal years of the next biennium. I expect a decline of at least \$400,000 in income taxes and \$300,000 in franchise taxes, causing a total decline of \$700,000 for each fiscal year beginning July 1, 1939, and July 1, 1940.

The amounts requested and recommended for each fiscal year of the next biennium are \$3,850,000, as against estimated income of \$4,073,000 for each year of the next biennium. With an estimated cash balance of \$2,910,000 for the fiscal year beginning July 1, 1939, the cash balance of the School Fund would thus be \$3,355,000 at the end of the biennium.

When speaking of the General Fund, I recommended diversions from franchise tax receipts of \$449,320 and \$452,620, for the respective years of the next biennium to cover the appropriations to the University of Delaware, State College for Colored Students, and the State Tax Department. This has been the customary practice for many years. Besides for the past six years it has been customary for the State to pay the bond maturities of the local school districts. If this practice is to be continued an additional \$136,000 and \$125,000 will be required for each year respectively.

Deducting \$901,940 for diversions to the General Fund and \$261,000 for payment of bond maturities, we find that the cash balance of the School Fund at the end of the biennium would be only \$2,192,527.27 as against \$2,909,652.99 as of July 1,

1939, nearly a 25% decline in the cash balance in the said fund.

In addition to the falling off of revenue to the school fund, we are placed more or less on the anxious bench relative to proposed legislation before the Federal Congress regarding the Federal licensing of corporations. This type of Federal legislation, if passed, would force us to suffer further losses of school revenue. Therefore, I feel it my duty to acquaint you, not only with the present status of this fund, but to inform you of threatening developments in the future.

Before leaving the subject of the School Fund, may I advise that during the last session of the Legislature an act was passed amending the mode of assessment of the franchise tax law, whereby revenue to the School Fund was materially increased. Notwithstanding this increase, the operation and maintenance of the schools, including the State Tax Department, the University of Delaware and State College for Colored Students, will be greater than the total income to the fund from all sources.

HIGHWAY FUND

The Highway Fund is the only major fund that does not cause us concern. This is true because of the limitations under the Highway Act.

On the twenty-fifth day of February, 1937, I addressed your honorable body on affairs of State and at that time recommended that the Legislature cause to be diverted from highway revenue, \$500,000 for the first fiscal year and \$300,000 for the second fiscal year of this biennium, for General Fund expenditures, in order to balance the General Fund budget for this biennium.

The Legislature, instead of causing the \$800,000 to be diverted, decided upon a different procedure, that of borrowing the money from the Highway Fund, and a Certificate of Indebtedness

was issued during the last fiscal year for \$500,000, and it will be necessary for another certificate to be issued for the fiscal year ending June 30, 1939, for \$300,000 in order to balance our General Fund budget for the present biennium.

It was with reluctance that I made that recommendation, and I sincerely hope that such procedure will not be necessary at this time.

The General Fund is committed to the Highway Fund to the extent of \$800,000, and if this sum is not paid back to the Highway Fund by some other method devised by the General Assembly, then I suggest that a bond issue be created to the amount of \$800,000 and the money derived from the sale of the bonds be deposited to the credit of the General Fund to pay off its obligation to the Highway Fund. It must be definitely understood that the Highway Department, by reason of the borrowing of this money, has been curtailed in its operation and has not been able to avail itself of full Federal aid and further, at the time this money was borrowed, the act on my part in recommending such procedure was with the definite idea of repaying the fund, and of not forgetting that the obligation existed.

Aside from State finances, there are other matters I desire to call to your attention.

WELFARE

I feel it my duty to direct your attention to the many welfare and other charitable agencies that we have in Delaware. In your study of this question, serious thought should be given to a partial or general consolidation of the same, should you believe that a material saving to the State would result and that better service to our less fortunate citizens would be rendered.

RELIEF

For years past we have been confronted with the problem of relief for our unfortunate ones, and, I am delighted to say, local charities for a long period have been able to carry the burden. However, of late the burden of relief has become so great that our Federal Government, together with our State Government, has found it necessary to supplement the local charities in order to prevent starvation and suffering among our people. Congress enacted laws creating the Public Works Administration and the Works Progress Administration, and both of these acts take the form of work relief. During the last session of our Legislature, \$30,000 was appropriated for the purpose of direct relief, to match the relief costs incurred by the Levy Courts of the respective counties. I felt that the sum was not sufficient adequately to care for the relief problem and requested the Legislature before adjournment to enact a relief bill wherein monies would be raised by taxation to meet the urgent needs as I saw them.

We are all aware of what followed. The \$30,000, together with the assistance given by the Levy Court, City of Wilmington, and local charities could not meet the urgent necessities that prevailed.

I called together a group of citizens and from the group selected a committee, including the Attorney-General of our State, to deal with the question and determine upon a possible means of meeting the needs without the necessity of calling *the General Assembly in special session*.

This committee, after careful study, advised me that our statutes dealing with relief were sufficiently broad to enable us to draw upon the General Fund of our State for sufficient monies to meet one-half of the necessary expenditures, the other half being paid by the Levy Courts of the counties, and that the administration of the relief needed

would fall under the supervision of the Old Age Welfare Commission.

The anticipated amount necessary for this fiscal year is \$180,000. I understand that the sum of \$400,000 is considered a conservative figure for the next biennium, or \$200,000 for each fiscal year beginning July 1, 1939, and July 1, 1940.

I do not consider relief a General Fund item, and urgently request that you enact legislation whereby at least \$200,000 will be made available for each fiscal year of the next biennium to meet the necessary needs of our people.

BUDGET DIRECTORS

Under our present system, we have a statute creating the Board of Budget Directors, consisting of three in number, and appointed by and at the pleasure of the Governor. The duties of that board are to grant hearings to the different departments of the State relative to the sums of money necessary for their operation and maintenance for each fiscal year of the next biennium and to recommend to the Governor the sums so requested by each department, and the sums found by the Board to be necessary for the efficient operation and maintenance of each.

I do not consider this system adequate. First, because the Directors do not have an opportunity, considering the time at their disposal, to visit and acquaint themselves with the operation and needs of the departments; Second, not having thoroughly acquainted themselves with the operation and needs of the departments, the Directors are not in a position intelligently and accurately to recommend a program that we can say is efficient and economical.

I find the various departments operated in a reasonably efficient manner, but I am strongly of the opinion that they can be operated and maintained at a much less cost to the taxpayer.

I recommend the creation of a Board of Budget Directors, not more than three in number, one of whom must have auditing experience, to serve on a year around basis. Such Directors should be appropriately compensated for the work done and should have powers substantially similar to those of the Bank Commissioner. Their term of office should be at the pleasure of the Governor.

This type of legislation could not be considered other than constructive, and I am decidedly of the opinion that the amounts saved under such a system would many times compensate the costs of administration.

CONSTITUTIONAL AMENDMENT

I call to your attention that the 106th General Assembly passed an act amending our Constitution, relative to the Judiciary, and to become effective it must be favorably acted upon by you this session.

I also direct your attention to the vast amount of work in the Court of Chancery, and suggest the creation of the office of Vice-Chancellor either by statutory enactment or by constitutional amendment.

At present the terms of office of the State Treasurer and of the Auditor of Accounts are for two years. I recommend that you enact the necessary legislation to extend their terms of office to four years, but that the election for each office be held in alternate elections so that one of our two fiscal offices will always have experienced personnel.

AGRICULTURE

The Department of Agriculture has expanded considerably during the last fifteen years. In addition to its services to the truckers and farmers of our State, two of our most important industries, the dairy and chicken businesses, are under its supervision.

The Dairy Industry, although falling under the head of Agriculture, is controlled to some extent by the Board of Health, through its Department of Sanitation. This department, working with the thought of eliminating unsanitary conditions in the production of milk, has helped to curb disease and at the same time increased the general value of the milk produced. The Agriculture Department has also done splendid work in curbing disease among cattle.

