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JOURNAL

OF THE

HOUSE of REPRESENTATIVES

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

AT A SESSION OF THE



GENERAL ASSEMBLY

CONVENED AND HELD AT DOVER ON TUESDAY, THE SEVENTH DAY
OF JANUARY, IN THE YEAR OF OUR LORD ONE THOUSAND
NINE HUNDRED AND FORTY-ONE, AND OF THE
INDEPENDENCE OF THE UNITED STATES
THE ONE HUNDRED AND SIXTY-FIFTH

1941

MILFORD CHRONICLE PUB. CO., MILFORD, DELAWARE

1741

OFFICERS AND MEMBERS OF THE HOUSE OF REPRESENTATIVES

OFFICERS OF THE HOUSE OF REPRESENTATIVES

SPEAKER
DR. GEORGE W. RHODES
SPEAKER'S CLERK
JOHN W. MOORE
CHIEF CLERK
FRANK W. SCHROEDER
ASSISTANT CHIEF CLERK
LLOYD DERRICKSON
ATTORNEYS
MELVIN HOPKINS
FREDERICK P. WHITNEY
CHAPLAIN
HOWARD DAVIS
BILL READING CLERK
WALTER PHILLIPS
ASSISTANT READING CLERK
THOMAS W. CANN
DOCUMENT CLERK
WILLIAM LOPER
ASSISTANT DOCUMENT CLERK
A. E. PORTER
BILL CLERK
HARRY B. THAW

ASSISTANT BILL CLERK
NINA H. JONES
SERGEANT-AT-ARMS
JOHN H. CARLISLE
ASSISTANT SERGEANTS-AT-ARMS
WALTER ROGERS
JENNINGS CLARK
MAIL CLERK
HERMAN LEASURE
ASSISTANT MAIL CLERK
FRANK G. DENNISON
STENOGRAPHERS
ROSEMARY KNIGHT
MARY E. MCCORSLEY
MARGARET D. TOMLINSON
TELEPHONE MESSENGER
MILLER THOMPSON
MESSENGER
EUGENE WATERS
CLOAK ROOM ATTENDANT
JOSEPH MATTHEWS
JANITOR
GEORGE LOCKWOOD

MEMBERS OF THE HOUSE OF REPRESENTATIVES—JANUARY 7, 1941

NEW CASTLE COUNTY

Rep. Dist. No.		
1	CHARLES A. PATTERSON.....	1225 D St., Wilmington
2	FRANK HAINSWORTH.....	1228 King St., Wilmington
3	ROBERT H. RICHARDS, JR.	1102 N. Broom St., Wilmington
4	FRANCIS Q. LEMON.....	714 W. Eighth St., Wilmington
5	JOHN M. CONWAY.....	416 N. Broom St., Wilmington
6	THOMAS A. KELLUM.....	Overlook Colony, Claymont
7	ABNER WOODWARD.....	Roselle
8	FRANK H. BUCKINGHAM.....	Newark, R. D.
9	GEORGE W. RHODES.....	Newark
10	JAMES R. QUIGLEY.....	New Castle, R. D.
11	RICHARD W. WILLIS.....	Glasgow
12	WILLIAM K. PENNINGTON.....	Delaware City
13	CLINTON W. JOLLS.....	Middletown
14	HARRIS B. McDOWELL.....	Townsend, R. D.
15	ALBERT S. BOYER.....	Taylor's Bridge

KENT COUNTY

Rep. Dist. No.		
1	ERNEST V. BLENDT.....	Smyrna
2	WILLIAM D. JOHNSTON.....	Dover
3	HOMER W. PRATT.....	Kenton
4	ISAAC THOMAS.....	West Dover
5	FRANK S. PRITCHETT.....	Wood's Cove, Dover
6	WILLIAM PASKEY.....	Felton
7	HARRY H. JONES.....	Magnolia
8	JOHN H. VAN HOY.....	Frederica
9	HARLAN R. BLADES.....	Harrington
10	JONATHAN S. WILLIS.....	Milford

SUSSEX COUNTY

Rep. Dist. No.		
1	THOMAS N. STAYTON.....	Farmington
2	ALFRED A. O'DAY.....	Owen's Station, Bridgeville, R. D.
3	WILLIAM B. MEARS.....	Seaford
4	HORACE G. SIRMAN, JR.	Laurel, R. D.
5	SAMUEL U. PHILLIPS.....	Delmar
6	LEVI BUNTING.....	Frankford
7	THOMAS E. HICKMAN.....	Ocean View
8	WILLIAM B. DOREY.....	Harbeson
9	JOHN L. BARR.....	Georgetown
10	NORMAN B. BAYLISS.....	Lewes

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

FIRST LEGISLATIVE DAY

Dover, Delaware, January 7th, 1941

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

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

WILMINGTON

NEW CASTLE COUNTY

Representative District No. 1—Charles A. Patterson
Representative District No. 2—Frank Hainsworth
Representative District No. 3—Robert H. Richards
Representative District No. 4—Francis Q. Lemon
Representative District No. 5—John M. Conway

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—James R. Quigley
Representative District No. 11—Richard W. Willis
Representative District No. 12—William K. Pennington
Representative District No. 13—Clinton W. Jolls
Representative District No. 14—Harris B. McDowell, Jr.
Representative District No. 15—Albert S. Boyer

KENT COUNTY

Representative District No. 1—Ernest V. Blendt
Representative District No. 2—William D. Johnston
Representative District No. 3—Homer W. Pratt
Representative District No. 4—Isaac Thomas
Representative District No. 5—Frank S. Pritchett
Representative District No. 6—William Paskey
Representative District No. 7—Harry H. Jones
Representative District No. 8—John H. VanHoy
Representative District No. 9—Harlan R. Blades
Representative District No. 10—Jonathan S. Willis

SUSSEX COUNTY

Representative District No. 1—Thomas W. Stayton
Representative District No. 2—Alfred A. O'Day
Representative District No. 3—William B. Mears
Representative District No. 4—Horace G. Sirman
Representative District No. 5—Samuel U. Phillips
Representative District No. 6—Levi Bunting
Representative District No. 7—Thomas E. Hickman
Representative District No. 8—William B. Dorey
Representative District No. 9—John L. Barr
Representative District No. 10—Norman B. Bayliss

The House was called to order by Mr. Pennington.

The members were led in prayer by Rev. Morgan.

Mr. Pennington nominated Mr. Hickman for Temporary Speaker.

Mr. Richards seconded the nomination of Mr. Hickman.

Mr. Pennington moved that the nomination be closed.

Motion prevailed.

Mr. Hickman was elected Temporary Speaker.

Mr. Johnston nominated Mr. Pritchett for Temporary Clerk.

Mr. Richards seconded the nomination of Mr. Pritchett.

Mr. Richards moved that the nomination be closed.

Motion prevailed.

Mr. Pritchett was elected Temporary Clerk.

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

Motion prevailed.

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 forty, for Sussex County, according to the Constitution and Laws of the State of Delaware, Thomas E. Hickman 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 Houston Wilson, 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 Superior Court to be hereunto affixed at the Court House in said County on this seventh day of November, A. D. 1940.

[SEAL]

HOUSTON WILSON

Judge ad litem

CHARLES S. RICHARDS

Resident Associate Judge

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 forty, for Kent County, according to the Constitution and Laws of the State of Delaware, Frank S. Pritchett 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, William Watson Harrington and Charles L. Terry, Jr., 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 ninth day of November, A. D. 1940.

[SEAL]

WM. WATSON HARRINGTON

Chancellor

CHARLES L. TERRY, JR.

Resident Associate Judge

Mr. Johnston moved a notary public administer the oath of office to the Temporary Speaker and Temporary Clerk.

Motion prevailed.

The State of Delaware }
 } ss.
 Kent County

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 No. 5 in Kent County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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 S. PRITCHETT

Sworn to this 7th day of January, A. D. 1941, before me.

[SEAL]

F. KENNETH TULLER
Notary Public

The State of Delaware }
 } ss.
 Kent County

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 No. 7 in Sussex County, to which office I was elected at the General Election held in said State in the year A. D. 1940, 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 E. HICKMAN

Sworn to this 7th day of January, A. D. 1941, before me.

[SEAL]

F. KENNETH TULLER
Notary Public

The State of Delaware }
 Kent County } ss.

Dover, Delaware

I, Frank S. Pritchett, 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.

FRANK S. PRITCHETT
Temporary Clerk

Sworn to and subscribed before me this 7th day of January,
 A. D. 1941.

[SEAL]

F. KENNETH TULLER
Notary Public

The State of Delaware }
 Kent County } ss.

Dover, Delaware

I, Thomas E. Hickman, 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.

THOMAS E. HICKMAN
Temporary Speaker

Sworn to and subscribed before me this 7th day of January,
 A. D. 1941.

[SEAL]

F. KENNETH TULLER
Notary Public

Mr. Johnston 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 forty for New Castle County, according to the Constitution and Laws of the State of Delaware, Charles A. Patterson 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 ninth day of November, A. D. 1940.

[SEAL]

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

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 forty for New Castle County, according to the Constitution and Laws of the State of Delaware, Frank Hainsworth 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 ninth day of November, A. D. 1940.

[SEAL]

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

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 forty for New Castle County, according to the Constitution and Laws of the State of Delaware, Robert H. Richards, Jr., 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 ninth day of November, A. D. 1940.

[SEAL]

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

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 forty for New Castle County, according to the Constitution and Laws of the State of Delaware, Francis Q. Lemon 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 ninth day of November, A. D. 1940.

[SEAL]

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

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 forty for New Castle County, according to the Constitution and Laws of the State of Delaware, John M. Conway 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 ninth day of November, A. D. 1940.

[SEAL]

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

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 forty 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 ninth day of November, A. D. 1940.

[SEAL]

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

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 forty 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 ninth day of November, A. D. 1940.

[SEAL]

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

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 forty 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 provision 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 ninth day of November, A. D. 1940.

[SEAL]

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

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 forty for New Castle County, according 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 ninth day of November, A. D. 1940.

[SEAL]

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

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 forty for New Castle County, according to the Constitution and Laws of the State of Delaware, James R. Quigley 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 ninth day of November, A. D. 1940.

[SEAL]

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

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 forty for New Castle County, according to the Constitution and Laws of the State of Delaware, Richard W. Willis 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 ninth day of November, A. D. 1940.

[SEAL]

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

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 forty 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 ninth day of November, A. D. 1940.

[SEAL]

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

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 forty for New Castle County, according to the Constitution and Laws of the State of Delaware, Clinton W. Jolls 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 ninth day of November, A. D. 1940.

[SEAL]

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

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 forty for New Castle County, according to the Constitution and Laws of the State of Delaware, Harris B. McDowell, Jr., 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 ninth day of November, A. D. 1940.

[SEAL]

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

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 forty for New Castle County, according to the Constitution and Laws of the State of Delaware, Albert S. Boyer 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 ninth day of November, A. D. 1940.

[SEAL]

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

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 forty, for Kent County, according to the Constitution and Laws of the State of Delaware, Ernest V. Blendt 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, William Watson Harrington and Charles L. Terry, Jr., 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 ninth day of November, A. D. 1940.

[SEAL]

WM. WATSON HARRINGTON

Chancellor

CHARLES L. TERRY, JR.

Resident Associate Judge

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 forty, for Kent County, according to the Constitution and Laws of the State of Delaware, William Deane Johnston 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, William Watson Harrington and Charles L. Terry, Jr., 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 ninth day of November, A. D. 1940.

[SEAL]

WM. WATSON HARRINGTON
Chancellor

CHARLES L. TERRY, JR.
Resident Associate Judge

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 forty, for Kent County, according to the Constitution and Laws of the State of Delaware, Homer W. Pratt 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, William Watson Harrington and Charles L. Terry, Jr., 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 ninth day of November, A. D. 1940.

[SEAL]

WM. WATSON HARRINGTON
Chancellor

CHARLES L. TERRY, JR.
Resident Associate Judge

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 forty, for Kent County, according to the Constitution and Laws of the State of Delaware, Isaac Thomas 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, William Watson Harrington and Charles L. Terry, Jr., 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 ninth day of November, A. D. 1940.

[SEAL]

WM. WATSON HARRINGTON
Chancellor

CHARLES L. TERRY, JR.
Resident Associate Judge

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 forty, for Kent County, according to the Constitution and Laws of the State of Delaware, William Paskey 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, William Watson Harrington and Charles L. Terry, Jr., 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 ninth day of November, A. D. 1940.

[SEAL]

WM. WATSON HARRINGTON
Chancellor

CHARLES L. TERRY, JR.
Resident Associate Judge

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 forty, for Kent County, according to the Constitution and Laws of the State of Delaware, Harry H. Jones 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, William Watson Harrington and Charles L. Terry, Jr., 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 ninth day of November, A. D. 1940.

[SEAL]

WM. WATSON HARRINGTON
Chancellor

CHARLES L. TERRY, JR.
Resident Associate Judge

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 forty, for Kent County, according to the Constitution and Laws of the State of Delaware, John H. VanHoy 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, William Watson Harrington and Charles L. Terry, Jr., 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 ninth day of November, A. D. 1940.

[SEAL]

WM. WATSON HARRINGTON
Chancellor

CHARLES L. TERRY, JR.
Resident Associate Judge

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 forty, for Kent County, according to the Constitution and Laws of the State of Delaware, Harlan R. Blades 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, William Watson Harrington and Charles L. Terry, Jr., 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 ninth day of November, A. D. 1940.

[SEAL]

WM. WATSON HARRINGTON
Chancellor

CHARLES L. TERRY, JR.
Resident Associate Judge

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 forty, for Kent County, according to the Constitution and Laws of the State of Delaware, Jonathan S. Willis 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, William Watson Harrington and Charles L. Terry, Jr., 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 ninth day of November, A. D. 1940.

[SEAL]

WM. WATSON HARRINGTON
Chancellor

CHARLES L. TERRY, JR.
Resident Associate Judge

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 forty, for Sussex County, according to the Constitution and Laws of the State of Delaware, Thomas N. Stayton 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 provisions made by law in this behalf.

IN TESTIMONY WHEREOF, We, Charles S. Richards and Houston Wilson, 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 Superior Court to be hereunto affixed at the Court House in said County on this seventh day of November, A. D. 1940.

[SEAL]

HOUSTON WILSON

Judge ad litem

CHARLES S. RICHARDS

Resident Associate Judge

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 forty, for Sussex County, according to the Constitution and Laws of the State of Delaware, Alfred A. O'Day 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 Houston Wilson, 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 Superior Court to be hereunto affixed at the Court House in said County on this seventh day of November, A. D. 1940.

[SEAL]

HOUSTON WILSON

Judge ad litem

CHARLES S. RICHARDS

Resident Associate Judge

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 forty, for Sussex County, according to the Constitution and Laws of the State of Delaware, William B. Mears 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 provision made by law in this behalf.

IN TESTIMONY WHEREOF, We, Charles S. Richards and Houston Wilson, 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 Superior Court to be hereunto affixed at the Court House in said County on this seventh day of November, A. D. 1940.

[SEAL]

HOUSTON WILSON

Judge ad litem

CHARLES S. RICHARDS

Resident Associate Judge

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 forty, for Sussex County, according to the Constitution and Laws of the State of Delaware, H. Greeley Sirman, Jr., 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 Houston Wilson, 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 Superior Court to be hereunto affixed at the Court House in said County on this seventh day of November, A. D. 1940.

[SEAL]

HOUSTON WILSON

Judge ad litem

CHARLES S. RICHARDS

Resident Associate Judge

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 forty, for Sussex County, according to the Constitution and Laws of the State of Delaware, Samuel U. Phillips 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 Houston Wilson, 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 Superior Court to be hereunto affixed at the Court House in said County on this seventh day of November, A. D. 1940.

[SEAL]

HOUSTON WILSON

Judge ad litem

CHARLES S. RICHARDS

Resident Associate Judge

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 forty, for Sussex County, according to the Constitution and Laws of the State of Delaware, Levi T. Bunting 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 Houston Wilson, 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 Superior Court to be hereunto affixed at the Court House in said County on this seventh day of November, A. D. 1940.

[SEAL]

HOUSTON WILSON

Judge ad litem

CHARLES S. RICHARDS

Resident Associate Judge

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 forty, for Sussex County, according to the Constitution and Laws of the State of Delaware, William B. Dorey 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 Houston Wilson, 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 Superior Court to be hereunto affixed at the Court House in said County on this seventh day of November, A. D. 1940.