The Chicken Industry has grown immensely during the last few years, until now it is one of the main industries in Sussex County and the progress has reached a point sufficient to give to that section of our State a national standing in the industry. I have been told that 17,000,000 broilers passed over the scales at the Georgetown State Police station during the last eleven months. This will give you some idea as to the extent and growth of this industry without citing the number of broilers weighed at the Bridgeville and Dover stations.

There is an urgent request made from that section to provide it with a laboratory and chemist to be located in the heart of the industry for its protection. A conservative figure, I understand, for the cost of the construction of the laboratory and services of the chemist would be approximately \$15,000.

I concur in this request and urge you to act favorably on legislation causing its accomplishment, as I feel that this industry must be protected.

PERMANENT IMPROVEMENT

There will no doubt be a demand made upon you for additional buildings by various departments, and in this connection I urge you to scrutinize their requests most thoroughly and, before taking action thereon, not only weigh the cost of construction, but the cost of operation and main-

tenance as well, ever bearing in mind how difficult it is at present to balance our accounts.

WORLD'S FAIR

Certain civic groups in Delaware have adopted resolutions relative to Delaware being represented at the New York World's Fair. During the last session of the Legislature, the question of participation in the World's Fair was debated and it was decided that Delaware would not participate. However, there are those who feel that Delaware, being the First State of the Union, should be represented and I concur with them. I recommend that an appropriation be made to provide for the suitable representation of the First State at the World's Fair of 1939.

ELECTION LAWS

Just a word about our General Election Laws. I recommend for your consideration the study of a revision of the General Election Laws of the State, and suggest that the approach to the same be with a view to effecting economies, particularly with respect to the number of ballots required to be printed and the method of the registration and voting of citizens of our State.

In this connection, I direct your attention to the election laws now in operation in our sister state of Maryland, as a model which we might well adopt in order that the right of franchise of our citizens may be protected.

PUBLIC ARCHIVES

The History of Delaware is one of which we justly are proud, but the historical documents of our State are unfortunately not as available as they should be. Believing that study, knowledge and appreciation of our past are necessary as a guide to our future, I feel that we no longer can neglect the historic treasures of our State. Now that an

appropriate public building has been completed and is available for storing our historical documents, I recommend for your consideration that an appropriation be made for the use of the Public Archives Commission of the State, in compiling, publishing and keeping abstracts of early wills, probate letters, journals of the Assembly and other historical documents. Only in this way can our future generations be assured of an available comprehensive link with Delaware's glorious past.

CONCLUSION

I said in my Inaugural Address two years ago that there must be a balancing of public expenditures against public revenues. I then pointed out that we owe a duty to future generations of our State, not to leave them the heritage of a heavy burden of debt and a governmental structure impaired by poverty and inadequate to carry out the reasonable public services which our advancing civilization requires.

After two years in office, I still hold to this principle and I again insist that in considering the requests for increased and new public services, you have foremost in your minds the balancing of the out-go with the income. If new appropriations are made by you, correspondingly higher taxes must follow. Nothing is free and the costs of satisfying such demands must always be included in the tax bill. No public service can be rendered without paying for it and we are the ones to meet the bill, and not our children and our children's children. No appropriation should be made without providing its corresponding source of revenue.

I am sure that a constructive spirit animates your desires as well as mine, regarding our work during this session, and with such a spirit, I anticipate a most pleasant relationship with you. I am sure the degree of loyalty and regard that we

possess for the welfare of our State, and its people, is mutual. Therefore, I extend to you my best wishes in your deliberations.

Respectfully submitted,

(Signed) RICHARD CANN McMULLEN

Governor.

Mr. Heal: I move that the Secretary of the Senate and the Chief Clerk of the House compare their respective Journals.

Motion prevailed.

Mr. Heal: I move the two Houses now separate to reconvene in their respective Chambers.

Motion prevailed.

The Speaker declared that the House recess until 1 : 50 o'clock, P. M.

Motion prevailed.

Same Day, 1 : 50 o'clock, P. M.

House met at expiration of recess.

On motion for leave, Mr. Benson introduced House Resolution No. 5, entitled:

Authorizing Speaker to procure from State Librarian all necessary books, etc.

Which was taken up for consideration and read in order to pass the House.

On the question, "Shall the Resolution pass the House?"

The Yeas and Nays were ordered, which being taken, were as follows:

YEAS—Messrs. Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

So the question was decided in the affirmative, and the resolution having received the required constitutional majority, passed the House.

On motion for leave, Mr. Benson introduced House Resolution No. 6, entitled:

Relative to extending priveleges of the floor to ex-members, etc.

Which was taken up for consideration and read in order to pass the House.

On the question "Shall the Resolution Pass the House"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs. Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

So the question was decided in the affirmative, and the resolution having received the required constitutional majority, passed the House.

On motion for leave, Mr. Benson introduced House Resolution No. 7, entitled:

Relative to authorizing supplies for members of the House of Representatives of the 107th General Assembly.

Which was taken up for consideration and read in order to pass the House.

On the question, "Shall the Resolution pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs. Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

So the question was decided in the affirmative, and the resolution having received the required constitutional majority, passed the House.

Mr. Brown moved that the House adjourn until Thursday, 12 o'clock, Noon, January 5, 1939.

Motion prevailed.

THIRD LEGISLATIVE DAY

Dover, Delaware, Thursday, January 5, 1939, 12 o'clock, Noon

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll called.

Members present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

Clerk proceeded to read the Journal of the Previous Session, when Mr. Benson moved so much be considered the reading of the Journal and the Journal be approved.

Motion prevailed.

The Chair presented Board of Parole Reports which were read.

Mr. Benson moved that the report be made a part of the Journal.

House of Representatives

Wilmington, Delaware, June 30th, 1937

The President and Members
of the Board of Parole:

Gentlemen:

I submit for your consideration the Fourteenth Annual Report of the operations of your Board.

Included in this report are the total results of the operation of the parole system of the whole State of Delaware for the year ending June 30th, 1937.

During the year there were eleven meetings of the Board held in New Castle County, and four meetings held in each of the Counties of Kent and Sussex, in the months of September, December, March and June. In accordance with the rules of the Board, the meetings in New Castle County were held on the first Friday of each month, September, 1936, excepted.

The powers given your Board by the laws of the State, and rules of your Board, are sufficient to deal with parole violations. This power has been invoked on eight occasions during the year. Your Board, as

has been stated in former annual reports, has to do with the lower element of society, and to bring those on parole to understand that while they are at liberty to do what is right they are still prisoners and under the jurisdiction of the Warden of the New Castle County Workhouse, the Warden of the Sussex County Jail and the Sheriff of Kent County.

The problem of employment is approximately the same as last year. Sufficient employment is procurable for all those who prove worthy and are willing to work; especially is this true of the farming sections of the State.

There were 100 applications considered by your Board during the year, 38 of which were granted and 62 refused parole. The color and sex of the applicants were as follows:

White: Male, 55; Female, 1.

Colored: Male, 41; Female, 3.

Of the 38 granted parole during the year, 8 violated parole. On the basis of the actual number paroled, 78.95% must be credited with good records. The total number on parole during the year was 70, eleven less than during the previous year. On the basis of the total number on parole (70) during the year, 88.60% made good records.

Of the eight parole violations, three committed larceny, one committed forgery, two drove off cars without the owner's consent, and two were drunk and disorderly. All were apprehended and returned to jail.

No. 1173 was paroled from the New Castle County Workhouse November 27th, 1936 (2nd parole). He committed larceny, was apprehended and returned to jail (for life) on March 25th, 1937.

No. 1233 was paroled from the Sussex County Jail on January 2nd, 1936. He violated parole on September 5th, 1936, by driving off a car without the consent of the owner. He was returned to jail September 5th, 1936.

No. 1286 was paroled from the Sussex County Jail on July 6th, 1936, and violated parole on September 4th, 1936, by leaving his place of employment without notifying the Parole Officer and by being intoxicated. He was returned to jail September 4th, 1936.

No. 1290 was paroled from the Kent County Jail on July 5th, 1936. He violated parole on July 28th, 1936, by committing larceny. He was apprehended and returned to jail on that date.

No. 1310 was paroled from the Sussex County Jail on October 4th, 1936. He violated parole on December 26th, 1936, by committing forgery. He was arrested and returned to the Sussex County Jail on that date.

No. 1338 was paroled from the Sussex County Jail on January 6th, 1937. He violated parole on June 2nd, 1937, by breaking into a filling station in Dover and stealing a safe. He was arrested in Havre De Grace,

Maryland, on June 18th, 1937, and returned to the jail in Kent County. He pleaded guilty to this charge and was sentenced by the Court to be imprisoned for the term of 3 years, sentence to begin at the expiration of his original sentence.

No. 1354 was paroled from the New Castle County Workhouse March 23rd, 1937. He violated parole June 4th, 1937, by driving off a car without the owner's consent. He was arrested and returned to jail on June 4th, 1937.

No. 1361 was paroled from the Sussex County Jail on March 24th, 1937. He violated parole May 24th, 1937, by being drunk and disorderly. He was arrested and returned to the Sussex County Jail on that date.

Every paroled prisoner who violated his parole during the year was apprehended and punished for that offense.

The violations by Counties were as follows:

New Castle	2
Kent	1
Sussex	5
	<hr/>
Total	8

It may be well for the public to know that during the life of the Parole Board (14 years) the Board has considered Thirteen Hundred and Eighty-nine cases—approximately 100 cases a year—of which 847 of the applicants have been refused parole and 543 have been granted. Of the number granted parole, 57 have violated the conditions of parole in various ways as follows:

16 have failed to report as required by the rules of the Board.

26 by acting in a disorderly manner.

10 committed larceny.

1 committed assault and battery.

1 committed arson.

2 drove off cars without the owner's consent.

1 committed forgery.

Of the total number paroled during the existence of the Board it will be observed that 89.5% faithfully kept their parole. Compared with the success as reported from other states this percentage of good conduct is very high, in fact, it leads all other states.

It will be observed that, as heretofore, the names of all paroled persons have been withheld from this report and numbers substituted therefor. This is done because this report must become public and a paroled person should be protected from the comments of the curious. This would not be possible if names were used instead of numbers.

The Appropriations and Expenditures of the Board for the year were as follows:

	<i>Budget</i>	<i>Expenditures</i>	<i>Balance</i>
Salary of Board Members.....	360.00	360.00	
Salary of Parole Officer.....	2,400.00	2,400.00	
Clerk	85.00	85.00	
Office Expenses	35.00	34.87	.13
Travel Expenses	450.00	444.80	5.20
	<u>\$3,330.00</u>	<u>\$3,324.67</u>	<u>\$5.33</u>

In addition to the most important objective of parole, the rehabilitation of the prisoner, the Board calls attention to the amount saved to the Counties through the operation of the parole system.

The total savings to the Counties for the fiscal year ending June 30th, 1937, was \$12,862.00, while the total cost of operating the system was \$3,324.67. It will be observed that for each dollar spent in the operation of parole in Delaware, there was saved to its citizens \$3.86. From a pecuniary standpoint, therefore, the parole system of Delaware is many times more than self-sustaining.

The following schedule shows the number of prisoners on parole, the date of the expiration of parole, the number of days on parole during the year ending June 30th, 1937, and the total amount saved to the Counties by parole:

<i>Prisoner's Number</i>	<i>Date of Parole</i>	<i>Parole Expires</i>	<i>Parole Days</i>	<i>Per Diem Saved to Counties</i>	<i>Total Saved to Counties by Parole</i>
1	7/25/23	Life	365	1.00	365.00
16	8/15/23	Life	365	1.00	365.00
18	1/16/27	Life	365	1.00	365.00
51	1/ 8/24	Pardoned 3/ 4/37	247	1.00	247.00
980	11/ 4/32	Life	365	1.00	365.00
990	2/ 3/32	Life	365	1.00	365.00
1021	7/18/33	3/26/37	269	1.00	269.00
1055	2/ 5/34	Life	365	1.00	365.00
1057	2/ 3/34	Life	365	1.00	365.00
1091	7/15/34	7/14/37	365	1.00	365.00
1173*	11/27/36	Life	87	1.00	87.00
1174	6/16/35	12/14/36	167	1.00	167.00
1185	8/ 6/35	12/28/36	181	1.00	181.00

* Violated parole.

<i>Prisoner's Number</i>	<i>Date of Parole</i>	<i>Parole Expires</i>	<i>Parole Days</i>	<i>Per Diem Saved to Counties</i>	<i>Total Saved to Counties by Parole</i>
1186	7/ 3/36	Life	362	1.00	362.00
1208	12/ 8/35	8/11/40	365	1.00	365.00
1209	10/13/35	12/ 4/36	157	1.00	157.00
1210	10/13/35	12/ 4/36	157	1.00	157.00
1216	10/14/35	11/16/36	139	1.00	139.00
1229	12/ 6/35	11/11/38	365	1.00	365.00
1233*	1/ 2/36	10/23/36	67	1.00	67.00
1239	1/30/36	1/23/37	207	1.00	207.00
1240	1/10/36	9/24/36	86	1.00	86.00
1246	2/21/36	11/13/39	365	1.00	365.00
1247	2/ 7/36	10/18/37	365	1.00	365.00
1249	2/20/36	10/14/36	106	1.00	106.00
1254	3/10/36	10/17/36	109	1.00	109.00
1256	3/12/36	7/14/36	14	1.00	14.00
1262	4/ 3/36	8/ 4/36	35	1.00	35.00
1268	4/10/36	1/28/37	212	1.00	212.00
1270	4/30/36	9/ 1/36	63	1.00	63.00
1278	5/10/36	9/11/36	73	1.00	73.00
1283	7/ 3/36	11/ 3/36	123	1.00	123.00
1285	11/ 4/36	12/ 7/36	33	1.00	33.00
1286*	7/ 6/36	2/ 8/37	60	1.00	60.00
1287	7/24/36	11/24/36	123	1.00	123.00
1288	7/11/36	7/ 5/37	354	1.00	354.00
1290*	7/ 5/36	12/24/36	23	1.00	23.00
1291	7/14/36	5/ 6/37	296	1.00	296.00
1292	7/14/36	5/ 6/37	296	1.00	296.00
1299	7/29/36	11/29/36	123	1.00	123.00
1301	7/13/36	11/13/36	123	1.00	123.00
1309	10/ 4/36	5/12/37	220	1.00	220.00

* Violated parole.