[SEAL]

HOUSTON WILSON
Judge ad litem

CHARLES S. RICHARDS
Resident Associate Judge

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 forty, 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 Houston Wilson, 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 Superior Court to be hereunto affixed at the Court House in said County on this seventh day of November, A. D. 1940.

[SEAL]

HOUSTON WILSON
Judge ad litem

CHARLES S. RICHARDS
Resident Associate Judge

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 forty, for Sussex County, according to the Constitution and Laws of the State of Delaware, Norman B. Bayliss 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 Houston Wilson, 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 Superior Court to be hereunto affixed at the Court House in said County on this seventh day of November, A. D. 1940.

[SEAL]

HOUSTON WILSON
Judge ad litem

CHARLES S. RICHARDS
Resident Associate Judge

Mr. Johnston moved that the Temporary Speaker administer the oath of office to the members-elect.

Motion prevailed.

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 No. 1 in New Castle County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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 A. PATTERSON

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 2 in New Castle County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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 HAINSWORTH

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 3 in New Castle County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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.

ROBERT H. RICHARDS, JR.

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 4 in New Castle County to which office I was elected at the General Election held in said State in the year A. D. 1940, according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

FRANCIS Q. LEMON

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 5 in New Castle County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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 M. CONWAY

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 6 in New Castle County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 7 in New Castle County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 8 in New Castle County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 9 in New Castle County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 10 in New Castle County to which office I was elected at the General Election held in said State in the year A. D. 1940, according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

JAMES R. QUIGLEY

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN

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 No. 11 in New Castle County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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 W. WILLIS

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN

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 No. 12 in New Castle County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 13 in New Castle County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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.

CLINTON W. JOLLS

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
Temporary Speaker

The State of Delaware }
 } ss.
 Kent County

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 No. 14 in New Castle County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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.

HARRIS B. McDOWELL, JR.

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
Temporary Speaker

The State of Delaware }
 } ss.
 Kent County

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 No. 15 in New Castle County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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.

ALBERT S. BOYER

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 1 in Kent County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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.

ERNEST V. BLENDT

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 2 in Kent County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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 D. JOHNSTON

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 3 in Kent County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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.

HOMER W. PRATT

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 4 in Kent County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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 THOMAS

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 6 in Kent County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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 PASKEY

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 7 in Kent County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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.

HARRY H. JONES

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 8 in Kent County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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 H. VAN HOY

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 9 in Kent County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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.

HARLAN R. BLADES

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 10 in Kent County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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.

JONATHAN S. WILLIS

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 1 in Sussex County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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 N. STAYTON

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 2 in Sussex County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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.

ALFRED A. O'DAY

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 3 in Sussex County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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 B. MEARS

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 4 in Sussex County to which office I was elected at the General Election held in said State in the year A. D. 1940, according to the best of my ability; and I do further solemnly swear that I have not directly or indirectly paid, offered or promised to pay, contributed or offered or promised to contribute any money or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at which I was elected to said office.

H. GREELEY SIRMAN, JR.

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 5 in Sussex County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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 U. PHILLIPS

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 6 in Sussex County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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.

LEVI BUNTING

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN

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 No. 8 in Sussex County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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 B. DOREY

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN

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 No. 9 in Sussex County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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 L. BARR

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
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 No. 10 in Sussex County to which office I was elected at the General Election held in said State in the year A. D. 1940, 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 B. BAYLISS

Sworn to this 7th day of January, A. D. 1941, before me.

THOMAS E. HICKMAN
Temporary Speaker

Mr. Richards nominated Dr. Rhodes for Speaker of the House for the One Hundred and Eighth General Assembly of the State of Delaware.

Mr. Barr seconded the nomination of Dr. Rhodes for Speaker.

Mr. Pennington moved that the nomination for Speaker be closed.

Motion prevailed.

Dr. Rhodes was elected Speaker of the House.

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

Motion prevailed.

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

Motion prevailed.

State of Delaware,	} ss.
Kent County	

Dover, Delaware

I, George W. Rhodes, 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 of the House in the General Assembly of the State of Delaware according to the best of my ability.

GEORGE W. RHODES
Speaker

Sworn to and subscribed before me this 7th day of January,
A. D. 1941.

THOMAS E HICKMAN
Temporary Speaker

Mr. Richards moved that the House recess until 3 o'clock P. M.

Motion prevailed.

Same Day, 4:45 o'clock P. M.

House met at expiration of recess.

On motion for leave, Mr. Richards introduced House Resolution No. 1, entitled:

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 pleasure of the 108th General Assembly of the State of Delaware, the said election be given via voice on roll call:

Speaker's Clerk . . . .	. John W. Moore
Chief Clerk . . . . .	. Frank W. Schroeder
Attorney . . . . .	. Melvin Hopkins
Attorney . . . . .	. Frederick P. Whitney
Chaplain . . . . .	. Howard Davis
Assistant Reading Clerk .	. Thomas W. Cann
Document Clerk . . . .	. William Loper
Asst. Document Clerk . .	. A. E. Porter
Bill Clerk . . . . .	. Harry B. Thaw
Assistant Bill Clerk . . .	. Nina H. Jones
Sergeant-at-Arms . . . .	. John H. Carlisle
Asst. Sergeant-at-Arms .	. Walter Rogers
Asst. Sergeant-at-Arms .	. Jennings Clark
Mail Clerk . . . . .	. Herman Leasure
Assistant Mail Clerk . . .	. Frank G. Dennison
Telephone Messenger . .	. Miller Thompson
Messenger . . . . .	. Eugene Waters
Cloak Room Attendant . .	. Joseph Matthews
Janitor . . . . .	. George Lockwood

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. Barr, Bayliss, Blades, Blendt, Boyer, Buckingham, Bunting, Conway, Dorey, Hainsworth, Hickman, Johnston, Jolls, Jones, Kellum, Lemon, McDowell, Mears, O'Day, Paskey, Patterson, Pennington, Phillips, Pratt, Pritchett, Quigley, Richards, Sirman, Stayton, Thomas, VanHoy, J. S. Willis, R. W. Willis, Woodward, Mr. Speaker—35.

NAYS—None.

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

Mr. Richards moved that the Speaker administer the oath to the officers of the House named in House Resolution No. 1.

Motion prevailed.

State of Delaware, }
Kent County } ss.

Dover, Delaware

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 in the General Assembly of the State of Delaware according to the best of my ability.

FRANK W. SCHROEDER
Chief Clerk

Sworn to and subscribed before me this 7th day of January,
A. D. 1941.

GEORGE W. RHODES
Speaker

State of Delaware, }
Kent County } ss.

Dover, Delaware

I, John W. Moore, 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.

JOHN W. MOORE

Sworn to and subscribed before me this 7th day of January,
A. D. 1941.

GEORGE W. RHODES
Speaker

State of Delaware, }
 Kent County } ss.

Dover, Delaware

I, Melvin Hopkins, 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.

MELVIN HOPKINS

Sworn to and subscribed before me this 7th day of January,
 A. D. 1941.

GEORGE W. RHODES
Speaker

State of Delaware, }
 Kent County } ss.

Dover, Delaware

I, Frederick P. Whitney, 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.

FREDERICK P. WHITNEY

Sworn to and subscribed before me this 7th day of January,
 A. D. 1941.

GEORGE W. RHODES
Speaker

State of Delaware, }
 Kent County } ss.

Dover, Delaware

I, Howard Davis, 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 in the General Assembly of the State of Delaware according to the best of my ability.

HOWARD DAVIS

Sworn to and subscribed before me this 7th day of January,
 A. D. 1941.

GEORGE W. RHODES
Speaker

State of Delaware, }
 Kent County } ss.

Dover, Delaware

I, Harry B. Thaw, 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.

HARRY B. THAW

Sworn to and subscribed before me this 7th day of January,
 A. D. 1941.

GEORGE W. RHODES
Speaker

State of Delaware, }
 Kent County } ss.

Dover, Delaware

I, Nina H. Jones, 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.

NINA H. JONES

Sworn to and subscribed before me this 7th day of January,
 A. D. 1941.

GEORGE W. RHODES
Speaker

State of Delaware, }
 Kent County } ss.

Dover, Delaware

I, William H. Loper, 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.

WILLIAM H. LOPER

Sworn to and subscribed before me this 7th day of January,
 A. D. 1941.

GEORGE W. RHODES
Speaker

State of Delaware, }
 Kent County }ss.

Dover, Delaware

I, John W. Carlisle, 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.

JOHN W. CARLISLE

Sworn to and subscribed before me this 7th day of January,
 A. D. 1941.

GEORGE W. RHODES
Speaker

State of Delaware, }
 Kent County }ss.

Dover, Delaware

I, Jennings Clark, 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.

JENNINGS CLARK

Sworn to and subscribed before me this 7th day of January,
 A. D. 1941.

GEORGE W. RHODES
Speaker

State of Delaware, }
 Kent County }ss.

Dover, Delaware

I, Walter Rogers, 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.

WALTER ROGERS

Sworn to and subscribed before me this 7th day of January,
 A. D. 1941.

GEORGE W. RHODES
Speaker

State of Delaware, }
 Kent County } ss.

Dover, Delaware

I, Thomas W. Cann, 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.

THOMAS W. CANN

Sworn to and subscribed before me this 7th day of January,
 A. D. 1941.

GEORGE W. RHODES
Speaker

State of Delaware, }
 Kent County } ss.

Dover, Delaware

I, Herman Leasure, 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 Mail Clerk in the General Assembly of the State of Delaware according to the best of my ability.

HERMAN H. LEASURE

Sworn to and subscribed before me this 7th day of January,
 A. D. 1941.

GEORGE W. RHODES
Speaker

State of Delaware, }
 Kent County } ss.

Dover, Delaware

I, Millard Thompson, 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.

MILLARD THOMPSON

Sworn to and subscribed before me this 7th day of January,
 A. D. 1941.

GEORGE W. RHODES
Speaker

State of Delaware, }
 Kent County } ss.

Dover, Delaware

I, Frank G. Dennison, 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 Mail Clerk in the General Assembly of the State of Delaware according to the best of my ability.

FRANK G. DENNISON

Sworn to and subscribed before me this 7th day of January,
 A. D. 1941.

GEORGE W. RHODES
Speaker

State of Delaware, }
 Kent County } ss.

Dover, Delaware

I, A. E. Porter, 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.

A. E. PORTER

Sworn to and subscribed before me this 7th day of January,
 A. D. 1941.

GEORGE W. RHODES
Speaker

State of Delaware, }
 Kent County } ss.

Dover, Delaware

I, Eugene Waters, 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.

EUGENE WATERS

Sworn to and subscribed before me this 7th day of January,
 A. D. 1941.

GEORGE W. RHODES
Speaker

State of Delaware, }
 Kent County } ss.

Dover, Delaware

I, Joseph D. Matthews, 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.

JOSEPH D. MATTHEWS

Sworn to and subscribed before me this 7th day of January,
 A. D. 1941.

GEORGE W. RHODES
Speaker

State of Delaware, }
 Kent County } ss.

Dover, Delaware

I, George W. Lockwood 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.

GEORGE W. LOCKWOOD

Sworn to and subscribed before me this 7th day of January,
 A. D. 1941.

GEORGE W. RHODES
Speaker

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

HOUSE RESOLUTION NO. 2

BE IT RESOLVED by the House of Representatives, That the Clerk of said House notify the Senate that the House is duly organized and ready to receive business.

Which was taken up for consideration and read.

Mr. Richards moved the resolution be adopted.

Motion prevailed.

Mrs. Davis, 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. 1, entitled:

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.

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

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. Barr, Bayliss, Blades, Blendt, Boyer, Buckingham, Bunting, Conway, Dorey, Hainsworth, Hickman, Johnston, Jolls, Jones, Kellum, Lemon, McDowell, Mears, O'Day, Paskey, Patterson, Pennington, Phillips, Pratt, Pritchett, Quigley, Richards, Sirman, Stayton, Thomas, VanHoy, J. S. Willis, R. W. Willis, Woodward, Mr. Speaker—35.

NAYS—None.

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.

JOINT SESSION

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

Motion prevailed.

Mr. Rinard moved that the Senate and House now go into Joint Session.

Motion prevailed.

Mr. Rinard moved that the President of the Senate preside over the Joint Session.

Motion prevailed.

Mr. Rinard moved that the Secretary of the Senate and the Chief Clerk of the House act as Secretaries of the Joint Session.

Motion prevailed.

Mr. Rinard moved that the President appoint a Committee of five, three members of the Senate and two members of the House to notify the Governor that the General Assembly is now met in Joint Session and ready to receive his message and to escort him to the Senate Chamber.

Motion prevailed.

Honorable Josiah Marvel, Secretary of State, read the Governor's message, as follows:

MESSAGE OF HONORABLE RICHARD CANN McMULLEN
GOVERNOR OF DELAWARE

TO THE

ONE HUNDRED AND EIGHTH GENERAL ASSEMBLY
OF THE STATE OF DELAWARE

CONVENING IN REGULAR SESSION

AT DOVER ON TUESDAY

THE SEVENTH DAY OF JANUARY

NINETEEN HUNDRED AND FORTY-ONE

GOVERNOR'S MESSAGE

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

Again it becomes my duty as Governor of our State to give you information concerning the State and to recommend for your consideration such measures as are in my opinion expedient.

Upon the opening of this, the One Hundred Eighth General Assembly of our State serious problems confront us. A period of national emergency exists. An emergency during which the ideals of life, liberty and the pursuit of happiness contained in

our Declaration of Independence are threatened. They can only be perpetuated by an awakened citizenry conscious of its responsibilities in a world antagonistic to those principles for which our forefathers pledged their lives and fortunes and sacred honor. We must all join with our every effort in the support of our National administration and its aim to establish a national defense so strong that no foreign dictator ever will dare to attack us and at the same time to support our National administration in its effort to give all material assistance possible to Great Britain recognizing that in that Great Empire lies our first line of defense.

To preserve these liberties and to make our defense secure, we must resolutely set ourselves to this important task. Here in our own State we must take steps to accomplish this result.

We cannot maintain our liberties and our American way of life without a democratic form of government. We cannot maintain a democratic form of government without the right of a free, pure and secret ballot. To establish and maintain this right of the free, pure and secret ballot in our State, we must revise our election laws. As presently upon the statute books, our election laws are susceptible of evasion and violation which if improperly directed can thwart the will of the majority of the people. In addition to this, our election machinery is inadequate and costly. The uncontrolled distribution of ballots prior to the election is a danger to a free and pure election. It is the tendency in other states and in our Nation to control and limit the expenditures of any political party. This is as it should be. In our own State, there is no limit as to the amount a political party can expend in an effort to win an election. In the political campaign just ended one of the majority political parties, the Republican Party, admittedly expended over \$120,000.00 and the other majority political party, the Democratic Party, expended less than one-quarter of that amount, \$30,000.00. In relation to the number of votes cast such expenditures appear to be excessive and unwarranted. In these times, we should put out of the reach of any single group, no matter who they be, the power to control or purchase an election in our State. To preserve our liberties, we must have a free, pure and secret ballot and to that end I recommend full consideration of a complete revision of our election laws so as to provide for less costly election machinery and a guarantee against fraud and corruptions in our elections.

To maintain our liberties we must extend our social legislation. For the benefit of the worker, I direct your attention to the present provisions of the Unemployment Compensation Law of this State which from my investigation are definitely inadequate. Not only the benefits but the duration of the benefits should be increased for the benefit of the employees of this State, if the original purpose of the law is to be carried out. Here in

Delaware in many cases when an employee exhausts his benefits he then goes on direct relief. This should not be. We should bring our State into line with the provisions for benefits enacted by other states, especially in view of the fact that Delaware has now a balance in the employment trust fund of something in excess of \$7,000,000.00.

For the benefit of the employers of our State, I once again direct your attention, as I have done before, to the necessity of amending the law so that salaries paid in excess of \$3,000.00 would not be taxable. Such an amendment alone would represent an annual tax saving to the employers of this State in the amount of \$500,000.00.

Also along this line we should amend our Workmen's Compensation Law so as to better protect the rights of the worker. I make the following specific recommendations with respect to that law so as to provide for the following:

(a) Inclusion of employers of three or more employees (instead of five or more as at present).

(b) Increase the first month's medical and hospital allowance from \$150.00 to \$200.00.

(c) Increase the burial allowance from a maximum of \$100.00 to a maximum of \$150.00.