<i>Prisoner's Number</i>	<i>Date of Parole</i>	<i>Parole Expires</i>	<i>Parole Days</i>	<i>Per Diem Saved to Counties</i>	<i>Total Saved to Counties by Parole</i>
1310*	10/ 4/36	5/12/37	83	1.00	83.00
1311	10/ 9/36	5/17/37	220	1.00	220.00
1312	11/ 4/36	3/ 3/37	119	1.00	119.00
1313	9/25/36	2/ 7/37	135	1.00	135.00
1316	10/14/36	7/ 5/40	259	1.00	259.00
1317	10/10/36	10/ 2/37	263	1.00	263.00
1320	10/24/36	3/ 7/37	134	1.00	134.00
1323	11/ 7/36	7/10/37	235	1.00	235.00
1327	11/ 8/36	12/12/40	234	1.00	234.00
1328	3/ 1/37	6/13/40	122	1.00	122.00
1332	12/ 6/36	6/19/37	195	1.00	195.00
1333	12/ 7/36	5/17/37	161	1.00	161.00
1336	12/ 7/36	4/ 3/37	117	1.00	117.00
1337	2/ 2/37	7/31/38	148	1.00	148.00
1338*	1/ 6/37	9/ 4/38	161	1.00	161.00
1339	1/ 6/37	9/ 4/38	175	1.00	175.00
1342	11/ 7/36	3/13/37	126	1.00	126.00
1342½	1/12/37	12/ 4/37	169	1.00	169.00
1343	1/12/37	7/30/37	169	1.00	169.00
1346	2/ 5/37	12/ 4/37	145	1.00	145.00
1348	2/ 5/37	5/31/39	145	1.00	145.00
1354*	3/23/37	10/29/39	73	1.00	73.00
1361*	3/24/37	6/28/37	61	1.00	61.00
1356	3/25/37	10/23/37	97	1.00	97.00
1364	4/14/37	4/ 2/38	77	1.00	77.00
1367	4/ 4/37	8/14/37	87	1.00	87.00
1369	5/ 7/37	12/ 1/40	54	1.00	54.00
1389	6/24/37	1/16/38	6	1.00	6.00
Totals			12,862		\$12,862.00

* Violated parole.

In conclusion it may not be amiss to quote here what others who have studied the Delaware system of parole, and examined its records, have said about it.

A Survey made by the Prison Industries Administration, a Federal Agency, has this to say:

"The Delaware parole machinery presents an example of what can be accomplished by means of a unified State policy; it may well serve as a model for the organization of a state penal system.

"The Parole Officer is intelligent and conscientious; he has served for 13 years and his work is commended by the social agencies and by the Prisoners' Aid Society. He has only occasional clerical assistance but types his reports of investigations rather fully.

"We urge that clerical assistance should be provided for the Parole Officer, so that he may give all his time to the important work of making visitations and supervising parolees."

Mr. T. J. Whelan, Assistant Regional Field Supervisor, working out of the office of the U. S. Attorney General, in a letter directed to the Board of Parole of this State, under date of December 14, 1936, said:

"As our work in the Parole Office proper is nearing completion, I, as a representative of the Attorney General's Survey, want to express my appreciation and thanks for your consideration in granting our department permission to conduct a survey of the release procedures followed in this State, between January 1st, 1928 and January 1st, 1936.

"I am particularly grateful to Mr. J. Robertson, for his courtesy and general tolerance in sharing his office with our men; also for his consideration in referring me to other departments he thought might have information pertinent to this work which he might not have.

"After checking records in other offices, I find that the Secretary of the Parole Board of the State of Delaware has, in his office, a composite of data gathered from existing records in other departments, making his records the most complete of any in this State.

"Sincerely,

J. T. WHELAN,

Assistant Regional Field Supervisor."

Respectfully submitted

JAMES W. ROBERTSON,

Secretary and Parole Officer.

Approved:

HALDEMAN C. STOUT

NEWLIN T. BOOTH

HOWARD F. CALLAWAY

Members of Board of Parole.

House of Representatives

Wilmington, Delaware,

June 30th, 1938.

The President and Members
of the Board of Parole:

Gentlemen:

I submit for your consideration the Fifteenth Annual Report of the operations of your Board.

Included in this report are the total results of the operation of the parole system of the State of Delaware for the year ending June 30th, 1938.

During the year there were eleven (11) meetings of the Board held in New Castle County, four meetings held in Kent County and three meetings held in Sussex County. According to the rules of the Board, the meetings are held on the first Friday of each month in New Castle County, and on the fourth Wednesday of the months of March, June, September and December in Kent and Sussex Counties. This general rule may be varied from time to time as your Board may direct.

The powers vested in your Board by the laws of the State are sufficient to deal with parole violations. This power has been invoked on six occasions during the year. Your Board has to do with the criminal element of society and its objective is to restore that element to useful and honorable citizenship, if possible, by a system of supervision which while liberal gives the parolee to understand that although he is at liberty to do what is right he is still a prisoner under the jurisdiction of the heads of the various penal institutions of the State.

The matter of employment, while always a problem, has been particularly acute during the past year, especially in the industrial sections of the State, the agricultural portions of the State affording the better chances for employment.

There were 116 applications for parole considered by your Board during the year, 37 of which were granted, 73 refused and 6 withdrawn. The color and sex of the applicants were as follows:

White: Male, 57; Female, 4.

Colored: Male, 55; Female, 0.

There were six (6) parole violations during the year. On the basis of the total number on parole during the year, 89.65% must be credited with good records.

Of the six violations of parole during the year,

1 was guilty of Disorderly Conduct.

1 was guilty of Assault and Battery.

1 was guilty of failing to report, and leaving the State of Delaware without permission of the Board.

3 were guilty of Breaking and Entering.

No. 1369 committed Assault and Battery.

No. 1378 acted in a Disorderly manner.

No. 1389 left the State without permission.

No. 1446 is charged with Breaking and Entering.

No. 1447 plead guilty to Breaking and Entering.

No. 1425 plead guilty to Breaking and Entering.

The three latter are now in jail in the State of New Jersey and detainers have been lodged against them for parole violation by the Secretary of your Board.

The violations of parole by Counties were as follows:

New Castle County.....	5
Kent County	1
Sussex County	0
Total.....	<u>6</u>

During the existence of the parole system in Delaware (15 years) there have been sixty-three (63) parole violations, as follows, to wit:—

17 have failed to report as required by law.....	2.93%
27 by acting in a disorderly manner.....	4.67%
2 by committing Assault and Battery.....	.34%
13 by Larceny and Breaking and Entering.....	2.24%
1 by committing Arson17%
2 by Driving off Automobile without Owner's consent34%
1 by committing Forgery17%
Total, 63	<u>10.86%</u>

During the life of the Parole Board (15 years), the Board has considered 1505 cases—approximately 100 cases per year—of which 580 have been granted and 920 refused parole. The difference is made up of those who have withdrawn their application.

Of the total number paroled during the existence of the Board, 89.14% have obeyed the laws of the State and the rules of the Board. This by comparison of what may be gleaned from other states' reports is very high.

In making this report names of parolees have been withheld and numbers substituted therefor. This is done for the reason that this report must become public and a paroled person should be protected from the comments of the curious. This would not be possible if the names of those on parole were given.

The Appropriations and Expenditures of the Board for the year were as follows:

	<i>Budget</i>	<i>Expenditures</i>	<i>Balance</i>
Salary of Board Members.....	360.00	440.00	80.00*
Salary of Parole Officer.....	2,400.00	2,400.00	0.00
Clerk	85.00	75.00	10.00
Office Expenses	35.00	31.71	3.29
Travel Expenses	700.00	555.70	144.30
Equipment	200.00	117.83	82.17

* Overdraft, taken care of by State Auditor in a transfer from the travel account appropriation.

Total Appropriations for the year . . \$3,780.00

Total Expenditures for the year . . . 3,620.24

Balance \$159.76

In addition to the principal objective of parole, the rehabilitation of the parolee, attention is called to the amount saved the Counties of the State through the operation of the parole system.

The total costs of operating the parole system for the State during the year was \$3,620.24. The total amount saved to the Counties for the same period was \$10,894.00.