(d) Amend Section 10 of the Law so that the period for total disability shall run for the full period of 475 weeks, eliminating the \$4,000.00 maximum.

(e) Any period of compensation paid under a temporary total disability not to be deducted from the period of weeks scheduled for any permanent disability.

(f) Permit the injured employee to sue either the General Contractor or the Sub-Contractor for compensation.

(g) Provide for a life pension of \$25.00 per month for a totally disabled employee. Such pension to take effect after the said injured employee ceases to receive disability payments.

(h) The extension of the protection of the Workmen's Compensation Law to Members of Volunteer Fire Companies and School Teachers.

In order to main the democratic way of life I recommend the restoration of the right of the people of the various communities of our State to elect the members of School Boards. The people in my opinion should have the responsibility of choosing the personnel of these School Boards. The right to select public officials is the safeguard of our liberties.

I cannot emphasize too strongly the need of changing the minor judicial system of our State. An investigation of this system during my administration has brought to light glaring irregularities and improper performance of the duties of a magistrate. I advocated before and still advocate removing the magistrates from politics and raising the qualifications of this office together with abolishing the fee system and instituting therefor a fair salaried compensation and limiting the number of magistrates to the actual requirements of the various sections of our State. The civil rights and liberties of our citizens can only be protected by a fair and impartial judicial system.

A large majority of our population is dependent on the land for its livelihood. Our State Board of Agriculture was designed to be of assistance to the farmers and producers of our State. During the past two years the work of this Department has been seriously handicapped by lack of funds. This should not happen again and in order that the good work of this Department might go forward with greater efficiency and benefit to the people of this State, I recommend an increase in the appropriation of this Department in accordance with the specific recommendation submitted in the proposed budget which has been placed before you.

At the last session of the General Assembly, there was enacted into law, with my approval, a bill which is generally referred to as the "One Fund Law," which provides that the receipts and monies of the State be deposited in and disbursed from one general fund. Until the passage of this law, the School Fund and Highway Fund and other small special accounts were the recipients of special sources of income and were in no way connected with or related to the general fund. For a number of years the general fund has not been sufficient to meet the outgo appropriated by the legislature and it has been necessary to divert from the School Fund and from the Highway Fund certain revenues in order to meet the requirements of the general fund. This has been required ever since 1933 and while certificates of indebtedness have been given by the general fund for such borrowings, the One Fund theory has in substance been in effect. The principle of this one general fund law is that total current expenditures should be met out of the entire current revenue of the State. This law provides for the maintenance of a unified fiscal policy for the State. It makes possible the easy ascertainment of debt limits. It provides that emergency expenditures should be borne by the entire tax system rather than by one particular fund. Without the one general fund law it would be necessary now to increase taxes to bring in sufficient revenue to meet current expenditures. I recommend continuation of the one general fund law.

There is great need in our State of the establishment of a state-wide civil service system. The present Spoils System, antiquated and costly as it is, remains the prevailing method of determining eligibility for public office in the State of Delaware. The high degree of efficiency and training required to carry on the affairs of our State cannot be obtained under the present system of changing personnel solely on the basis of political allegiance. A state-wide civil service for all non-policy determining offices in the State should be established. This is all the more important because of the regulations of our national government which require that all State Departments receiving Federal grants must establish a merit rating or civil service of their personnel before such grants will be made. This effects our whole welfare problem in Delaware. At the present time we have no legal method under which merit ratings are established by a State Civil Service Commission. This failure places in jeopardy the right of our institutions such as the Board of Health, the Old Age Welfare Commission, the State Board of Charities, the State Board of Education, the Mothers' Pension Commission and the Unemployment Compensation Commission to obtain much needed Federal aid. For these reasons I recommend the immediate passage of a Civil Service Act creating a Civil Service Commission.

In connection with the various welfare commissions experience indicates that the work covered by these various commissions should be coordinated in order to make the welfare program of our State more effective and more efficiently operated. The elimination of the overlapping activities of these agencies would be a distinct saving to the State and would be a distinct advantage to our citizens. I recommend the creation of a State Board of Public Welfare to coordinate and regulate the welfare program of our State in place of the multiple agencies and commissions we now have.

The most serious problem which will confront you will be that of keeping the appropriations for the biennium 1942-43 within the bounds of receipts for that period. The gravity of the financial outlook has increased in the last two years as a result of commitment and expenditure not only of all receipts but large amounts of the cash balances on hand at the end of June, 1939.

At that time the State Treasury had on hand in the several funds an available cash surplus of state funds of \$4,343,075. It is estimated this surplus will amount to \$2,501,514 on June 30, 1941. A decrease in cash position in two years of \$1,841,561 cries out that the state is living far beyond its means and that new taxes are inevitable if the services which it conducts are neither wasteful nor extravagant and their costs cannot be reduced.

If the state is to survive without additional taxes, the most rigid economy must be given effect in the budget you adopt and sharp reductions made in appropriations for operating the agencies of government, be they executive, legislative or judicial, for education, road maintenance, public welfare, or as grants-in-aid to auxiliary functions.

The estimated cash balance for next June 30th represents the necessary operating surplus and if reduced will require my successor to seek short term loans at times to meet current expenditures. If a budget of expenditures in excess of receipts is approved by you, to that extent will borrowing be necessary during the next biennium.

In past years, recourse has been had to diverting franchise tax revenues and borrowing from the Highway Fund to meet general fund expenditures. This practice of fiscal juggling has not alleviated the state's deficit in total operation. And no practice but rigid economy will now solve the State's fiscal problem. During my tenure of office, finances have been managed under the principles enacted into law as the "One General Fund" plan at the last session of the Assembly. The financial situation we face now makes a return to the "earmarked fund" system impossible unless you are willing to approve of extensive new taxation or as an alternative to authorize bond issues to meet current expenses. Mere inter-fund re-allocations of revenue will not successfully solve our fiscal problem.

Revenue receipts have been liberally estimated by the Budget Commission for the coming biennium. Reliance on increased collections beyond its forecasts to permit approval of greater expenditures than the budget recommendations contemplate, would be dangerous. From all sources of state receipts, income is anticipated of \$10,561,582 in 1942 and \$10,617,152 in 1943. These estimates appear reasonable and reliable amounts as a base to arrange a budget. The Commission has increased departmental estimates for income, liquor and gasoline taxes in accordance with past experience in a total amount of \$451,500 and \$501,500 for 1942 and 1943, respectively. Under present and prospective conditions for the coming biennium, no greater increase is warranted.

My recommendations for a balanced budget are based upon the estimates of revenue. It is also my duty to present complete recommendations which has been done in a form that I think you will find an improvement over those of past years. It has been customary to present an appropriation bill for the several State agencies, exclusive of highway and special fund requirements, and making no provision for a number of auxiliary services for which appropriations by long standing custom were granted in supplementary appropriation bills. That method resulted in lack of budgetary control and confusion. The bill presented to

you includes all customary subjects of appropriations in an attempt to simplify the task of reviewing the recommendations of the Budget Commission which I have adopted and commend for your approval.

Requests were received or allowances calculated of \$14,-974,638 for 1942 and \$13,070,095 for 1943 from various agencies which seek appropriations. The Commission carefully reviewed these requests and included in the bill those amounts necessary for current operations which I recommend for your approval in the total amount of \$9,687,819 for the fiscal year 1942 and \$9,873,571 for the fiscal year 1943. These allowances leave available from the estimate of current receipts a total of \$1,617,944 for the biennium and may at your direction be employed to finance a program of permanent improvements.

In the total of recommendations for current expenditures, the functions of general government, exclusive of welfare agencies and institutions, have been allotted \$1,084,045 for 1942 and \$1,322,238 for 1943; the bond interest and redemption obligations of the state provided for in amounts of \$283,985 and \$275,175, and the usual supplemental allowances recommended for county highway and special school district bonds of \$628,787 and \$598,912 for the respective years 1942 and 1943. No definite estimate has been made of the legislative costs. However, I must point out the necessity of this General Assembly keeping its own expenditures at the very minimum. The constitutional provision requiring competitive bids for printing should be complied with. Needless attaches should not be placed upon the public payroll and strict economy should be first in the minds of the General Assembly.

The needs of the various financial agencies have been weighed and changes which reduce some and increase others in line with a general policy of economy have been recommended for your approval. The consideration given before any recommendation has been made to you, has evaluated the services rendered and the need therefor. In the case of many regulatory boards the need for very small increases were urgently pressed and seemed worthy. Boards charged with the enforcement of labor laws, convinced the Budget Commission of the urgency of their needs yet reductions in total cost of general government are embodied in these recommendations.

An appropriation is recommended for educational expenditures of \$4,376,387 for 1942 and \$4,378,737 for 1943. The educational system of the state is one of which the State may well be proud. It is with regret that I feel it my duty to recommend a reduction in appropriation to the state schools below the amounts expended in the present biennium. The exigencies of a

balanced budget require that expenditures be curtailed and it is a fact that the total enrollment of pupils in the State is declining.

For the maintenance of our splendid road system, the policing thereof and other functions performed by the Highway Department, sums have been recommended of \$1,505,750 for 1942 and \$1,506,225 for 1943. In this branch of service, slight reductions have also seemed advisable in order to fit our expenditures to our income without seriously impairing this valuable service.

Allotments to the public welfare service for our unfortunate fellow-citizens are recommended for \$1,487,515 in 1942 and \$1,471,734 in 1943, divided between agencies administering care directly or through assignments to foster homes and the institutions of the State. These recommendations are designed to make available as large sums as possible for the beneficiaries of the State's care within the minimum needs for administrative costs consistent with good business. Declining unemployment relief costs may be anticipated as a result of increasing industrial activity caused in some respect by the needs for defense.

The recommendations for grants-in-aid replaces the usual supplementary appropriation bills. The usual appropriations consist mainly of allowances to our private hospitals and to the rural fire companies. The hospitals have in the past been allotted \$250 per bed per annum. For each year of the present biennium this appropriation amounted to \$233,000, but would amount to \$272,000 based on the increased number of beds. Appropriation is recommended of \$244,800 per annum on a basis of \$225 per bed. This reduction is only justifiable as a result of the fiscal problem facing our State.

The forty-seven rural fire companies which render such magnificent voluntary service in the protection of life and property throughout the State seek \$2,000 per company or a total of \$94,000 annually. Again due to the needs for conserving our funds, allowance of \$1,000 per company per year is recommended, or a total annual appropriation of \$47,000.

In all, if your approval is given to the current appropriations as recommended, you will have balanced the operating portion with a balance to spare of \$1,617,944 for the biennium. Your action will maintain the State's budget of operations balanced for each year and provide an excess of income of \$1,617,944 for the biennium.

Requests for road construction of \$2,476,967 and for other building programs of \$4,140,975 are considered capital outlays which should not be expected to be met entirely out of current

income. In fact, the advisability of providing for any large outlay for permanent improvements at this time should be seriously considered before your approval is given.

Such improvements increase the maintenance charges in the future and add to the annual interest and redemption charges, financed as they would have to be largely by the sale of State bonds.

The construction of new roads has continuously been a part of the State's progressive plan to provide our citizens with the benefits of an excellent transportation system. The surplus of receipts for the biennium would go far toward financing the greater part of this program, and leave approximately \$860,000 for separate financing if the entire program is approved by you. A road building program of \$2,000,000 would require borrowing only \$382,000 and could be better afforded in the present circumstances.

Great need exists for buildings to house the unfortunate members of our society who require institutional care. The public school system proposes an extensive building program at an estimated cost of \$2,093,700 to meet the changing needs of that branch of the State service. The Delaware State Hospital estimates it needs for buildings and equipment at \$1,185,500. Ferris Industrial School seeks \$142,500 for enlargement and renovation of its plant. And the Delaware Commission for the Feeble-Minded asks \$143,000 for buildings and other permanent improvements. In all, and in addition to the road construction program, you will be asked to approve a program of permanent improvements of \$4,150,975 for the coming biennium.

I deem it my duty, in spite of the pressing arguments advanced as to the needs for these improvements, to inform you that the State Treasury and the future State revenue based upon our present tax system cannot support this program. A cash balance of \$2,501,514 of State funds is predicted at June 30, 1941. The budget of the current fiscal year is out of balance to the extent of an estimated deficit of \$1,560,000. The predicted cash balance of \$2,500,000 is merely sufficient for use as an operating surplus and its dissipation will require at best short term borrowing to meet current obligations.

There is one method of obtaining under our present laws additional revenue for permanent improvements without the necessity of a bond issue. The act creating a commission for the control of the manufacture, distribution, sale and transportation of alcoholic liquor, wines and beer provides that the commission itself can purchase alcoholic liquors for resale. It has been recommended to me that it would be wise if the Liquor Commission should exercise this power. By its use more effective control of the dispensation, distribution and importation of

alcoholic liquor could be had. In other words, the Liquor Commission would take over the function now exercised by licensed importers, while in all other respects the dispensation and distribution of alcoholic liquors would remain the same as it now is. As I have said this would result in a better control of the liquor problem and would eliminate any of the abuses which now exist. At the same time it would provide the State of Delaware with additional revenue in the approximate amount of \$750,000 annually. This additional revenue could well be used to provide for certain needed permanent improvements.

In my inaugural message I stated as a fundamental principle that no business enterprise can endure if its expenditures exceed its income and that if the State disregards this principle, repudiation, loss of credit and the impairment of governmental functions are the inevitable result. I repeat that the day has arrived when you, the members of the General Assembly must either balance this budget with the available income or levy new taxes to supply the funds with which to operate a greater one.

Availing myself of this the last occasion which will occur of addressing the two houses of the Legislature, I cannot omit the expression of my sincere gratitude for the high honor of serving as the Chief Executive of this State. During my administration occurred the 300th Anniversary of the landing of the Swedes which was observed with appropriate ceremonies at The Rocks on the Christina River and also occurred the 150th Anniversary of the ratification of the Constitution of the United States by the State of Delaware. Thus the first settlement and birth of our State were fittingly remembered and celebrated.

I pause here to express my deep appreciation of all those who have served in the people's business during my administration. My only hope is that my successor will have the same degree of loyalty and trust of those who serve with him, as I have enjoyed during the past four years.

I must say that in the transaction of the people's business I cannot have escaped errors. It is incident to our imperfect nature. But I may say with truth my errors have been of the understanding, not of intention, and that the advancement of the rights and interest of my fellow citizens has been the constant motive for every measure. In retiring from the charge of the affairs of our State, I carry with me the consolation of a firm persuasion that our State has in store for a long period to come of being the model State of our union and blessed with prosperity and happiness.

Respectfully submitted,

RICHARD C. McMULLEN
Governor

Mr. Rinard moved that the Secretaries of the Joint Session compare their respective Journals.

Motion prevailed.

Mr. Rinard moved that the two Houses now separate to reconvene in their respective Chambers.

Motion prevailed.

Same Day, Later

House met in Regular Session.

Mrs. Davis, 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. 2, entitled:

Providing for a Joint Session to count the vote for Governor and Lieutenant-Governor.

And presented the same to the House.

Mrs. Davis, 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. 3, entitled:

Providing for a Joint Committee to arrange for the Inauguration of the Honorable Walter W. Bacon as Governor of the State of Delaware.

And presented the same to the House.

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

Providing for a Joint Session to count the vote for Governor and Lieutenant-Governor.

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. Barr, Bayliss, Blades, Blendt, Boyer, Buckingham, Bunting, Conway, Dorey, Hainsworth, Hickman, Johnston, Jolls, Jones, Kellum, Lemon, McDowell, Mears, O'Day, Paskey, Patterson, Pennington, Phillips, Pratt, Pritchett, Quigley, Richards, Sirman, Stayton, Thomas, VanHoy, J. S. Willis, R. W. Willis, Woodward, Mr. Speaker—35.

NAYS—None.

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:

Providing for a Joint Committee to arrange for the Inauguration of the Honorable Walter W. Bacon as Governor of the State of 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 as follows:

YEAS—Messrs. Barr, Bayliss, Blades, Blendt, Boyer, Buckingham, Bunting, Conway, Dorey, Hainsworth, Hickman, Johnston, Jolls, Jones, Kellum, Lemon, McDowell, Mears, O'Day, Paskey, Patterson, Pennington, Phillips, Pratt, Pritchett, Quigley, Richards, Sirman, Stayton, Thomas, VanHoy, J. S. Willis, R. W. Willis, Woodward, Mr. Speaker—35.

NAYS—None.

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 Speaker announced the following Committees:

ACCOUNTS

Chairman, Bayliss; J. S. Willis, Kellum, Patterson, Quigley.