In the following table will be found the number of prisoners on parole during the year, the date of commencement and expiration of parole, the number of days on parole during the year and the total amount saved to the Counties of the State by parole:

<i>Prisoner's Number</i>	<i>Date of Parole</i>	<i>Parole Expires</i>	<i>Parole Days</i>	<i>Per Diem Total Saved Saved to Counties by Parole</i>	<i>to Counties</i>
1	7/25/23	Life	365	1.00	365.00
16	8/15/23	Life	365	1.00	365.00
18	1/16/27	Life	365	1.00	365.00
980	11/ 4/32	Life	365	1.00	365.00
990	2/ 3/32	Life	365	1.00	365.00

<i>Prisoner's Number</i>	<i>Date of Parole</i>	<i>Parole Expires</i>	<i>Parole Days</i>	<i>Per Diem Saved to Counties</i>	<i>Total Saved to Counties by Parole</i>
1055	2/ 5/34	Life	365	1.00	365.00
1057	2/ 3/34	Life	365	1.00	365.00
1091	7/15/34	7/14/37	14	1.00	14.00
1186	7/ 3/36	Life	365	1.00	365.00
1208	12/ 8/35	8/11/40	365	1.00	365.00
1229	12/ 6/35	2/11/38	226	1.00	226.00
1246	2/21/36	11/13/39	365	1.00	365.00
1247	2/ 7/36	10/18/37	110	1.00	110.00
1288	7/11/36	7/ 5/37	5	1.00	5.00
1316	10/14/36	7/ 5/40	365	1.00	365.00
1317	10/10/36	10/ 2/37	94	1.00	94.00
1323	11/ 7/36	7/10/37	10	1.00	10.00
1327	11/ 8/36	12/12/40	365	1.00	365.00
1328	3/ 1/37	6/13/40	365	1.00	365.00
1337	2/ 2/37	7/31/38	365	1.00	365.00
1339	1/ 6/37	9/ 4/38	365	1.00	365.00
1342	1/12/37	12/ 4/37	157	1.00	157.00
1343	1/12/37	7/30/37	30	1.00	30.00
1346	2/ 5/37	12/ 4/37	157	1.00	157.00
1356	3/25/37	10/23/37	115	1.00	115.00
1364	4/14/37	4/ 2/38	276	1.00	276.00
1367	4/ 4/37	8/14/37	45	1.00	45.00
1369*	5/ 7/37	12/ 1/40	153	1.00	153.00
1378*	8/ 6/37	1/25/38	66	1.00	66.00
1385	7/ 9/37	11/ 9/37	123	1.00	123.00
1386	7/ 9/37	11/ 9/37	123	1.00	123.00
1389*	6/24/37	1/16/38	200	1.00	200.00
1390	7/ 2/37	10/ 8/39	363	1.00	363.00
1402	9/20/37	9/12/38	283	1.00	283.00

* Violated parole.

<i>Prisoner's Number</i>	<i>Date of Parole</i>	<i>Parole Expires</i>	<i>Parole Days</i>	<i>Per Diem Saved to Counties</i>	<i>Total Saved to Counties by Parole</i>
1406	1/ 5/38	4/28/39	176	1.00	176.00
1411	10/ 9/37	3/28/38	170	1.00	170.00
1413	9/22/37	12/15/37	85	1.00	85.00
1414	9/22/37	1/26/38	126	1.00	126.00
1419	11/26/37	3/24/39	216	1.00	216.00
1420	11/22/37	4/20/39	220	1.00	220.00
1421	11/26/37	5/15/38	170	1.00	170.00
1425*	3/11/38	12/ 1/40	69	1.00	69.00
1436	2/ 3/38	9/11/38	147	1.00	147.00
1438	3/24/38	1/ 8/39	98	1.00	98.00
1440	1/ 4/38	1/ 8/39	177	1.00	177.00
1441	1/ 8/38	11/25/39	173	1.00	173.00
1442	1/ 8/38	11/25/38	173	1.00	173.00
1443	1/23/38	1/16/39	158	1.00	158.00
1446*	3/17/38	7/24/40	55	1.00	55.00
1447*	3/17/38	7/24/40	55	1.00	55.00
1449	3/14/38	3/17/40	108	1.00	108.00
1464	4/ 4/38	5/27/39	87	1.00	87.00
1466	3/24/38	9/ 9/38	98	1.00	98.00
1468	3/24/38	3/ 3/39	99	1.00	99.00
1469	4/14/38	8/15/38	77	1.00	77.00
1470	4/ 2/38	9/23/39	89	1.00	89.00
1479	5/25/38	2/ 8/39	36	1.00	36.00
1486	6/23/38	4/24/39	7	1.00	7.00
Totals			10,894		\$10,894.00

* Violated parole.

Respectfully submitted,

JAMES W. ROBERTSON,

Secretary and Parole Officer.

Approved:

NEWLIN T. BOOTH,

HOWARD F. CALLAWAY,

J. GORDON McMILLAN,

Members of Board of Parole.

Motion prevailed.

The Chair declared a recess until 1:15 o'clock P. M.

Same Day, 1:15 o'clock, P. M.

House met at expiration of recess.

Mr. McGuigan acted as Speaker.

Mr. Pierce, Secretary of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in the following:

Senate Concurrent Resolution No. 4.

On the death of Senator Daniel E. Kelly.

And presented the same to the House.

The Chair presented Senate Concurrent Resolution No. 4, entitled:
Relative to the death of Senator Daniel E. Kelly.

On motion of Mr. Benson, Senate Concurrent Resolution No. 4, entitled:

SENATE CONCURRENT RESOLUTION NO. 4

Expressing the sorrow of the General Assembly of the State of Delaware of the death of the Honorable Daniel E. Kelly, a member of the Senate.

WHEREAS, the members of the General Assembly learn with profound sorrow of the untimely death of the Honorable Daniel E. Kelly, a member of the Senate of the General Assembly from the Second Senatorial District of New Castle County and who previously had served with distinction in the House of Representatives; and

WHEREAS, in the death of the Honorable Daniel E. Kelly the General Assembly has sustained the loss of an honored and respected member and the State of Delaware is deprived of the faithful services of a useful and valuable citizen; and

WHEREAS, it is fitting and proper that the General Assembly, at its first opportunity, give public expression to and note the loss of its brother member and extend its heartfelt sympathy to the family of the late Senator Kelly in their bereavement;

NOW THEREFORE BE IT RESOLVED, by the Senate, the House of Representatives concurring therein, that the General Assembly humbly for itself, the members thereof, and in behalf of the citizens of the State of Delaware, does hereby note its loss in the untimely death of Senator Kelly and emphasizes their full and sincere appreciation of his services to the General Assembly and to the State of Delaware, and extends to his family the sincere sympathy of the respective members of the General Assembly; and

That a copy of this Resolution be spread upon the Journals of each House, a copy delivered to the Press, and a copy sent to Mrs. Kelly.

Was taken up for consideration and read a third time, by paragraphs, in order to pass the House.

On the question, "Shall the Resolution pass the House?"

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

YEAS—Messrs. Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

So the question was decided in the affirmative and the resolution having received the required constitutional majority, passed the House.

And was ordered returned to the Senate.

On motion for leave, Mr. Benson introduced House Resolution No. 8, entitled:

Relating to the Securing of Postage Stamps by the State Librarian.

Which was taken up for consideration and read in order to pass the House.

On the question, "Shall the Resolution pass the House?"

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

YEAS—Messrs. Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

So the question was decided in the affirmative and the resolution having received the required constitutional majority, passed the House.

On motion of Mr. Benson, House Concurrent Resolution No. 1, entitled:

Relating to adjournment.

Was taken up for consideration and read a third time, by paragraphs, in order to pass the House.

On the question, "Shall the Resolution pass the House?"

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

YEAS—Messrs. Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

So the question was decided in the affirmative and the resolution having received the required constitutional majority, passed the House.

And was ordered to the Senate for concurrence.

The Chair declared House recess until 2:45 o'clock, P. M.

Motion prevailed.

Same Day, 3:15 o'clock, P. M.