AGRICULTURE

Chairman, R. W. Willis; Thomas, Dorey, Jones, Phillips.

APPROPRIATIONS

Chairman, Richards; Pennington, Pritchett, Barr, Conway.

CHARITY

Chairman, Dorey; Thomas, O'Day, Rhodes, Boyer.

CLAIMS

Chairman, Rhodes; Richards, Pritchett, Barr, Paskey.

CORPORATIONS, MUNICIPAL

Chairman, Hainsworth, Woodward, Johnston, O'Day, Mears.

CORPORATIONS, PRIVATE

Chairman, Kellum; Buckingham, Dorey, Bayliss, McDowell.

EDUCATION

Chairman, J. S. Willis; Buckingham, Woodward, Jones, Stayton.

ELECTIONS

Chairman, Patterson; Johnston, Bayliss, Jolls, Boyer.

FEDERAL RELATIONS

Chairman, VanHoy; Hickman, Woodward, Patterson, Blendt.

FISH, OYSTERS AND GAME

Chairman, Jolls; Pennington, J. S. Willis, Hickman, Boyer.

INSURANCE AND BANKING

Chairman, Pennington; Richards, VanHoy, Barr, Blades.

JUDICIARY AND CRIME

Chairman, Kellum; Hainsworth, Jones, Richards, Sirman.

LABOR

Chairman, Kellum; Barr, Rhodes, Dorey, Lemon.

MANUFACTURERS AND COMMERCE

Chairman, Jones; VanHoy, Barr, R. W. Willis, Phillips.

MILITARY AFFAIRS

Chairman, Johnston; Dorey, Thomas, Jolls, Boyer.

MISCELLANEOUS

Chairman, Rhodes; Patterson, Pritchett, Barr, Lemon.

PASSED BILLS

Chairman, Pennington; J. S. Willis, Sirman.

PRINTING

Chairman, Richards; Pennington, Barr, Pritchett, Conway.

PUBLIC HEALTH

Chairman, Thomas; Hickman, Dorey, Rhodes, Sirman.

PUBLIC HIGHWAYS

Chairman, Woodward; Bayliss, Johnston, Pritchett, Quigley.

REVENUE AND TAXATION

Chairman, Pritchett; Buckingham, Dorey, Hainsworth, Bunting.

REVISED STATUTES

Chairman, Barr; J. S. Willis, O'Day, R. W. Willis, Conway.

RULES

Chairman, Hickman; Kellum, Pennington, Jones, Paskey.

SUPPLIES

Chairman, O'Day; Bayliss, Jolls, Buckingham, Blendt.

TEMPERANCE

Chairman, Buckingham; R. W. Willis, VanHoy, O'Day, Blades.

Mr. Richards moved that the House adjourn until Wednesday, January 8th, 1941, at 11 o'clock A. M.

Motion prevailed.

SECOND LEGISLATIVE DAY

Dover, Delaware, January 8th, 1941, 11 o'clock A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Howard Davis.

Roll called.

Members Present—Barr, Bayliss, Blades, Blendt, Boyer, Buckingham, Bunting, Conway, Dorey, Hainsworth, Hickman, Johnston, Jolls, Jones, Kellum, Lemon, McDowell, Mears, O'Day, Paskey, Patterson, Pennington, Phillips, Pratt, Pritchett, Quigley, Richards, Sirman, Stayton, Thomas, VanHoy, J. S. Willis, R. W. Willis, Woodward, Mr. Speaker—35.

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

Motion prevailed.

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

The Budget Appropriation Bill for each of the fiscal years ending June 30, 1942 and June 30, 1943.

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

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

An Act making Supplementary Appropriations to Certain Agencies and for Certain Functions provided out of the funds of the State of Delaware to; certain Fire Companies of the State of Delaware; certain Hospitals in the State of Delaware; District Library Commissions of the State of Delaware; Delaware Industrial School for Girls; Delaware Commission for the Blind; Palmer Home, Inc.; Layton Home for Aged Colored; the G. A. R., Department of Delaware; Veterans of Foreign Wars, Department of Delaware; United Spanish War Veterans, Depart-

ment of Delaware; American Legion, Department of Delaware; Delaware Society for the Prevention of Cruelty to Animals; Kent and Sussex County Fair, Incorporated; Detention Home for Juveniles of the State of Delaware; Burial of Indigent Soldiers, Sailors, or Marines; the Old Age Welfare Commission for Unemployment Relief of Indigent Persons, Etc.; and further providing for the Payment of certain School Bonds maturing during the Biennium beginning July 1, 1941, and ending June 30, 1943, and further providing for the Payment of certain County Highway Bonds maturing during the Biennium beginning July 1, 1941, and ending June 30, 1943.

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

The Speaker announced he is about to sign:

Senate Concurrent Resolution No. 1.

Senate Concurrent Resolution No. 2.

Senate Concurrent Resolution No. 3.

Mrs. Davis, 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 Joint Resolution No. 1, entitled:

Appropriating the sum of Sixteen Hundred and Fifty Dollars out of the State Treasury to pay the expenses of the Committee representing the Governor and a Joint Committee representing both Houses of the General Assembly in attending the Inauguration of the Honorable Franklin D. Roosevelt, as President of the United States.

And presented the same to the House.

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

Appropriating the sum of Sixteen Hundred and Fifty Dollars out of the State Treasury to pay the expenses of the Committee representing the Governor and a Joint Committee representing both Houses of the General Assembly in attending the Inauguration of the Honorable Franklin D. Roosevelt, as President of the United States.

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

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

Motion prevailed.

Same Day, 2 o'clock P. M.

House met at expiration of recess.

JOINT SESSION

Mr. Johnston moved that the House prepare to go to the Senate for Joint Session in pursuance to Senate Concurrent Resolution No. 2.

Motion prevailed.

Mr. Rinard moved that the Senate now go into Joint Session with the House pursuant to Senate Concurrent Resolution No. 2.

Motion prevailed.

Mr. Rinard moved that the President of the Senate preside over the Joint Session.

Motion prevailed.

Mr. Rinard moved that the Secretary of the Senate and the Chief Clerk of the House act as Secretaries of the Joint Session.

Motion prevailed.

The President of the Senate directed the Secretary of the Senate to read the following certificates:

The State of Delaware	} ss.
New Castle County	

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 forty, for New Castle County, according to the Constitution and Laws of the State of Delaware.

Forty-one thousand two hundred and forty-four votes were given for Josiah Marvel, Jr., for Governor;

Forty-nine thousand seven hundred and forty-nine votes were given for Walter W. Bacon for Governor;

Two thousand and seventy-three votes were given for Ivan Culbertson for Governor;

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 ninth day of November, A. D. 1940.

[SEAL]

DANIEL J. LAYTON

Chief Justice

F. L. SPEAKMAN

Resident Associate Judge

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 forty for Kent County, according to the Constitution and Laws of the State of Delaware.

Eight thousand one hundred ninety-six votes were given for Josiah Marvel, Jr., for Governor;

Eight thousand eight hundred sixty-five votes were given for Walter W. Bacon for Governor;

One hundred seventy-five votes were given for Ivan Culbertson for Governor;

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, William W. Harrington and Charles L. Terry, Jr., 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 ninth day of November, A. D. 1940.

[SEAL]

WM. WATSON HARRINGTON
Chancellor

CHARLES L. TERRY, JR.
Resident Associate Judge

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 forty for Sussex County, according to the Constitution and Laws of the State of Delaware.

Eleven thousand eight hundred sixty-three votes were given for Josiah Marvel, Jr., for Governor;

Twelve thousand two hundred ninety-five votes were given for Walter W. Bacon for Governor;

Seven hundred twenty-seven votes were given for Ivan Culbertson for Governor;

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, Houston Wilson and Charles S. Richards, 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 seventh day of November, A. D. 1940.

[SEAL]

HOUSTON WILSON
Judge ad litem

CHARLES S. RICHARDS
Resident Associate Judge

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 forty, for New Castle County, according to the Constitution and Laws of the State of Delaware.

Forty-five thousand seven hundred and sixty-eight votes were given for Isaac J. McCollum for Lieutenant-Governor;

Forty-five thousand fifty-one votes were given for Earle D. Willey for Lieutenant-Governor;

One thousand seven hundred and forty-seven votes were given for David A. Waxman for Lieutenant-Governor;

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 ninth day of November, A. D. 1940.

[SEAL]

DANIEL J. LAYTON
Chief Justice

F. L. SPEAKMAN
Resident Associate Judge

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 forty for Kent County, according to the Constitution and Laws of the State of Delaware.

Eight thousand four hundred forty-five votes were given for Isaac J. McCollum for Lieutenant-Governor;

Eight thousand six hundred ninety votes were given for Earle D. Willey for Lieutenant-Governor;

Sixty-four votes were given for David A. Waxman for Lieutenant-Governor;

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, William W. Harrington and Charles L. Terry, Jr., 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 ninth day of November, A. D. 1940.

[SEAL]

WM. WATSON HARRINGTON
Chancellor

CHARLES L. TERRY, JR.
Resident Associate Judge

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 forty for Sussex County, according to the Constitution and Laws of the State of Delaware.

Twelve thousand two hundred twenty-eight votes were given for Isaac J. McCollum for Lieutenant-Governor;

Twelve thousand and forty-four votes were given for Earle D. Willey for Lieutenant-Governor;

Five hundred sixty-six votes were given for David A. Waxman for Lieutenant-Governor;

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, Houston Wilson and Charles S. Richards, 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 seventh day of November, A. D. 1940.

[SEAL]

HOUSTON WILSON

Judge ad litem

CHARLES S. RICHARDS

Resident Associate Judge

The President directed the Joint Secretaries to count the vote for Governor and Lieutenant-Governor of the State of Delaware.

The following is a report of the Joint Secretaries:

FOR GOVERNOR

	(Marvel)	(Bacon)	(Culbertson)
New Castle County	41,244	49,749	2,073
Kent County	8,196	8,865	175
Sussex County	11,863	12,295	727
TOTAL	61,303	70,909	2,975

FOR LIEUTENANT-GOVERNOR

	(McCollum)	(Willey)	(Waxman)
New Castle County	45,768	45,051	1,747
Kent County	8,445	8,690	64
Sussex County	12,228	12,044	566
TOTAL	66,441	65,785	2,377

The President of the Senate declared Honorable Walter W. Bacon elected Governor of the State of Delaware, to hold office from the third Tuesday in January, 1941, to the third Tuesday in January, 1945, and also declared Honorable Isaac J. McCollum elected Lieutenant-Governor of the State of Delaware, to hold office from the third Tuesday in January, 1941, to the third Tuesday in January, 1945.

Mr. Rinard moved the Secretaries of the Joint Session compare their Journals.

Motion prevailed.

The Secretaries announced the Journals of the Joint Session had been compared and found to agree.

Mr. Rinard moved that the Joint Session separate and retire to their respective Chambers.

Motion prevailed.

Same Day, later

House met in Regular Session.

Mr. Richards, on behalf of the Committee on Appropriations, to whom had been referred, Senate Joint Resolution No. 1, entitled:

Appropriating the sum of Sixteen Hundred and Fifty Dollars out of the State Treasury to pay the expenses of the Committee representing the Governor and a Joint Committee representing both Houses of the General Assembly in attending the Inauguration of the Honorable Franklin D. Roosevelt, as President of the United States.

Reported the same back to the House favorably.

ROBERT H. RICHARDS, JR.
WILLIAM K. PENNINGTON
JOHN L. BARR
FRANK S. PRITCHETT
JOHN M. CONWAY

Mr. Richards moved that the temporary rules be suspended for the purpose of considering Senate Joint Resolution No. 1.

Motion prevailed.

On motion of Mr. Richards, Senate Joint Resolution No. 1, entitled:

Appropriating the sum of Sixteen Hundred and Fifty Dollars out of the State Treasury to pay the expenses of the Committee representing the Governor and a Joint Committee representing both Houses of the General Assembly in attending the Inauguration of the Honorable Franklin D. Roosevelt, as President of the United States.

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. Barr, Bayliss, Blades, Blendt, Boyer, Buckingham, Bunting, Conway, Dorey, Hainsworth, Hickman, Johnston, Jolls, Jones, Kellum, Lemon, McDowell, Mears, O'Day, Paskey, Patterson, Pennington, Phillips, Pratt, Pritchett, Quigley, Richards, Sirman, Stayton, Thomas, VanHoy, J. S. Willis, R. W. Willis, Woodward, Mr. Speaker—35.

NAYS—None.

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. Richards introduced House Resolution No. 3, entitled:

HOUSE RESOLUTION NO. 3

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 pleasure of the 108th General Assembly of the State of Delaware, the said election to be given by via voce roll call:

Reading Clerk Walter Phillips
Assistant Chief Clerk Lloyd Derrickson
Stenographer Rosemary Knight

Mr. Richards moved that the resolution be adopted. Which was taken up for consideration and read in order to pass the House.

Motion prevailed.

State of Delaware, }
Kent County } ss.

Dover, Delaware

I, Rosemary Knight, 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.

ROSEMARY KNIGHT

Sworn to and subscribed before me this 8th day of January, A. D. 1941.

GEORGE W. RHODES
Speaker

State of Delaware, }
 } ss.
 Kent County,

Dover, Delaware

I, Walter Phillips, 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 ability.

WALTER PHILLIPS

Sworn to and subscribed before me this 8th day of January, A. D. 1941.

GEORGE W. RHODES

Speaker

Mrs. Davis, 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 Bill No. 1, entitled:

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258 of the Laws of Delaware, 1937, as amended, by changing the Definition of "Wages" and by changing the Basis of Contributions from "Wages Payable" to "Wages Paid."

And presented the same to the House.

The Chair presented Senate Bill No. 1, entitled:

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258 of the Laws of Delaware, 1937, as amended, by changing the Definition of "Wages" and by changing the Basis of Contributions from "Wages Payable" to "Wages Paid."

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

The Speaker announced he is about to sign:

Senate Joint Resolution No. 1.

Mrs. Davis, 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, entitled:

Providing for a Joint Session of the Senate and House of Representatives, in the Auditorium of the Dover High School, for the Inauguration of the Honorable Walter W. Bacon.

And presented the same to the House.

Mrs. Davis, 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. 5, entitled:

Providing for Adjournment of the Senate and House of Representatives until Tuesday, January 21, 1941.

And presented the same to the House.

The Chair presented Senate Concurrent Resolution No. 4, entitled:

Providing for a Joint Session of the Senate and House of Representatives, in the Auditorium of the Dover High School, for the Inauguration of the Honorable Walter W. Bacon.

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. Barr, Bayliss, Blades, Blendt, Boyer, Buckingham, Bunting, Conway, Dorey, Hainsworth, Hickman, Johnston, Jolls, Jones, Kellum, Lemon, Mears, O'Day, Paskey, Patterson, Pennington, Phillips, Pratt, Pritchett, Quigley, Sirman, Stayton, Thomas, J. S. Willis, R. W. Willis, Woodward, Mr. Speaker—32.

NAYS—None.

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. 5, entitled:

Providing for Adjournment of the Senate and House of Representatives until Tuesday, January 21, 1941.

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. Barr, Bayliss, Buckingham, Dorey, Hainsworth, Hickman, Johnston, Jolls, Jones, Kellum, O'Day, Patterson, Pennington, Pritchett, Thomas, J. S. Willis, R. W. Willis, Woodward, Mr. Speaker—19.

NAYS—Messrs. Blades, Blendt, Boyer, Bunting, Conway, Lemon, McDowell, Mears, Paskey, Phillips, Pratt, Quigley, Sirman, Stayton—14.

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 Speaker announced he is about to sign:

Senate Concurrent Resolution No. 4

Senate Concurrent Resolution No. 5.

Mr. Barr, on behalf of the Committee on Revised Statutes, to whom had been referred, Senate Bill No. 1, entitled:

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258 of the Laws of Delaware, 1937, as amended, by changing the Definition of "Wages" and by changing the Basis of Contributions from "Wages Payable" to "Wages Paid."

Reported the same back to the House favorably.

JOHN L. BARR
JONATHAN S. WILLIS
ALFRED A. O'DAY
RICHARD W. WILLIS
JOHN M. CONWAY

Mr. Barr moved that the temporary rules be suspended for the purpose of considering Senate Bill No. 1.

Motion prevailed.

On motion of Mr. Barr, Senate Bill No. 1, entitled:

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258 of the Laws of Delaware, 1937, as amended, by changing the Definition of "Wages" and by changing the Basis of Contributions from "Wages Payable" to "Wages Paid."

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

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

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

YEAS—Messrs. Barr, Bayliss, Blades, Blendt, Boyer, Buckingham, Bunting, Conway, Dorey, Hainsworth, Hickman, Johnston, Jolls, Jones, Kellum, Lemon, McDowell, Mears, O'Day, Paskey, Patterson, Pennington, Phillips, Pratt, Pritchett, Quigley, Richards, Sirman, Stayton, Thomas, J. S. Willis, R. W. Willis, Woodward, Mr. Speaker—34.

NAYS—None.

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

And was ordered returned to the Senate.

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

HOUSE RESOLUTION NO. 4

Authorizing and directing the Committee on Printing to receive Competitive Bids for such Printing as shall be required during the Present Session of the House of Representatives.

BE IT RESOLVED by the House of Representatives, That the Committee on Printing be and it is hereby authorized and directed to prepare specifications for such printing as shall be required during the present Session of the House of Represen-

tatives and to receive bids on the same, after such reasonable advertising as to the said Committee shall appear proper and just; and

BE IT FURTHER RESOLVED, That the said Committee shall receive only such bids as shall be presented in Sealed envelopes, to be publicly opened in the presence of the bidder or his representative at such time and place as shall be specified in the advertisement for bids; and

BE IT FURTHER RESOLVED, That the said Committee shall present to the House of Representatives on Tuesday, January 21, 1941, a statement of all bids which shall have been received in accordance with this resolution; and

BE IT FURTHER RESOLVED, That no bid shall be received except from persons resident in the State of Delaware, or from firms or corporations actually located in the State of Delaware; and that specifications for such printing shall require that printing be done and work performed in the State of Delaware.

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

Mr. Richards moved that the resolution be adopted.

Motion prevailed.

The Speaker announced he is about to sign:

Senate Bill No. 1.

Mr. Richards moved that the House adjourn until Tuesday, January 21st, 1941, at eleven o'clock A. M.

Motion prevailed.

THIRD LEGISLATIVE DAY

Dover, Delaware, January 21, 1941, eleven o'clock A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Reverend Howard Davis.

Roll called.

Members Present—Barr, Bayliss, Blades, Blendt, Boyer, Buckingham, Bunting, Conway, Dorey, Hainsworth, Hickman, Johnston, Jolls, Jones, Kellum, Lemon, McDowell, Mears, O'Day, Paskey, Patterson, Pennington, Phillips, Pratt, Pritchett, Quigley, Richards, Sirman, Stayton, Thomas, VanHoy, J. S. Willis, R. W. Willis, Woodward, Mr. Speaker—35.

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

Motion prevailed.

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

HOUSE RESOLUTION NO. 5

Accepting the lowest responsible bid for each of the Classes of printed matter required by the House of Representatives.

BE IT RESOLVED by the House of Representatives, That the following bids, obtained by the Committee on Printing, after public advertisement, be accepted for the respective classes of printed matter and the work covered by each of said classes of printed matter be awarded to said bidders as the lowest responsible bidders therefor, upon entering into the undertakings and upon strict compliance with the terms and conditions of the advertisement of the Committee on Printing upon which said bids were submitted:

ITEM A—Calendar and Index—Milford Chronicle Publishing Co. Price—\$3.64 per page for first 100 copies, 60c per page for each additional 100 copies.

ITEM B—Bills—The State Sentinel. Price—\$1.98 per page for first 100 copies, 30c per page for each additional 100 copies.

ITEM C—Rule Books—Newark Printing Company. Total price, \$78.00.

ITEM D—Roll Call Books—The Star Publishing Co. Price, \$37.50.

ITEM E—Various Printed Forms and Supplies—The State Sentinel. Price, \$51.39.

BE IT FURTHER RESOLVED, That all work by the successful bidder for each of the above classes of printed matter shall be in strict compliance with the specifications furnished by the Committee on Printing and that all deliveries of printed matter be accompanied by a detailed invoice covering same.

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

Mr. Richards moved that the Resolution be adopted.

Motion prevailed.

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

HOUSE RESOLUTION NO. 6

Appropriating certain money of the General Fund of the State Treasury to pay Certain Expenses of the House of Representatives, being Expenses connected with the Present Session of the House of Representatives.

BE IT RESOLVED by the House of Representatives, That the sum of Twenty-one Dollars (\$21.00) be and it hereby is appropriated out of any money in the General Fund of the State Treasury for the payment of the cost of advertising for bids covering printing required by the House of Representatives, being expenses connected with the present session of the 108th General Assembly, and the State Treasurer is hereby authorized and directed to pay to the News-Journal Company, 831 Orange Street, Wilmington, Delaware, the said sum of Twenty-one Dollars (\$21.00), in full payment of the cost of said advertising.

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

Mr. Richards moved that the resolution be adopted.

Motion prevailed.

Mrs. Davis, 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, entitled:

Providing for a Joint Session to witness the Administering of the Oath of Office to Lieutenant-Governor-Elect Isaac J. MacCollum.

And presented the same to the House.

The Chair presented Senate Concurrent Resolution No. 6, entitled:

Providing for a Joint Session to witness the Administering of the Oath of Office to Lieutenant-Governor-Elect Isaac J. MacCollum.

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. Barr, Bayliss, Blades, Blendt, Boyer, Buckingham, Dorey, Hainsworth, Hickman, Johnson, Jolls, Jones, Kellum, Lemon, McDowell, Mears, O'Day, Paskey, Patterson, Pennington, Phillips, Pratt, Pritchett, Quigley, Richards, Sirman, Stayton, VanHoy, J. S. Willis, R. W. Willis, Woodward, Mr. Speaker—32.

NAYS—None.

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.

Mr. Richards submitted the following report:

HOUSE OF REPRESENTATIVES
108TH GENERAL ASSEMBLY
REPORT OF COMMITTEE ON PRINTING TO THE
HOUSE OF REPRESENTATIVES
OF THE 108TH GENERAL ASSEMBLY

Acting under the authority of House Resolution No. 4, your Committee on Printing duly advertised for bids for printing required to be done by the House of Representatives, which advertisement appeared in the Journal-Every Evening for Saturday, January 11, 1941. A copy of this advertisement is attached to this Report and marked Exhibit "A." Pursuant to the terms of said advertisement, the Chairman of your Committee on Printing was in the Office of the Chief Clerk of the House of Representatives, Legislative Hall, Dover, Delaware, between the hours of 2 P. M. and 5 P. M. on the 13th day of January, 1941, and there gave out complete specifications for printing required to all prospective bidders requesting same, either in person or by duly authorized representative. Specifications were given out to seventeen different prospective bidders. A copy of said specifications is attached hereto and marked Exhibit "B."

On January 17, 1941, your Committee on Printing met at 11 A. M. in the Legislative Hall, Dover, Delaware, for the purpose of receiving and opening bids, pursuant to the terms of said advertisement. As specified in said advertisement, bids were received for five separate items of printing, as follows:

- Item A—Calendar and Index.
- Item B—Bills.
- Item C—Book of Rules.
- Item D—Roll Call Books.
- Item E—Various printed forms and supplies.

At the time and place above stated, bids were received from seven different bidders for all or a portion of the above items. These bids were opened at 11:15 A. M. and were tabulated as follows:

January 17, 1941

BIDS RECEIVED ON HOUSE PRINTING

The State Sentinel—James F. Allee, Jr.

ITEM A

INDEX—

\$3.81 per page first 100 copies
.88 per page each additional 100 copies

CALENDER—

\$3.98 per page first 100 copies
 .46 per page each additional 100 copies
 Certified check \$250.00.

ITEM B

BILLS—

\$1.98 per page first 100 copies
 .30 per page each additional 100 copies

ITEM C

RULE BOOKS—

\$85.03—Certified check, \$8.51

ITEM E

PRINTED FORMS—

\$51.39—Certified check, \$5.14

The Newark Publishing Co., Inc.—Richard T. Ware

ITEM A

CALENDER—

\$4.50 per page first 100 copies
 \$1.50 per page each additional 100 copies

INDEX—

\$4.50 per page first 100 copies
 \$1.50 per page each additional 100 copies
 Certified check, \$250.00

ITEM E

PRINTED FORMS—

\$106.00—Certified check, \$10.60.

The Star Publishing Co.—George Kelly

ITEM A

CALENDAR AND INDEX—

4 pages or less than 8 pages \$4.75 per page first 100 copies
 \$1.25 per page each additional
 100 copies

8 pages or more \$4.50 per page first 100 copies
 \$1.00 per page each additional 100
 copies

For pages printed without change:

\$1.00 per page first 100 copies
 .50 per page each additional 100 copies

ITEM B

BILLS—

- 2 pages or less \$4.50 per page first 100 copies
- 2 pages or less \$1.50 per page each additional 100 copies
- More than 2 pages—less than 16 pages:
 - \$2.50 per page first 100 copies
 - \$1.25 per page each additional 100 copies
- 16 pages or more:
 - \$2.00 per page first 100 copies
 - \$1.00 per page each additional 100 copies.

ITEM C

RULE BOOKS—\$145.00

ITEM D

ROLL CALL BOOKS—\$37.50

ITEM E

FORMS—\$115.00

Certified check, \$269.75.

The Sussex Countian—Wm. Russell

ITEM E

FORMS—\$94.00. Certified check, \$9.40.

Milford Chronicle Publishing Co.—Marshall Townsend

ITEM A

CALENDAR AND INDEX—

- \$3.64 per page for first 100 copies
- .60 per page each additional 100 copies
- Certified check, \$250.00

James A. LeFevre—James A. LeFevre

ITEM C

RULE BOOKS—\$190.00

ITEM D

ROLL CALL BOOKS—\$40.00

ITEM E

MISCELLANEOUS FORMS—\$69.50

ITEM B

HOUSE BILLS—

\$4.00 per page first 100 copies
 .50 per page each additional 100 copies
 Check, \$29.95, not certified

Newark Printing Company—Wm. S. Hamilton

ITEM C

RULE BOOKS—\$78.00. Certified check, \$7.80.

Upon the completion of the tabulation of said bids, your Committee on Printing considered the same for the purpose of determining the lowest responsible bidder for each class of printing made, and having determined the same, your Committee on Printing recommends that the bids of the following be accepted for the respective classes of printed matter and the work covered by each of said classes be awarded to the respective bidders, upon their entering into the undertakings and complying with the terms provided in said advertisements:

ITEM A—Calendar and Index—Milford Chronicle Publishing Co.

Price—\$3.64 per page for first 100 copies,
 .60 per page for each additional 100 copies.

ITEM B—Bills—The State Sentinel.

Price—\$1.98 per page for first 100 copies,
 .30 per page for each additional 100 copies.

ITEM C—Rule Books—Newark Printing Company.

Total price—\$78.00.

ITEM D—Roll Call Books—The Star Publishing Co.

Price—\$37.50.

ITEM E—Various Printed Forms and Supplies—The State Sentinel.

Price—\$51.39.

In determining the lowest bidder of the calendar and index, your Committee proceeded on the basis that the House of Representatives would desire to keep the number ordered as low as possible and to confine the mailing list for said calendar and index to those having an actual need therefor. Your Committee

believed that the number required would not exceed a maximum of 300 copies. On this basis your Committee was clearly of the opinion that the Milford Chronicle Publishing Co. was the lowest responsible bidder for this class of work.

In connection with the insertion of the advertisement referred to above in the Journal-Every Evening, your Committee incurred the expense of \$21.00, as evidenced by the bill the News-Journal Company attached hereto and marked Exhibit "C." Your Committee recommends that the House of Representatives, by resolution, authorize the payment of this expense.

Respectfully submitted,

Committee on Printing:

ROBERT H. RICHARDS, JR.
FRANK S. PRITCHETT
WILLIAM K. PENNINGTON
JOHN L. BARR

Mr. Richards moved that the report be accepted and made a part of the Journal.

Motion prevailed.

State of Delaware, }
Kent County }ss.

Dover, Delaware

I, Lloyd A. Derickson, 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.

LLOYD A. DERICKSON

Sworn to and subscribed before me this 21st day of January, A. D. 1941.

GEORGE W. RHODES
Speaker

JOINT SESSION

Mr. Richards moved that the House prepare to meet in Joint Session for the purpose of witnessing the oath of office to the Honorable Isaac J. MacCollum, Lieutenant-Governor-elect.

Motion prevailed.

Mr. Rinard moved that the President of the Senate preside over the Joint Session.

Motion prevailed.

Mr. Rinard moved that the Secretary of the Senate and the Chief Clerk of the House act as Secretaries of the Joint Session.

Motion prevailed.

Mr. Rinard moved that the President of the Joint Session appoint a Committee of four to notify the Lieutenant-Governor that the Joint Session is ready to witness the oath of office.

Motion prevailed.

The President of the Joint Session appointed the following: Messrs. Clark, Messick, McDowell, Richards.

State of Delaware,	} ss.
Kent County	

Dover, Delaware

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

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

I. J. MACCOLLUM

Sworn to and subscribed before me this twenty-first day of January in the year of our Lord one thousand nine hundred and forty-one.

CHARLES L. TERRY, JR.
*Associate Judge of the
 State of Delaware*

Mr. Rinard moved that the Joint Session recess, and reconvene at the Dover High School, for the purpose of witnessing the oath of office to the Honorable Walter W. Bacon, Governor-elect, and receive his message.

Motion prevailed.

Same Day, Later

The Joint Session reconvened at the Dover High School at the expiration of the recess.

Upon the arrival of the Governor-elect, the oath of office was administered by Chief Justice Daniel J. Layton, as follows:

State of Delaware,	} ss.
Kent County	

Dover, Delaware

I, Walter W. Bacon, 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 Governor of the State of Delaware, according to the best of my ability.

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

WALTER W. BACON

Sworn to and subscribed before me this twenty-first day of January in the year of our Lord one thousand nine hundred and forty-one.

DANIEL J. LAYTON
Chief Justice

MESSAGE OF HONORABLE WALTER W. BACON
GOVERNOR OF DELAWARE
TO THE
ONE HUNDRED AND EIGHTH GENERAL ASSEMBLY
OF THE
STATE OF DELAWARE
CONVENING IN REGULAR SESSION AT DOVER ON
TUESDAY THE TWENTY-FIRST DAY OF JANUARY
NINETEEN HUNDRED AND FORTY-ONE

GOVERNOR'S MESSAGE

Members of the General Assembly
of the State of Delaware:

The Constitution of the State of Delaware makes it incumbent upon the Governor to "from time to time, give to the General Assembly information of affairs concerning the State and recommend to its consideration such measures as he shall judge expedient." Custom decrees that the inauguration of a Governor is such an occasion. In attempting to comply with this mandate and in enjoying the privilege of addressing you, I am profoundly impressed with the task which I have this day assumed and the obligations which I will be called upon to discharge. This is an historic State with a background created by those who, for years and years, have here been engaged in making this a better place in which to live. With its record of social improvements, educational achievements, highway expansion, and economic accomplishments, Delaware has made an invaluable contribution to American life. The electorate of Delaware has therefore reposed in me a great trust and it is with a keen sense of responsibility that I approach the task which confronts me. I am inspired, however, by the consciousness that the members of the General Assembly are fully aware that cooperation between the Executive and Legislative branches of the State government is imperative in these times and I look forward with confidence and pleasure to our working together during the coming weeks.

I know that the members of the General Assembly are also public servants for the public good and are fully aware of the real problems of state which confront us, and in submitting this message today my sole purpose is to outline the needs and conditions of the State with such recommendations as are thought to be helpful in the work that still lies ahead.

ECONOMY

Paramount among our responsibilities is that of practicing economy in the administration of the affairs of State. Waste and extravagance must be eliminated if we are to give the citizens of the State value received for their tax dollars. In this State, as in all other States, certain well meaning groups invariably insist on extending governmental activities and increasing appropriations, even though only a limited amount of State revenue is forthcoming. We cannot today, under present conditions, heed the demands of these devoted but super-enthusiastic citizens. If we do an increase in taxes is inevitable. It is my belief that the time has arrived to balance our State budget and to resist added demands upon the treasury.

CASH BALANCES

In preparation for the solemn duties which I have this day assumed, it has been necessary to acquaint myself with the financial and business operations of the State.

The fiscal outlook is far from encouraging. The Budget Commission's latest estimates indicate a deficit in income for the fiscal year ending June 30, 1941, of approximately \$1,500,000. If this deficit occurs, our cash balance will amount to \$2,500,000.