House met at expiration of recess.

Mr. Pierce, Secretary of the Senate, being admitted, informed the House that the Senate had concurred in the following:

House Concurrent Resolution No. 1.

Relating to adjournment.

And returned the same to the House.

Mr. Brown moved that the House adjourn until 12 o'clock, noon, Thursday, January 12, 1939.

Motion prevailed.

FOURTH LEGISLATIVE DAY

Dover, Delaware, January 12, 1939, 12 o'clock, noon.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll called.

Members Present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

Clerk proceeded to read the Journal of the Previous Session when Mr. Benson moved so much be considered the reading of the Journal and the Journal be approved.

Motion prevailed.

The Chair declared the House recess until 1:15 o'clock, P. M.

Same Day, 1:15 o'clock, P. M.

House met at expiration of recess.

On motion of Mr. Zebley, House Concurrent Resolution No. 2, entitled:

Relating to the Tragedy at St. Georges.

Was taken up for consideration and read a third time, by paragraphs, in order to pass the House.

On the question, "Shall the Resolution pass the House?"

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

YEAS—Messrs. Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Thawley, Woodward, Mr. Speaker—33.

So the question was decided in the affirmative and the resolution having received the required constitutional majority, passed the House.

And was ordered to the Senate for concurrence.

On motion for leave, Mr. Benson introduced House Resolution No. 9, entitled:

Relative to appointing a Stenographer for the House.

Which was taken up for consideration and read in order to pass the House.

On the question, "Shall the Resolution pass the House?"

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

YEAS—Messrs. Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Thawley, Woodward, Mr. Speaker—31.

So the question was decided in the affirmative and the resolution having received the required constitutional majority, passed the House.

State of Delaware, }
Kent County } ss.

I, Margaret D. Tomlinson, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Stenographer in the General Assembly of the State of Delaware according to the best of my ability.

MARGARET D. TOMLINSON

Sworn to and subscribed before me this 12th day of January, A. D. 1939.

FRANK R. ZEBLEY

The Chair presented former Speaker Pasky.

The Chair declared a recess for twenty minutes.

House called to order.

On motion for leave, Mr. Benson introduced House Resolution No. 10, entitled:

Authorizing the State Treasurer to make partial payments on account to members of the House of Representatives.

Which was taken up for consideration and read in order to pass the House.

On the question, "Shall the Resolution pass the House?"

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

YEAS—Messrs. Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Hartman, Kellum, Leach,

Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—33.

So the question was decided in the affirmative and the resolution having received the required constitutional majority, passed the House.

Mr. Brown moved that the House recess for ten minutes.

Motion prevailed.

House met at expiration of recess.

Mr. Benson moved that the House adjourn until 12 o'clock noon, Friday, January 13th, 1939.

Motion prevailed.

FIFTH LEGISLATIVE DAY

Dover, Delaware, January 13th, 1939, 12 o'clock noon.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members Present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rainbo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

Clerk proceeded to read the Journal of the Previous Session when Mr. Benson moved so much be considered the reading of the Journal and the Journal be approved.

Motion prevailed.

The Chair presented a communication to be read from the Colonial Dames of America in the State of Delaware.

Relative to publishing historic documents and other records of the State of Delaware.

The Chair declared that the House recess until 1:15 o'clock P. M.

Motion prevailed.

Same Day, 1:15 o'clock P. M.

House met at expiration of recess.

On motion for leave, Mr. Benson introduced House Resolution No. 11, entitled:

Authorizing State Librarian to issue Stamps to Document Clerk.

Which was taken up for consideration and read in order to pass the House.

On the question, "Shall the Resolution pass the House."

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

YEAS—Messrs. Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred

Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—32.

So the question was decided in the affirmative and the resolution having received the required constitutional majority, passed the House.

On motion for leave, Mr. Benson introduced House Resolution No. 12, entitled:

Authorizing the Committee on Printing to have done such printing as may be necessary.

Which was taken up for consideration and read in order to pass the House.

On the question, "Shall the Resolution pass the House?"

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

YEAS—Messrs. Bailey, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—33.

So the question was decided in the affirmative and the resolution having received the required constitutional majority, passed the House.

The Chair declared a recess until 1:45 o'clock.

Called to order.

Mr. Pierce, Secretary of the Senate, being admitted, informed the House that the Senate had concurred in the following:

House Concurrent Resolution No. 2.

Relating to the Tragedy at St. Georges.

And returned the same to the House.

Mr. Benson moved that the House adjourn until 12 o'clock noon, Monday, January 16th, 1939.

Motion prevailed.

SIXTH LEGISLATIVE DAY

Dover, Delaware, January 16th, 1939, 12 o'clock noon.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members Present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Stein, Thawley, Woodward, Mr. Speaker—33.

Clerk proceeded to read the Journal of the Previous Session when Mr. Benson moved so much be considered the reading of the Journal and the Journal be approved.

Motion prevailed.

The Chair declared that the House recess until 1:10 o'clock P. M.

Motion prevailed.

Same Day, 1:10 o'clock P. M.

House met at expiration of recess.

Mr. Benson, on motion for leave, introduced House Bill No. 1, entitled:

An Act Making Appropriation for the Expenses of the State Government for each of the two fiscal years ending June 30, 1940 and June 30, 1941.

Which was given first and second reading. The second by title only, and referred to the Committee on Appropriation.

Mr. Zebley, on motion for leave, introduced House Bill No. 2, entitled:

An Act to Make Valid the Record of Legal Instruments which have not been properly acknowledged.

Which was given first and second reading. The second by title only, and referred to the Committee on Judiciary and Crime.

Mr. Benson, on motion for leave, introduced House Bill No. 3, entitled:

An Act appropriating certain money to the Ferris Industrial School of Delaware for the erection, construction and equipment of a dormitory for colored boys.

Which was given first and second reading. The second by title only, and referred to the Committee on Appropriation.

Mr. Zebley, on motion for leave, introduced House Bill No. 4, entitled:

An Act appropriating certain money to the State Board of Health for the erection, construction and equipment of a new hospitalization building at Edgewood Sanatorium.

Which was given first and second reading. The second by title only, and referred to the Committee on Appropriation.

Mr. Zebley, on motion for leave, introduced House Bill No. 5, entitled:

An Act authorizing the borrowing of money and the creation of a debt by or in behalf of the State of Delaware for the erection, construction, equipment, repairs and improvements of buildings at institutions of the State, and the issuance of bonds therefor.

Which was given first and second reading. The second by title only, and referred to the Committee on Appropriation.

Mr. Zebley, on motion for leave, introduced House Bill No. 6, entitled:

An Act appropriating money to Layton Home for Aged Colored People.

Which was given first and second reading. The second by title only, and referred to the Committee on Appropriation.

Mr. Zebley, on motion for leave, introduced House Bill No. 7, entitled:

An Act to Amend an Act, entitled: "An Act to Provide for the Regulation, Control and Licensing of Horse Racing in the State of Delaware, to Create a Delaware Racing Commission, and to Prescribe its Powers and Duties and Providing for Salaries and Expenses Therefor, and to Provide for the Fees to be Charged and Taxes to be Collected for the Conduct of Horse Racing Within the State of Delaware and the Disposition Thereof," being Chapter 62, Volume 38, Laws of Delaware, as amended.

Which was given first and second reading. The second by title only, and referred to the Committee on Miscellaneous.

Mr. Zebley, on motion for leave, introduced House Bill No. 8, entitled:

An Act to Amend Chapter 165, of the Revised Code of the State of Delaware, 1935, in Reference to the Renewal of Registration of Motor Vehicles.

Which was given first and second reading. The second by title only, and referred to the Committee on Revenue and Taxation.

On motion of Mr. Zebley, House Concurrent Resolution No. 3, entitled:

Relative to the Construction of a Bridge at St. Georges.