In your budget calculations, it is urged that you allow for a surplus of at least \$2,500,000, in order that the State may operate with the minimum amount of short term borrowing. Even with this opening cash balance, I am informed that some borrowing may be necessary.

ONE FUND PLAN

The "One Fund Plan," adopted by your predecessors in the General Assembly, will be found of great benefit to you in solving the State's budget problem. Any attempt to balance the budget for the next biennium under the old "earmarked" fund plan can succeed only by resort to borrowing from Highway funds and diverting franchise tax unless the bonded debt is increased or new taxes levied. Such borrowings and diversions will accomplish exactly what the "One Fund Plan" will accomplish. Those who would oppose the latter plan must be in favor of new taxes because they are opposed to the diversion of funds. Additional State taxes at this time with Federal taxes at staggering heights and still climbing, would be unjust and too burdensome for our people. I respectfully admonish you to be wary of any attempts to have changed the law creating the one general fund. If it is changed you will be faced with far greater difficulties in financing than those which now confront you.

I have carefully studied the most recent report prepared by the Budget Commission which is calculated to recommend ways and means of financing the budget for 1942 and 1943. The methods suggested seem conservative and the principles sound and in the best interests of the State. The booklet which contains these suggestions is commended to your serious attention.

TAX SITUATION AND BONDED DEBT

The continuation of the present favorable tax situation in Delaware is essential in view of the tax conditions which face the country today. During the emergency which now exists the need for increased Federal revenue is apparent and unquestionably Federal taxes will be increased. This State should do everything possible to maintain tax rates as low as are commensurate with the efficient operation of government. I feel that we are well prepared to maintain our tax system intact even under the strains of the Federal defense program. Our tax system has been stabilized in the past few years. It now remains for us to stabilize our expenditures.

An unbalanced budget can result only in an increase in bonded debt or new taxes. Pressure for the latter should be resisted; any large increase in indebtedness should not be approved without careful consideration of a policy to commit future income to pay for present outlays. In the uncertain future which we are facing today, our State's finances should be prepared for the emergencies which seem imminent. You are confronted with solving the most difficult fiscal problem which has faced a Delaware Legislature in many years. You possess three fiscal controls, namely, the power to tax, the power to vote or refrain from voting for appropriations and the power to bond. A trust has been delegated to you to keep our State solvent at a time when our cash balances are the lowest in a decade. In my opinion the answer lies in cutting the expenditures with the least harm to efficient service. The day when our balances and our revenues must be watched has arrived and you are faced with the unpleasant task of refusing greater appropriations and in some instances eliminating altogether some activities. You are representing the people of this State at a time when their treasury must be protected. For every dollar spent the taxpayer must receive a dollar's worth of value.

CURRENT ECONOMIC FACTORS AFFECTING BUDGET

We can expect relief costs to be lowered as industrial employment rises under the impetus of war contracts and the defense program. The number of employables on relief should be substantially reduced.

Retail trade is advancing under the same impetus. Food costs, however, will not increase so long as large farm surpluses are on hand. A reasonable prospect exists for record breaking industrial peaks in 1942 and 1943, but it must be remembered that Federal taxation will offset the income available to the citizens even though such peaks in industry are reached. Interest rates may rise but a greater share of individual income will be required for the payment of Federal taxes and therefore less individual income will be available for State tax payments. No set of similar conditions has ever before challenged the ingenuity of the State Legislature. It must be remembered that conditions have changed and new high business indexes do not mean a return to the prosperous days of 1926 and 1929. Today the burden of Federal taxes will leave little from which to expand the forces of production.

FISCAL SUGGESTIONS

It is my opinion that an emergency fund should be created to provide for possible abnormal highway maintenance as well as emergency requirements of other State departments. The sum of \$700,000 can be appropriated to such a fund without impairing the working cash surpluses.

I recommend that a road program calling for an appropriation of \$2,000,000 from State funds be adopted. Such a program will enable the State to receive an allotment of Federal money in the sum of approximately \$1,500,000. The educational grants should be sufficient to maintain the high standards that our schools have attained. The unfortunate of our citizens should be provided for. Our aged and infirm need assistance and the under-privileged children should receive the best support that the State can afford. But in assisting all our citizens it is our duty to conscientiously determine the real needs and to make appropriations within State income. The administration of public financial assistance must be carefully controlled in order that the recipients of the benefits receive the greatest possible help.

Aid is needed by our private hospitals and our rural fire companies and for a great number of other worthy purposes, but our expenditures must be kept within the bounds of State income.

Outlays of huge sums for permanent improvements will be asked of you. Such cannot be met without issuing bonds and it seems unwise to bond the State for any large amount at the present time.

PUBLIC SCHOOLS AND EDUCATION

With respect to both physical equipment and teaching staff the public schools of Delaware compare favorably with the best in any State. Our free school system should be a source of pride

to every Delawarean and the only care that we need have is to see that the system is not so expanded that the State will be unable to support it without oppressive taxation.

Our chief concern in National Defense is the lack of skilled labor. The Federal Government has adopted a vocational educational program which emphasizes training men and women in the essential industries. I believe that our State Board of Education should cooperate in this program as much as possible. Vocational education does not only provide skilled labor but it assists materially in solving the unemployment problem. It also builds character because it permits those who receive training to throw off the cloak of helplessness and become independent in a trade. In this defense program we must not lose sight of the human values. It has been well said that battles are sometimes won by tanks, airplanes and guns, but the outcome of a war is dependent upon the character of the Nation.

Due to the rapid increase in population in certain suburban areas, the schools in some of those districts have become overcrowded. This is particularly true of the suburban areas surrounding the City of Wilmington. There are two possible methods of meeting this problem. One is to provide additional facilities in the congested district and the other is to utilize already existing facilities in nearby cities and towns. In the interest of sound economy it would seem that in all cases where it is possible to do so the latter alternative should be followed. It is not in keeping with sound business principles to authorize the expenditure of additional sums for schoolhouse construction in any area from which the children can, with reasonable convenience, attend existing schools where adequate and modern facilities are already available.

Two years ago the General Assembly restored the regular salary increments to teachers. I believe that this should be continued.

RELIEF

The needy and unemployables must be cared for and our citizens must be secure in their old age. This is an inescapable duty of a democracy. The cost of relief in this State has been borne by the State itself and the three Counties and the burden as you know has been very heavy. It is believed, however, that direct relief needs will be less because of the increase in employment caused by the National Defense Program. I know that all American workers want a real job and that they do not want to be supported by relief payments. I know, too, that the patriotic citizen who is employable will escape the relief rolls at the earliest possible moment to accept a real job if provided by the defense program or otherwise.

SOCIAL LEGISLATION

Delaware has been a pioneer in Social Legislation. I am in complete sympathy with all legislation which will provide a greater measure of protection for our wage earners. By this I do not mean necessarily social security payments in excess of the State's financial ability to pay. I mean fair and well-conceived legislation that will secure privileges and rights to the worker which are properly his. I believe that the Workmen's Compensation Law which was passed in 1917 should be amended in certain respects.

Because of its social and economic value to a large number of our people I want to speak briefly of this law to you. I believe that it can be improved so that the workers injured in industrial accidents as well as their families may receive more equitable benefits. Because of the present-day economic and social conditions the present schedule of maximum weekly compensation seems inadequate. And the present definite schedule of compensation for the loss of, or permanent physical impairment to, certain members of the body, seems inequitable. Perhaps the present schedule of compensable occupational diseases should be enlarged to include occupational diseases not at the present time compensable, such as for instance, Dermatitis, a disease common among morocco and leather workers. I feel also that benefits should be payable to one injured in industrial employment whether his employer employs five or a smaller number of workers. It would be of great assistance to you in studying possible amendments to the Workmen's Compensation Law to consider the laws of other jurisdictions and the fairness of them.

I commend also to your consideration the feasibility of passing a law enabling the City of Wilmington to participate in the Federal slum clearance program. I am in full accord with the amendment that you recently adopted to the Delaware Unemployment Compensation Act which provides such changes in the merit rating provisions of the Act as should make the law more nearly in agreement with the Federal statutes.

At the present time we have many statutes relating to labor such as the very salutary law governing the number of working hours for women, the child labor law and many others. These laws in the past have been indifferently enforced. I commend to your consideration the advisability of the creation of an adequate functioning commission empowered to administer effectively existing laws pertaining to working hours for women, child labor and all other allied matters. This could be done with very little expense to the State. I believe that such a commission could be created out of already existing State agencies.

ABSENTEE VOTING

Many people are physically unable to go to the polls to cast a ballot. In these days many of our citizens are in the Army camps and many others are located far from their legal residence. Our State constitution should be amended so that qualified voters of this State may cast their ballots by mail at general elections even though because of public service or the nature of their employment or because of illness they may be unable to cast their votes in person.

Our present practice of using one ballot in years in which presidential electors as well as State and County officials are to be voted for, is very confusing to the voter. I recommend that the election laws be amended to provide for the use of two ballots in presidential election years. One of the ballots should contain the names of the State and County candidates of the respective political parties and the other should contain the names of the presidential and vice-presidential candidates of the respective political parties. On the latter ballot there should be printed the notice that a vote for the candidate for President and Vice-President shall be a vote for the electors of such party the names of whom are on file with the Secretary of State. This method would prove a decided improvement over the present practice and would eliminate the confusion that is caused by the one ballot system.

JUSTICES OF THE PEACE

I believe that the number of Justices of the Peace in the State should be reduced and that all Justices should be placed on a salary and that the fee system should be abolished. At the present time Constables collect all fines and account for the same. This provision was made before the creation of the Delaware State Police and at a time when Constables served all warrants and made all arrests. The law should be amended to authorize Justices of the Peace to collect fines imposed by them and they should be placed under an adequate bond to properly account for fines received. At the present time the bond required of a Justice of the Peace is practically meaningless.

LIQUOR CONTROL

I favor a liquor commission comprised of at least three members and I feel that the Liquor Control Act should be amended to facilitate appeals to the Superior Court from the decisions of the Commission.

LEGISLATIVE SALARIES AND PRINTING

In the past it cannot be denied that the cost to the taxpayers for legislative attaches and legislative printing has been unreasonably high. I wish to commend the members of this Legislature

in their resolve to reduce the cost of both printing and legislative help. I am in favor of a constitutional amendment limiting the appropriations that can be made for legislative attaches.

SUPREME COURT

I am in favor of a Constitutional Amendment providing for a separate State Supreme Court. Our present system is out-moded. Today the work of our courts has increased to the extent that it is absolutely impossible for the Chancellor and the Law Judges to devote proper attention to the work of the Supreme Court. This should be the most important Court in the State and the present system must be changed if the work of that Court is to receive the required attention. I also believe that the amendment should include a provision making the Vice-Chancellor a constitutional officer so that the work of the Court of Chancery can be expedited.

NATIONAL DEFENSE

It is essential that I call your attention briefly to the subject of National Defense. Our National Government is, as you know, actively engaged in a great program to put the Nation in a position to defend itself against any attacks that may be made against it from any quarters. This effort I am sure is fully supported by the people of this State. Delaware as a State has always stood steadfastly by, and given all possible assistance to, the National Government on all occasions when the safety of our National democratic institutions and the liberties of the American people have been endangered or have been confronted with the possibility of danger. I earnestly hope that our Country does not become involved in any of the wars that are raging in the World today, but, in view of existing World conditions, our National Government would be derelict in its duty to our people if it did not fully and speedily prepare for that unhappy possibility.

Governor McMullen, my predecessor, in accordance with suggestions from the seat of our National Government and in line with similar action by the Governors of other States, has appointed a Delaware Council for National Defense, of which the Governor of the State is ex-officio the Honorary Chairman. This body has done some valuable work of an organizational character and by way of collecting and compiling preliminary information. It is, however, existing without legal authority, and I recommend that the General Assembly enact a suitable statute to validate it or to create some other similar body to cooperate with the National Government in the event that our Country should become engaged in war and in connection with preparation for the possibility thereof and making a suitable appropriation for the expenses of such body. The existing State Council

for National Defense has incurred expenses to the extent of a few hundred dollars and I recommend that the General Assembly make a suitable appropriation for their payment.

THANKSGIVING DAY

From time immemorial our people have set aside the last Thursday in the month of November of each year as a day of Thanksgiving. This commendable practice crystallized into a beautiful American tradition. It became a sacred day among a Christian people. The present administration in Washington for reasons which are unacceptable to me, violated this sacred tradition by proclaiming a new and different date as the day for National Thanksgiving. I believe in American traditions and as long as I am Governor of this State, I shall proclaim the last Thursday of November as our day for Thanksgiving.

CONCLUSION

In conclusion I want to assure you and our citizens generally that as Governor I shall ever be solicitous of the welfare of the State and I shall ever endeavor to administer its affairs with energy, efficiency and honesty. I shall always have the deepest concern for all of our citizens regardless of their political persuasions, their stations in life, or their race, color and religion. A Governor, although elected as a Republican or a Democrat, is not a Governor for his particular political party, but he is the Governor of the State, which embraces every citizen in the State.

In the spirit of a public servant of the people I approach my task. I know that the same spirit animates the Members of the General Assembly as well as other State officials entrusted with responsibility. To the end that our State may receive the benefits of the best in government, I solicit the cooperation, not only of the General Assembly and other State officials, but the loyal cooperation of all of our citizens. To the welfare of this State and to the happiness and prosperity of its people I dedicate my administration.

Respectfully submitted,

WALTER W. BACON

Governor

Mr. Rinard moved that the Secretaries of the Joint Session compare their respective Journals.

Motion prevailed.

The Secretaries reported that the Journals of the two Houses have been found to agree.

Mr. Rinard moved that the two Houses separate, and reconvene in their chambers.

Motion prevailed.

Same Day, Later

The House reconvened after the Joint Session.

Mr. Richards moved that the House adjourn until January 22, at 11:00 o'clock A. M.

Motion prevailed.

FOURTH LEGISLATIVE DAY

Dover, Delaware, January 22, 1941, 11 o'clock A. M.

House met pursuant to adjournment.

Prayer by Chaplain, Rev. Howard Davis.

Roll called.

Members Present—Barr, Bayliss, Blades, Blendt, Boyer, Buckingham, Bunting, Conway, Dorey, Hainsworth, Hickman, Johnston, Jolls, Jones, Kellum, Lemon, McDowell, Mears, O'Day, Paskey, Patterson, Pennington, Phillips, Pratt, Pritchett, Quigley, Richards, Sirman, Stayton, Thomas, VanHoy, J. S. Willis, R. W. Willis, Woodward, Mr. Speaker—35.

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

Motion prevailed.

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

HOUSE RESOLUTION NO. 7

Authorizing the State Librarian to furnish Stationery and other Supplies.

BE IT RESOLVED by the House of Representatives of the 108th General Assembly of the State of Delaware, That the State Librarian be and she is hereby authorized and directed to furnish to the members of the House of Representatives, the Speaker's Clerk, the Chief Clerk, the Asst. Chief Clerk, the Attorneys for the House of Representatives, the Reading Clerks and the Bill Clerks stationery and other supplies, the cost of which shall not exceed the sum of Twenty-five (\$25.00) Dollars for each.

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

Mr. Richards moved that the Resolution be adopted.

Motion prevailed.

The Speaker announced he is about to sign:

Senate Concurrent Resolution No. 6.

Mrs. Davis, 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. 7, entitled:

Providing for Adjournment of Senate and House of Representatives until Monday, January 27th, 1941.

And presented the same to the House.

The Chair presented Senate Concurrent Resolution No. 7, entitled:

Providing for Adjournment of Senate and House of Representatives until Monday, January 27th, 1941.

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. Bayliss, Buckingham, Dorey, Hainsworth, Hickman, Johnston, Jolls, Jones, Kellum, O'Day, Patterson, Pritchett, Thomas, VanHoy, J. S. Willis, R. W. Willis, Woodward, Mr. Speaker—18.

NAYS—Messrs. Blades, Blendt, Boyer, Bunting, Lemon, McDowell, Mears, Paskey, Phillips, Pratt, Sirman, Stayton—12.

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 Speaker announced he is about to sign:

Senate Concurrent Resolution No. 7.

Mr. Johnston moved that the House adjourn until Monday, January 27th, at 11 o'clock A. M.

Motion prevailed.

FIFTH LEGISLATIVE DAY

Dover, Delaware, Monday, January 27th, 1941

11 o'clock A. M.

House met pursuant to adjournment.

Roll called.

Members Present—Barr, Bayliss, Blades, Blendt, Boyer, Buckingham, Bunting, Conway, Dorey, Hainsworth, Hickman, Johnston, Jolls, Jones, Kellum, Lemon, McDowell, Mears, O'Day, Paskey, Patterson, Pennington, Phillips, Pratt, Pritchett, Quigley, Richards, Sirman, Stayton, Thomas, VanHoy, J. S. Willis, R. W. Willis, Woodward, Mr. Speaker—35.

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

Motion prevailed.

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

An Act providing a Deficiency Appropriation to the Ferris Industrial School of Delaware for the Fiscal Year ending June 30, 1941.

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

Mr. Richards moved that the House recess until one o'clock P. M.

Motion prevailed.

Same Day, one o'clock P. M.

House met at expiration of recess.

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

An Act to amend An Act known as the Unemployment Commission Law, being Chapter 258, Volume 41, Laws of Delaware, 1937, as amended, by excluding certain services for the meaning of the term Employment.

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

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

HOUSE RESOLUTION NO. 8

BE IT RESOLVED by the House of Representatives, That the said House proceed to the nomination and election of the following officer to serve during the pleasure of the 108th General Assembly of the State of Delaware, the said election to be given via voce on roll call:

Stenographer Margaret D. Tomlinson

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. Barr, Blades, Boyer, Buckingham, Bunting, Dorey, Hainsworth, Hickman, Johnston, Kellum, Mears, O'Day, Paskey, Patterson, Pennington, Phillips, Pratt, Pritchett, Quigley, Richards, Sirman, Stayton, Thomas, VanHoy, Woodward, Mr. Speaker—26.

NAYS—None.

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

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

An Act to amend Chapter 117 of the Revised Code of Delaware, 1935, relating to Additional Officers attached to the Court of Chancery.

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

Mr. Richards moved that the House recess until 1:30 o'clock P. M.

Motion prevailed.

Same Day, 2 o'clock P. M.

House met at expiration of recess.

Mr. Richards, on motion for leave, introduced House Joint Resolution No. 1, entitled:

An Act proposing an amendment to the Constitution of the State of Delaware by abolishing the Office of Coroner.

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

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

An Act to create the Medical Examiner of the State of Delaware, to define the Powers, Duties and Salary thereof and to abolish the Office of Coroner's Physician for New Castle County.

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

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

An Act to amend An Act entitled "An Act to provide for the Establishment of a Permanent Budget Commission and defining the Powers and Duties thereof," by making the Secretary of State a Member of said Commission.

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

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

An Act to amend Chapter 150 of the Revised Code of Delaware, 1935, relating to Offenses against Private Property by providing for Different Degrees of Larceny and providing Penalties therefor; providing for Proceedings without Indictment by Grand Jury or Trial by Petit Jury in Certain Cases, vesting Jurisdiction in the Municipal Court of the City of Wilmington, the Courts of Common Pleas and the Justices of the Peace in certain cases; providing Accused shall not be entitled to Acquittal but that Jury may render Verdict of Misdemeanor; fixing Value of Things being the Subject of Larceny; and providing no Criminal Proceedings commenced prior to the Approval of this Act shall be affected hereby.

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

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

An Act to amend Chapter 150 of the Revised Code of Delaware, 1935, relating to Offenses against Private Property by making Receiving Stolen Goods a Misdemeanor in Certain Cases; providing Penalties; providing for Proceedings without Indictment by Grand Jury or Trial by Petit Jury in Certain Cases; vesting Jurisdiction in the Municipal Court of the City of Wilmington, the Court of Common Pleas and the Justices of the Peace in Certain Cases; providing Accused shall not be entitled to Acquittal upon Trial for Felony by proving Offense Misdemeanor but that Jury may render Verdict of Misdemeanor, fixing Value of Goods, and providing no Criminal Proceeding commenced prior to the approval of this Act shall be affected hereby.

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

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

An Act creating a Board of Trustees to Manage and Control the Prison, Prison Farm, Court House and Court House Annex of Sussex County: Providing for the Appointment of Members of the Board, their Terms of Office, Qualifications and Expenses, their Powers and Duties; providing for Payment of the Expense of such Management and Control by the Levy Court of Sussex County; providing for the Custody, Care, Control, Labor and Compensation of Prisoners in said Prison; and providing for a System of Bookkeeping and Inventory of Property.

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

Mr. Richards moved that the House adjourn until Tuesday, January 28th, at 11 o'clock A. M.

Motion prevailed.

SIXTH LEGISLATIVE DAY

Dover, Delaware, Tuesday, January 28, 1941

11 o'clock A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Howard Davis.

Roll called.

Members Present—Barr, Blades, Blendt, Boyer, Buckingham, Bunting, Conway, Dorey, Hainsworth, Hickman, Johnston, Jolls, Jones, Kellum, Lemon, McDowell, Mears, O'Day, Paskey, Patterson, Pennington, Phillips, Pratt, Pritchett, Quigley, Richards, Sirman, Stayton, Thomas, VanHoy, J. S. Willis, R. W. Willis, Woodward, Mr. Speaker—34.

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

Motion prevailed.

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

An Act directing the Levy Court of Sussex County to Appropriate Money to Elinor W. King for Services to the Coroner of Sussex County for the years 1939 and 1940.

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

Mr. Barr, on motion for leave, introduced House Bill No. 12, 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 of Volume 38, Laws of Delaware as amended, being Chapter 163, of the Revised Code of Delaware of 1935, as amended.

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

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

An Act appropriating Money to the Insurance Commissioner to pay Premiums on all Insurance on State Property.

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

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

HOUSE RESOLUTION NO. 9

BE IT RESOLVED by the House of Representatives, That the privileges of the floor be accorded to the ex-members of the House, members and ex-members of the Senate, members and ex-members of the United States Senate and the United States House of Representatives, the Governor, other State officers, and representatives of the press, and that the privilege of the floor to address the House or to confer with members may be granted to others by a majority vote of the House.

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

Mr. Richards moved that the Resolution be adopted.

Motion prevailed.

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

HOUSE RESOLUTION NO. 10

BE IT RESOLVED by the House of Representatives, That the State Librarian be and she is hereby directed to furnish the stenographers of the House of Representatives such supplies as may be necessary for the performance of their duties as such stenographers.

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

Mr. Richards moved that the Resolution be adopted.

Motion prevailed.

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

HOUSE RESOLUTION NO. 11

BE IT RESOLVED by the House of Representatives, That the Clerk of the House of Representatives be authorized and requested to procure from the State Librarian all necessary books, forms, seals, blanks and other stationery as may be required for the proper conducting of the business of said House.

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

Mr. Richards moved that the Resolution be adopted.

Motion prevailed.

Mr. Richards submitted the following report:

REPORT OF COMMISSION TO STUDY SUNDAY LAWS

TO

GENERAL ASSEMBLY, 1941

HOUSE CONCURRENT RESOLUTION NO. 33

Authorizing the Appointment of a Committee to make a Study relative to the Repealing or Modification of the Sunday Observance Laws of this State.

BE IT RESOLVED by the House of Representatives, the Senate concurring therein, that a committee of nine persons be and it is hereby authorized and directed to make a study of the Sunday Observance Laws of this State, and to report the findings thereon whether the existing laws should be repealed or modified and if to be modified their recommendations thereon.

Section 2. That said committee shall consist of nine persons to be selected as follows: Four members of the House of Representatives to be selected by the members of said House, one from the City of Wilmington, one from New Castle County, outside the City of Wilmington, one from Kent County and one from Sussex County. Four members of the Senate to be selected by the members of the said Senate, one from the City of Wilmington, one from New Castle County, outside the City of Wilmington, one

from Kent County and one from Sussex County. The ninth member of said Committee shall be a citizen of the State of Delaware who shall be selected jointly by the members of the House and Senate.

Section 3. Said committee shall organize as soon as possible and begin its study and shall select one of its members as President and one of its members as a Secretary. Said committee shall have the power and authority to hire secretarial assistance and such other assistance as it may deem advisable to aid it in its work.

Section 4. Upon the completion of the study made by said committee, together with its recommendations resulting from its study, it shall make a report thereof and such study and report shall be concluded before the meeting of the next General Assembly and its report shall be submitted to the next General Assembly.

Section 5. There is hereby appropriated the sum of Five Hundred Dollars (\$500.00), or so much thereof as is necessary as an expense of this General Assembly, to defray the cost incurred by said committee in making its study and report.

To the Members of the 1941 General Assembly,
State of Delaware,
Dover, Delaware

Gentlemen:-

The Commission to Study Sunday Laws, authorized in House Concurrent Resolution No. 33 of the 1939 General Assembly, and signed August 28, 1939, submits, pursuant thereto, its report and recommendation.

The Sunday observance laws, which the Commission has been asked to study, are found in Paragraph 5253, Revised Code of Delaware, 1935, and read as follows:

Sabbath Breaking; Worldly Employment or Business; Driving or Traveling by Carrier; Peddler, Butcher &c.; Retailing Goods; Fishing; Fowling; Horse Racing; Cock Fighting; Gaming; Playing; Dancing; Penalties; Jurisdiction of Justice.

Whoever shall perform any worldly employment, labor or business, on the Sabbath Day (works of necessity and charity excepted) shall be fined four dollars, and on failure to pay such fine and costs shall be imprisoned not exceeding twenty-four hours.

If any carrier, peddler, wagoner, or driver of any public stage, or carriage, or any carter, butcher, or drover, with his horse, pack, wagon, stage, carriage, cart, or drove, shall travel, or drive, upon the Sabbath Day, or if any retailer of goods shall expose the same to sale on the Sabbath, he shall be fined eight dollars, and on failure to pay such fine and costs shall be imprisoned not exceeding twenty-four hours. Any justice of the peace may stop any such person so traveling on the Sabbath, and detain him until the next day.

Whoever shall be guilty of fishing, fowling, horse racing, cock fighting, or hunting game on the Sabbath day, shall be fined four dollars, and on failure to pay such fine and costs shall be imprisoned as aforesaid.

If any number of persons shall assemble to game, play, or dance on the Sabbath Day, and shall engage, or assist, in such game, play or dance, every such person shall be fined four dollars, and on failure to pay such fine and costs shall be imprisoned as aforesaid.

Provided that, within the corporate limits of the City of Wilmington, The Mayor and Council of Wilmington, acting by and through the agency of its Board of Park Commissioners may permit swimming, tennis and golf, under such conditions, fees, charges, restrictions, rules and regulations as said Board of Park Commissioners shall adopt for such purpose.

And Provided Further, that baseball and football may be played on Sunday in the State of Delaware, after two o'clock in the afternoon, unless and except the same be contrary and in violation of any ordinance enacted by the City Council, Town Commissioners, or the Legislative body of any incorporated city, or town in the State of Delaware, prohibiting or otherwise regulating the playing of such sports.

Any justice of the peace of the county shall have jurisdiction and cognizance of the offenses mentioned in this section.

The real and practical situation which gave rise to the appointment of this commission and which has motivated its study is revealed in the two letters which follow, exchanged between the Hon. Caleb M. Wright, Esq., of Georgetown, Delaware, and the Hon. James R. Morford, Esq., Attorney-General of Delaware, and transmitted to the 1939 General Assembly on August 17, 1939.

August 15, 1939

Hon. James R. Morford
Attorney-General
Delaware Trust Building
Wilmington, Delaware.

My dear Mr. Morford:

The closing of the Sunday movies at Rehoboth has raised a problem fraught with serious consequences to the people of this State. Probably few people realize that the observance of the Sabbath Day is protected by a statute which had its origin in the reign of George II while Delaware was still under British rule. Since then there has been very little change from the original statute to the one by virtue of which you saw fit to order the discontinuance of Sunday movies in the City of Rehoboth. It is interesting to note, and I think a matter that should be brought to the general knowledge of the public that there are, in this small State, hundreds of incidents of the violation of the Sunday laws which are taken as a matter of course.

Our statute as you know makes it unlawful for anyone to perform any worldly employment, labor or business, on the Sabbath Day, works of necessity and charity excepted. The above quoted provision is but one small paragraph of the section of our Code relative to the violation of the Sabbath, but this one paragraph makes it unlawful to operate any grocery stores on the Sabbath Day, for gasoline stations to sell gasoline, trucks to move on our highways, amusement parks to be open, soft drinks to be sold at fountains, or Sunday papers to be delivered or sold; these are only a few examples of the violation of the Sunday laws as they now exist.

At about 8:30 Sunday evening, after Mr. Horn's theatre was closed at Rehoboth I called the News-Journal Office in Wilmington and asked them how many people they had working at that time in their office. The number was approximately sixty, according to the information that they gave me. If the law under which the Sunday movies were closed in Rehoboth is strictly enforced there is no basis or reason for the operation of this great newspaper in our State from midnight Saturday until midnight Sunday, since getting an edition of the Wilmington Morning News on the streets an hour or two earlier, thus making it necessary for the employees of that paper to work on the Sabbath, cannot be deemed a work of necessity.

Another provision of the Sunday Blue Law provides that it is against the law to fish on the Sabbath and it seems to me that under this provision it is unlawful for fishing party boats to

operate out of our many fishing points within this State or for anyone to fish from the shores of this State on the Sabbath Day.

Another paragraph of the Sunday Blue Law provides that it shall be unlawful for any number of persons to assemble to game, play or dance on the Sabbath and provides for a penalty if persons shall do so. If that provision of the law was strictly enforced it would be impossible on Sunday for people to go on the beach at any of our numerous resorts and play a game of tag, or a game of catch, or do anyone of the numerous things that we see being done each Sunday during the summer at our beaches.

I am sure that you are familiar with the provision of our Sabbath Breaking Statute which permits swimming, tennis and golf within the corporate limits of the City of Wilmington, and the inference that I gather from this provision of our law is that it is unlawful for any person to swim, play tennis or golf on the Sabbath Day outside of the City of Wilmington.

It is also very obvious that Sunday movies have been singled out of the mass of Sunday law violations, committed as a matter of course, as the one phase of Sabbath breaking for action by your office. I can deeply appreciate the unpleasant task and the public indignation that would be unjustifiably heaped upon you if you attempted to enforce the Sunday Blue Laws in strict accordance with our statutes, but as a constitutional officer of this State you are sworn to uphold the laws and to enforce them, and it seems to me that this whole matter is one which is of the utmost importance to you and should be given immediate consideration by the Legislature of this State; otherwise I see no alternative for your office, but to apply the Sunday Blue Laws against all persons who violate them. It is not fair to place upon your shoulders the burden of deciding against whom the Sunday laws should be enforced and who should be allowed to flagrantly violate them. A Sunday Blue Law such as we have, only too often, makes its enforcement and your office a medium to be used for spiteful and many times unworthy and ulterior motives and in many cases to enforce a law against the will of the majority of the people of our State.

Can there be any other alternative but to enforce the Sunday laws against all who violate them or revise the present laws relative to Sabbath breaking?

Respectfully yours,

CALEB M. WRIGHT (*signed*)

Attorney for Charles S. Horn

August 16, 1939

Caleb M. Wright, Esq.
Attorney-at-Law
Georgetown, Delaware

My dear Mr. Wright:

This is to acknowledge the receipt of your letter of August 15, 1939, relative to the matter of the enforcement of the laws on the subject of Sabbath breaking, commonly known as the "Blue Laws," (5253 Sec. 4 of the Revised Code of the State of Delaware, 1935).

I am in entire accord with practically everything stated in your letter. We might go on and enlarge the list of violations of this law to a point where it could be conclusively demonstrated that practically every citizen of the State of Delaware at one time or another is guilty of the violations of this provision of the Code.

Thus, in addition to the examples stated in your letter, we find on our highways every Sunday thousands of trucks hauling produce from our own and adjoining states to metropolitan centers. The second paragraph of the Act prohibits any carrier, peddler, wagoner, etc., from traveling or driving on the Sabbath Day, and in addition thereto prohibits any retailer of goods from exposing the same for sale on Sunday. In these latter cases the fine is Eight Dollars (\$8.00) instead of Four Dollars (\$4.00). If the law were to be enforced it would result in arresting the driver of every truck using the highways on Sunday, the operator of every fruit and produce stand along our highways open on Sunday, and the proprietor of every other place where any merchandise is exposed for sale at retail on Sunday.

Frankly I see no reason why this section should not also apply to all of the restaurants, inns, and tearooms along our highways where food, cigarettes, cigars, soft drinks, and the like are for sale and dispensed.