Was taken up for consideration and read at third time, by paragraphs, in order to pass the House.

On the question, "Shall the Resolution pass the House?"

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

YEAS—Messrs. Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Stein, Thawley, Woodward, Mr. Speaker—32.

So the question was decided in the affirmative and the resolution having received the required constitutional majority, passed the House.

And was ordered to the Senate for concurrence.

Mr. Buckingham, on motion for leave, introduced House Bill No. 9, entitled:

An Act to Amend Chapter 74 of the Revised Code of Delaware, 1935, relating to Fish, Oysters and Game, by Abolishing the Present Three-Member Board of Game and Fish Commissioners and Establishing a New Board of Game and Fish Commissioners to be Composed of Seven Members, of whom at Least Three Shall be Farmers.

Which was given first and second reading. The second by title only, and referred to the Committee on Fish, Oysters and Game.

Mr. Rhodes, on motion for leave, introduced House Bill No. 10, entitled:

An Act to Amend Chapter 28 of the Revised Code of the State of Delaware, 1935, as Amended by Chapter 87, Volume 41, of Laws of the State of Delaware in Relation to the Qualifications of Applicants for Licenses as Pharmacists.

Which was given first and second reading. The second by title only, and referred to the Committee on Public Health.

Mr. Pinder, on motion for leave, introduced House Bill No. 11, entitled:

An Act Authorizing the Levy Court of New Castle County to Make Appropriations to the Good Will Fire Company of New Castle, Delaware, to Assist in the Maintenance of an Ambulance.

Which was given first and second reading. The second by title only, and referred to the Committee on Appropriation.

Mr. Benson moved that the House recess for ten minutes.

Motion prevailed.

House called to order.

Mr. Benson, on motion for leave, introduced House Bill No. 12, entitled:

An Act Appropriating Certain Money to Palmer Home, Incorporated.

Which was given first and second reading. The second by title only, and referred to the Committee on Appropriation.

Mr. Benson, on motion for leave, introduced House Bill No. 13, entitled:

An Act Appropriating Moneys to Certain Hospitals in the State of Delaware.

Which was given first and second reading. The second by title only, and referred to the Committee on Appropriation.

Mr. Benson, on motion for leave, introduced House Bill No. 14, entitled:

An Act to Amend Chapter 41 of Volume 40, Laws of Delaware, being 212. Section 178 of Chapter 6 of the Revised Code of Delaware, 1935, in Reference to Taxation and Distribution of Gasoline by Decreasing the Rate of Tax per Gallon on all Motor Fuel as Defined in Said Chapter.

Which was given first and second reading. The second by title only, and referred to the Committee on Revenue and Taxation.

Mr. Benson moved that the House adjourn until 12 o'clock noon, Tuesday, January 17th, 1939.

Motion prevailed.

SEVENTH LEGISLATIVE DAY

Dover, Delaware, January 17th, 1939, 12 o'clock, noon.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll called.

Members Present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

Clerk proceeded to read the Journal of the Previous Session when Mr. Benson moved so much be considered the reading of the Journal and the Journal be approved.

Motion prevailed.

The Chair presented a petition protesting the directing of traffic on the du Pont Highway to be read.

Referred to Committee on Public Highway.

The Chair declared that the House recess until 1:15 o'clock, P. M.

Motion prevailed.

Same Day, 1:15 o'clock, P. M.

House met at expiration of recess.

Mr. Benson moved that the House recess until 1:45 o'clock P. M.

Motion prevailed.

Same Day, 2:05 o'clock, P. M.

House met at expiration of recess.

Mr. Brown, on motion for leave, introduced House Bill No. 15, entitled:

An act appropriating money to certain fire companies in the State of Delaware.

Which was given first and second reading. The second by title only, and referred to the Committee on Appropriation.

On motion for leave, Mr. Brown introduced House Resolution No. 13, entitled:

Authorizing Payments on Account to Attaches and Employees of the House of Representatives.

Which was taken up for consideration and read in order to pass the House.

On the question, "Shall the Resolution pass the House?"

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

YEAS—Messrs. Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—33.

So the question was decided in the affirmative and the resolution having received the required constitutional majority, passed the House.

Mr. Stein, on motion for leave, introduced House Bill No. 16, entitled:

An Act to Amend Chapter 133 of the Revised Code of Delaware, 1935, by Providing for Exemption from Execution on Household Goods in Sussex County.

Which was given first and second reading. The second by title only, and referred to the Committee on Revised Statutes.

Mr. Benson moved that the House adjourn until 12 o'clock noon, Wednesday, January 18th, 1939.

Motion prevailed.

EIGHTH LEGISLATIVE DAY

Dover, Delaware, January 18th, 1939, 12 o'clock, noon.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll called.

Members Present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

Clerk proceeded to read the Journal of the Previous Session when Mr. Benson moved so much be considered the reading of the Journal and the Journal be approved.

Motion prevailed.

The Chair presented copies of resolutions to be read and made a part of the Journal.

RESOLUTIONS ADOPTED AT EASTERN STATES CONSERVATION CONFERENCE

New York City, November 19, 1938

1. RESOLVED that this conference endorses in principle the methods of procedure outlined in the Plan of Action (1) as presented at this conference.

BE IT FURTHER RESOLVED that the drafts of the proposed compact and the supplementary federal legislation here outlined be further studied by a committee of three (3) with a view to perfecting it for enactment by the states and by Congress, and that the resultant drafts be submitted to each of the conferees and to the Committees and and Commissions on Interstate Cooperation by mail for consideration and suggestion and if necessary presented for final consideration at another meeting of this conference.

(1) Copies of this plan may be secured upon request to Harold C. Ostertag, Attica, New York, or to the Council of State Governments, 522 Fifth Avenue, New York City.

(2) Committee appointed to consist of:

William C. Adams, Director, Division of Fish and Game, New York State Department of Conservation, Albany—Chairman.
Judge Richard Hartshorne, Chairman, New Jersey Commission on Interstate Cooperation, Essex County Court House, Newark, New Jersey.

Judge Robert F. Duer, Chairman, Maryland Conservation Commission, Baltimore, Maryland.

2. RESOLVED that this conference urge the immediate passage by Congress of legislation giving consent in advance for a compact among the Atlantic seaboard states for the preservation of the marine fisheries and that each of the conferees urge the members of his state's delegation to Congress to support such legislation.

3. RESOLVED that this conference urge upon Congress the enactment of legislation prohibiting the shipment in interstate commerce from any state of fish caught in violation of the laws thereof.

4. RESOLVED that this conference urge the Atlantic seaboard states to adopt, for the regulation of their shad fisheries, regulations similar to those of New York State in the Hudson River, which provide for: (1) the protection of spawning areas; and (2) an escapement period of two full days a week, extending from Friday sunset to Monday sunrise, during the open season.

BE IT FURTHER RESOLVED that the Conferees seek the enactment of such regulations in their respective states.

HAROLD C. OSTERTAG

Chairman

The Speaker declared that the House recess until 1 o'clock, P. M.
Motion prevailed

Same Day, 1 o'clock, P. M.

House met at expiration of recess.

Mr. Canby, on motion for leave, introduced House Bill No. 17, entitled:

An act providing for stenographic services for the Court of Chancery.

Which was given first and second reading. The second by title only, and referred to the Committee on Appropriation.

On motion for leave, Mr. Benson introduced House Resolution No. 14, entitled:

Authorizing Supplies to Attaches and other Employees of the House of Representatives of the 107th General Assembly.

Which was taken up for consideration and read in order to pass the House.

On the question, "Shall the Resolution pass the House?"

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

YEAS—Messrs. Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—33.

NAYS—None.

So the question was decided in the affirmative and the resolution having received the required constitutional majority, passed the House.

WRIT OF ELECTION

HOUSE OF REPRESENTATIVES

107TH GENERAL ASSEMBLY

Frank R. Zebley, Speaker
of the House of Representatives
of the 107th General Assembly

to

Grier H. Minner, Sheriff of
Kent County

GREETINGS:

WHEREAS, a vacancy exists in the House of Representatives of the 107th General Assembly by reason of the death of Joseph R. Smith, the member from Representative District Number Four in Kent County; and

WHEREAS, such vacancy exists while the General Assembly is in session;

NOW, THEREFORE, I, Frank R. Zebley, Speaker of the House of Representatives of the 107th General Assembly, and as such, Presiding Officer of the House of Representatives in pursuance of the Constitution and laws of the State of Delaware in such cases made and provided, do hereby command that you cause a special election to be held in the said Representative District Number Four in Kent County, by the qualified electors, on some day by you to be appointed, such day not to be more than five, nor less than four days next after the day of

receiving this writ, exclusive of that day, for the purpose of electing a Representative to the House of Representatives in the 107th General Assembly for said Representative District to fill said vacancy, the person thereupon chosen to hold office for the residue of the term of the said Joseph R. Smith.

IN WITNESS WHEREOF, I, Frank R. Zebley, Speaker of the House of Representatives of the State of Delaware of the 107th General Assembly, and presiding officer thereof, have hereunto set my hand this eighteenth day of January in the year of our Lord one thousand nine hundred and thirty-nine, and of the Independence of the United States, the one hundred and sixty-third.

FRANK R. ZEBLEY

Speaker of the House of Representatives
of the 107th General Assembly.

Mr. McGuigan moved that the House adjourn until 12 o'clock noon, Thursday, January 19th, 1939.

Motion prevailed.

NINTH LEGISLATIVE DAY

Dover, Delaware, January 19th, 1939, 12 o'clock, noon.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll called.

Members Present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Peniel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

Clerk proceeded to read the Journal of the Previous Session when Mr. Benson moved so much be considered the reading of the Journal and the Journal be approved.

Motion prevailed.

The Chair presented a communication from the Interstate Commission on Crime to be read.

Relative to a memorandum recommending a legislative program for the 1939 session.

On motion for leave, Mr. Zebley introduced House Resolution No. 15, entitled:

Relative to Giving Copies of Motor Vehicle Laws to Operators of State Owned Vehicles.

Which was taken up for consideration and read in order to pass the House.

On the question, "Shall the Resolution Pass the House?"

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

YEAS—Messrs. Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Hartman, Kellum, Leach, Manlove,

Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—30.

NAYS—Messrs. Bailey, Gordy, McGuigan—3.

So the question was decided in the affirmative and the resolution having received the required constitutional majority, passed the House.

The Chair declared that the House recess until 1:20 o'clock, P. M.

Motion prevailed.

Same Day, 1:20 o'clock, P. M.

House met at expiration of recess.

Mr. Pierce, Secretary of the Senate, being admitted, informed the House that the Senate had passed and requested the concurrence of the House in the following:

Senate Concurrent Resolution No. 6.

And presented the same to the House.

Mr. Zebley, on motion for leave, introduced House Substitute for House Bill No. 3, entitled:

An Act Appropriating Certain Money to the Ferris Industrial School for the Erection, Construction and Equipment of a Dormitory for Colored Boys.

Which was given first and second reading. The second by title only, and referred to the Committee on Appropriation.

Mr. Zebley, on motion for leave, introduced House Substitute for House Bill No. 4, entitled:

An Act Appropriating Certain Money to the State Board of Health for the Erection, Construction and Equipment of a New Hospitalization Building at Edgewood Sanatorium.

Which was given first and second reading. The second by title only, and referred to the Committee on Appropriation.

Mr. Canby, on motion for leave, introduced House Bill No. 18, entitled:

An Act to Amend Chapter 153 of the Revised Code of the State of Delaware, 1935, Relating to Sabbath Breaking, by Legalizing the Showing of Motion Pictures on Sunday.

Which was given first and second reading. The second by title only, and referred to the Committee on Revised Statutes.

Mr. Kellum, on motion for leave, introduced House Bill No. 19, entitled:

An Act to Provide for the Licensing of Engineers and Boiler Operators for the Protection of Life and Property in the Operation of Steam Boilers, Steam Machinery, Electrical Generation, Switchboard Operation and Refrigerating Machinery.

Which was given first and second reading. The second by title only, and referred to the Committee on Manufactures and Commerce.

Mr. Woodward, on motion for leave, introduced House Bill No. 20, entitled:

An Act to Appropriate Money to the Ferris Industrial School for a Power Plant and Laundry Unit to Replace the Present Hazardous, Outworn and Inefficient Set-up.

Which was given first and second reading. The second by title only, and referred to the Committee on Appropriation.

The Chair presented Senate Concurrent Resolution No. 6, entitled:

Relative to the Construction of a Bridge at St. Georges, Del., which was read.

Mr. Pennington moved that the resolution be adopted.

On the question, "Shall the Resolution pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs. Bierlin, Brown, Draper, Kellum, Leach, Pennington, Reynolds, Woodward—8.

NAYS—Messrs. Bailey, Benson, Biggs, Buckingham, Burris, Burton, Canby, Fifer, Gordy, Hartman, Manlove, McGuigan, Moore, Newman, Pinder, Rambo, Rhodes, A. G. Smith, Staats, Stein, Thawley, Mr. Speaker—22.

So the question was decided in the negative and the resolution, not having received the required constitutional majority, was lost.

And was ordered returned to the Senate.

Mr. Benson moved that the House adjourn until 12 o'clock noon, Friday, January 20th, 1939.

Motion prevailed.

TENTH LEGISLATIVE DAY

Dover, Delaware, January 20th, 1939, 12 o'clock noon.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll called.

Members Present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newman, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

Clerk proceeded to read the Journal of the previous session when Mr. Benson moved so much be considered the reading of the Journal and the Journal be approved.

Motion prevailed.

Mr. Benson moved that the privilege of the floor be extended to Mrs. Mildred Tomlinson.

Motion prevailed.

The Chair declared that the House recess until 1:05 o'clock P. M.

Motion prevailed.

Same Day, 1:05 o'clock P. M.

House met at expiration of recess.

Mr. Benson moved that the House recess until 1:35 o'clock P. M.

Motion prevailed.

Same Day, 1:45 o'clock P. M.

House met at expiration of recess.

Mr. Benson moved that the vote on Senate Concurrent Resolution No. 6 be reconsidered.

Roll call was ordered.

On the question, "Shall the Resolution be reconsidered?"

The Yeas and Nays were ordered, which being taken were, were as follows:

YEAS—Messrs. Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Canby, Draper, Fifer, Kellum, Leach, Manlove, Moore, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Woodward—20.

NAYS—Messrs. Bailey, Burris, Gordy, Hartman, McGuigan, Newman, Pinder, Rambo, A. G. Smith, Staats, Stein, Thawley, Mr. Speaker—13.

So the question was decided in the affirmative.

On motion of Mr. Pennington, Senate Concurrent Resolution No. 6, entitled:

Relative to the Construction of a Bridge at St. Georges, Delaware.

Which was taken up for consideration and read in order to pass the House.

On the question, "Shall the Resolution pass the House?"

The Yeas and Nays were ordered, which being taken were, were as follows:

YEAS—Messrs. Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Fifer, Kellum, Leach, Manlove, Moore, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Woodward—21.

NAYS—Messrs. Bailey, Burris, Gordy, Hartman, McGuigan, Newman, Pinder, Rambo, A. G. Smith, Staats, Stein, Thawley, Mr. Speaker—13.

So the question was decided in the affirmative and the resolution having received the required constitutional majority, passed the House.