As pointed out to you, the law applies to the numerous operators of the fishing boats operating from Lewes, Bower's Beach, Little Creek, and the like. Not only does it apply to the operators of those boats but it also applies to all persons who fish from those boats on Sunday, and each person is amenable to arrest and fine.

I think there is hardly a citizen of the State of Delaware who has not at one time or another engaged in some sport or game on Sunday, but we find from an examination of the law that unless such sport be swimming, tennis or golf, and unless it be engaged in within the corporate limits of the City of Wilming-

ton it is a criminal act. It seems unreasonable that a person should be permitted to swim, or to play tennis or golf (even in Wilmington) and at the same time be branded as a criminal if he or she engages in other innocent pastimes such as croquet, bowling, badminton, tether ball and the like. No doubt many worthy citizens play bridge on Sunday afternoon or evening without being aware that they are violating the law. Furthermore, you will note that while baseball and football may be played on Sunday after two o'clock in the afternoon any person even throwing or catching a baseball or kicking or throwing a football before two o'clock anywhere in the State on Sunday would be guilty of a criminal offense. It is difficult to see how such a law can have the respect of any considerable group of Delaware citizens.

No useful purpose may be served in this exchange of correspondence in the demonstration of the manifest absurdities of this law as applied to the present day life of our community. However, it is on the statute books and the Attorney General's Office has no proper choice in the matter except to advise the enforcement of this and other criminal statutes when complaints are made.

There is only one matter in your letter with which I am not in entire accord, and that is the propriety of the law being enforced with respect to Mr. Horn's Rehoboth Theatre. It happens that Mr. Horn's Theatre is the only place of this character in the State of Delaware that does business on Sunday, and if motion pictures may be shown in Rehoboth on Sunday, the operators of theatres in every other part of the State have an equal right. In other words, I feel that at least a reasonable administration of the law demands that it be enforced equally upon all persons in the same line of activity and as complaints were received by this office with respect to Mr. Horn's Theatre, this office had no recourse except to notify him that he was violating the law, and to advise his arrest when he persisted. The only other alternative would be to permit all other motion picture theatres in the State of Delaware to remain open on Sunday. If this happens the Legislature and not the Attorney General's Office is the agency to make it possible.

Personally I do not believe it to be compatible with the duty of a prosecuting officer to wink at violations of any law, even though the law be as manifestly ridiculous and unsuited to present day conditions as the one under consideration. Accordingly, when complaints are made to this office, I feel it is the duty of the Attorney General and his Deputies to adhere to the clear mandate of the statute, and to leave the determination of public policy where it rightfully belongs, viz, to the Legislature.

On the other hand, the Attorney General's Office is the State law office, and not a police station. The Attorney General and his Deputies are not police officers, and I do not propose that the office shall be used for police work. There are ample police officers in the several towns of the State, and throughout the counties for ordinary police work. Accordingly, we shall take the position that the matter of the enforcement of the Sunday laws, throughout the State of Delaware, is a matter within the jurisdiction of the local and police agencies of the State, viz, the State and County police, and the town officers, where there are such officers. These officers have full power to prevent the violations of the Sunday laws, and to make arrests for violations of the same.

Even though it were the duty of the Attorney General's Office to police the State in this regard, it would be impossible to do so, because of lack of facilities. As a matter of fact, and as pointed out in your letter to me, and in this reply, the violations of the Sunday law are so widespread, involve so many different forms of human activity, and so many individuals, that I doubt the adequacy of police facilities in the State of Delaware on any given Sunday to arrest all persons who are guilty of the violation on that day, and at the same time to perform other normal police duties.

You ask whether there can be any other alternative but to enforce the Sunday laws against all who violate them, or that the present laws be revised. Yes, there is another alternative, and that is the one chosen in the past, viz., to refuse to enforce this law. I am not willing, however, that my office should accept the responsibility for, and do not believe that the Legislature will wish to force the Attorney General's Office to such an alternative. My position is, and will be, that the law should be enforced or that it should be repealed, amended, or modified. Perhaps strict enforcement is one of the best ways to accomplish this end. I am confident that with strict enforcement the public demand would be as great as to force immediate legislative action.

Accordingly I concur heartily with the suggestion that this is a matter that should be seriously considered by the State Legislature in the immediate future. In this way only may relief be given to the otherwise law-abiding citizens of the State of Delaware who are innocently, but nonetheless persistently and continuously guilty of the crime of Sabbath violation. Such action would also relieve the Attorney General, his Deputies, and all police officers in the State in the embarrassing situation in which they find themselves under this archaic and outmoded legislation.

In conclusion, I venture the opinion that non-enforcement of any law, even though manifestly absurd and ridiculous when applied to the present day life of the community, is not conducive to respect for the law or for the courts. Accordingly, I sincerely hope that the Legislature of the State of Delaware will see fit immediately to consider and take action, either with respect to the repeal of this statute, or the amendment thereof so as to fit the conditions and normal activities of modern life. If no such action is taken by the Legislature, it must be considered by all law enforcement agencies as the mandate of that body that the law be enforced as it stands.

Yours very truly,

JAMES R. MORFORD (*Signed*)
Attorney General

Thus, in response to a practical and serious situation, called to its attention by the Attorney General, the General Assembly set up this Commission.

Our first task was to discover the actual conditions. Through the assistance of the Attorney General, a survey was made by the State police and the Wilmington police on September 3, 1939, to determine the extent of the violation of the Sunday laws. Details, *i. e.*, names and addresses of individuals, firms, corporations and businesses offending, are on file in the office of the Attorney General. Here is a recapitulation of the results of the survey and pertinent comments by the Attorney General.

<i>Businesses</i>	<i>The State (outside of Wilmington)</i>	<i>City of Wilmington</i>
Amusements	18	
Automobiles—sales and service—re- tail gasoline and garages	376	237
Bakeries		11
Bicycles (renting)	3	8
Dry Goods, Notions and Clothing.....	16	7
Dairies		7
Fishing Parties	133	
Groceries, delicatessens, confections and general merchandise	108	437
Hotels and Restaurants	98	
Ice		3
Laundries		2
Miscellaneous Stores	38	21
Pharmacies, soda fountains, ice cream, cigars and tobacco	65	315
Roadside Markets	55	

"There are many violators engaged in two or more of the foregoing businesses and the tabulation shows only what appears to be the principal business. The following businesses are omitted from both lists:

Distributors and carriers of Sunday papers

Truckers

Busses, street cars, taxicabs and other vehicles
for the conveyance of passengers for hire

(Note: the Wilmington Police have listed
but one of several taxicab companies operating in the city)

The report from the State Police omits, while the reports from the Wilmington Police includes "Dairies," "Ice Companies," and "Bakeries." On the other hand the report of the State Police includes, but that of the City Police omits, all but one of the many "Hotels and Restaurants" open in Wilmington each Sunday. "Miscellaneous Stores" include such businesses as tailor shops, jewelry stores, bootblacks, florists, books, magazines, etc."

Following the survey by the State and Wilmington police, the Commission wrote one hundred fifty letters to religious, civic, and fraternal organizations as well as to numerous representative citizens, acquainting them with the results of the survey and asking their cooperation in thinking through the situation. Through the press a general invitation was extended to all citizens who might want to suggest ways of handling the situation. Fifty-four replies have been received. The answers give some general idea of the prevalent feeling.

*For Letting
the Present*

Laws Stand

12

For Revision

35

For

Total Elimination

1

Non-Committal

6

These replies reflect the serious concern of our citizens over the condition that exists, and probably, percentagewise, indicate the difference of opinion in regard to the Sunday laws.

Through the assistance of the Attorney General letters were sent to the Attorney Generals of every state, asking them to describe the situation in their own states. Thirty-nine states replied. An analysis of these replies reveals the fact that in most states the situation is identical with ours, *i. e.*, archaic statutes, enforcement officers allowing violations to take place, the feeling that something should be done to correct the condition, etc.

Here are a few typical replies:-

Maine, Attorney General Burkett—"A great many of our blue laws are unenforcible and should be changed to meet modern conditions."

Kentucky, W. Owen Keller, Esq., Assistant Attorney General—"Many of our laws are obsolete with regard to occupations which may be carried on on the Sabbath. Only works of necessity and charity are permitted. Of course the statute is a dead letter so far as enforcement is concerned."

Arkansas, Jack Holt, Esq., Attorney General—"We have no modern acts relaxing these archaic laws."

Tennessee, Nat Tupton, Esq., Assistant Attorney General—"These sections of the code are habitually violated but no effort has been made for some years past, so far as I know, to enforce them."

A number of the states have amendments permitting either local option with regard to sports and amusements or sports and amusements after specified times on Sunday.

Among the states possessing such amendments, in addition to Delaware, are Alabama, Maine, Texas, North Dakota, Vermont, New Hampshire, Connecticut, Kentucky, New York, Minnesota, Pennsylvania and Maryland.

Some states have no drastic Sunday laws. For example, the New Jersey statute, enacted April 12, 1933, permits sports and entertainment on Sunday the same as on any other day of the week, each municipality having the right, however, to control and regulate such activities within its limits. In addition to New Jersey, Oregon, New Mexico, Idaho, Nevada, Illinois, Wyoming, Wisconsin and Montana are without Sunday restrictions.

South Dakota, West Virginia, Mississippi, Florida, Tennessee, Indiana, Iowa, Arkansas, Georgia, Kansas, North Carolina, South Carolina, Oklahoma, Utah, Virginia, Colorado, Michigan and Missouri have strict laws concerning conduct on Sunday.

With the data gathered as indicated above, in addition to that coming from hundreds of conversations and discussions with individuals and groups, the Commission came to the following conclusions:-

1. That the citizens of Delaware desire some legislation in regard to the observance of Sunday.

2. That the citizens of Delaware desire a statute that can be enforced.

3. That the citizens of Delaware desire a certain latitude in regards to sports and amusements, as indicated by the amendments already a part of the general statute.

4. That the citizens of Delaware would like to exercise some local self-determination in regard to every particular of the Sunday law.

In line with these conclusions, the Commission outlined the following general plan as a solution for the problem:-

1. That the present law be repealed.

2. That a series having specific State-wide application prohibitions be substituted for the present statute.

3. That the incorporated municipalities be given the power by ordinance to further prohibit objectionable activities on Sunday or to annul the application of any of the general prohibitions to their particular areas.

After careful consideration, a thorough discussion of logical prohibitions, concerning proper form, and consultation with the Attorney General, the Commission respectfully recommends to the 1941 General Assembly for serious consideration and adoption the following statute:

An Act to amend Chapter 153 of the Revised Code of Delaware, 1935, relating to Sabbath Breaking, by repealing 5253 Sec. 4 of said Chapter and by inserting in lieu thereof a new Section making Illegal certain Acts on the Sabbath and granting to Incorporated Municipalities the Power by Ordinance to Prohibit other Acts, and, within their respective Jurisdictions, to provide that any Act so prohibited shall not be unlawful therein.

Be it enacted by the Senate and House of Representatives of the State of Delaware in General Assembly met (two-thirds of all of the members elected to each House concurring therein):

Section 1. That 5253 Sec. 4 of Chapter 153 of the Revised Code of Delaware, 1935, be and the same hereby is amended by repealing said section and by inserting in lieu thereof the following:

5253. Sec. 4. Whoever shall conduct or participate in a public auction, a public dance, a public theatrical performance, or the public performance of motion pictures, with or without

sound, on the Sabbath Day shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished, for the first offense, by a fine of not less than Ten Dollars (\$10.00) nor more than Fifty Dollars (\$50.00) or by imprisonment of not more than ten (10) days, or by both fine and imprisonment in the discretion of the court, and for the second and each subsequent offense, shall be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than Two Hundred Fifty Dollars (\$250.00) or by both fine and imprisonment, in the discretion of the court; provided, however, that the town or city council or other legislative body of each incorporated municipality of the State of Delaware shall have power to enact ordinance to prohibit or to regulate the performance of any other worldly employment, labor or business on the Sabbath Day, and to permit or to regulate, or to permit and regulate any worldly employment, labor or business within the corporate limits of said municipality otherwise prohibited by this section.

Any justice of the peace of the county where any offense prohibited by this section, or made unlawful by ordinance of any municipality in said county pursuant to this section, is committed, and the Municipal Court of the City of Wilmington, with respect to such offenses committed within the City of Wilmington, shall have jurisdiction thereof.

The term "theatrical performance" in this section, shall not include the reception of broadcast radio or television programs or any lecture or musical concert.

Provided, however, that nothing contained herein shall have any effect whatsoever upon the provisions of Chapters 74 and 176 of the Revised Code of Delaware, 1935, as amended.

Respectfully submitted,

REV. RALPH L. MINKER
Chairman

HENRY M. CANBY
Secretary

JOHN L. BARR
GEORGE R. CLARK
EDWARD S. KNIGHT
HAROLD W. T. PURNELL
GEORGE W. RHODES
PAUL R. RINARD
BENJAMIN F. SIMMONS

Mr. Richards moved that the House recess until 1:30 o'clock P. M.

Motion prevailed.

Same Day, 1:30 o'clock P. M.

House met at expiration of recess.

Mr. Barr, on behalf of the Committee on Revised Statutes, to whom had been referred House Bill No. 10, entitled:

An Act creating a Board of Trustees to manage and control the Prison, Prison Farm, Courthouse and Courthouse Annex of Sussex County; providing for the appointment of Members of the Board, their terms of office, qualifications and expenses, their powers and duties; providing for the payment of the expense of such management and control by the Levy Court of Sussex County; providing for the Custody, Care, Control, Labor and Compensation of Prisoners in said Prison; and providing for a system of Bookkeeping and Inventory of Property.

Reported the same back to the House favorably.

JOHN L. BARR
JONATHAN S. WILLIS
RICHARD W. WILLIS
ALFRED A. O'DAY

Mr. Kellum, on behalf of the Committee on Judiciary and Crime, to whom had been referred House Bill No. 5, entitled:

An Act to amend Chapter 117 of the Revised Code of Delaware, 1935, relating to Additional Officers attached to the Court of Chancery.

Reported the same back to the House favorably.

THOMAS A. KELLUM
HARRY H. JONES
FRANK HAINSWORTH
HORACE G. SIRMAN
ROBERT H. RICHARDS, JR.

Mr. Pennington, on behalf of the Committee on Insurance and Banking, to whom had been referred House Bill No. 4, entitled:

An Act to amend An Act known as the Unemployment Commission Law, being Chapter 258, Volume 41, Laws of Delaware, 1937, as amended, by excluding Certain Services from the meaning of the term Employment.

Reported the same back to the House favorably.

W. K. PENNINGTON
JOHN L. BARR
ROBERT H. RICHARDS, JR.
JOHN H. VAN HOY
HARLAN R. BLADES

Mr. Richards, on behalf of the Committee on Appropriations, to whom had been referred House Bill No. 7, entitled:

An Act to amend An Act entitled "An Act to provide for the Establishment of a Permanent Budget Commission and defining the Powers and Duties thereof" by making the Secretary of State a member of said Commission.

Reported the same back to the House favorably.

ROBERT H. RICHARDS, JR.
JOHN L. BARR
W. K. PENNINGTON
FRANK S. PRITCHETT

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

HOUSE RESOLUTION NO. 12

BE IT RESOLVED by the House of Representatives, That the said House proceed to the nomination and election of the following officer to serve during the pleasure of the 108th General Assembly of the State of Delaware, the said election to be given via voce on roll call:

Stenographer Mary E. McCorsley

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. Barr, Blades, Blendt, Boyer, Buckingham, Bunting, Conway, Dorey, Hainsworth, Hickman, Johnston, Jolls, Jones, Kellum, Lemon, McDowell, Mears, O'Day, Paskey, Patterson, Pennington, Phillips, Pratt, Pritchett, Quigley, Richards, Sirman, Stayton, Thomas, VanHoy, J. S. Willis, R. W. Willis, 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.

State of Delaware, }
Kent County } ss.

Dover, Delaware

I, Mary E. McCorsley, 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.

MARY E. McCORSLEY

Sworn to and subscribed before me this 28th day of January, A. D. 1941.

GEORGE W. RHODES
Speaker

State of Delaware, }
Kent County } ss.

Dover, Delaware

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 28th day of January, A. D. 1941.

GEORGE W. RHODES
Speaker

Mr. Hickman submitted the following Rules :

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 instruction 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.

MOTIONS

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 deadline 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.

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.