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# STATE OF DELAWARE



## JOURNAL

OF THE

## HOUSE OF REPRESENTATIVES

AT A SESSION OF THE

## GENERAL ASSEMBLY

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

# 1937

DOVER INDEX. DOVER, DELAWARE



# OFFICERS AND MEMBERS

## OF THE

# HOUSE OF REPRESENTATIVES

### OFFICERS OF THE HOUSE OF REPRESENTATIVES

*Speaker*  
JOHN R. FADER

*Speaker's Clerk*  
WRIGHT C. DIZER

*Chief Clerk*  
BENJAMIN ABLEMAN

*Assistant Chief Clerk*  
JOSEPH KIRBY

*Reading Clerks*  
ARCHIE BRADLEY  
CHARLES SIPPLE  
CARLTON LINGO

*Attorneys*  
HOWARD E. LYNCH, JR.  
FRANCIS A. REARDON

*Bill Clerk*  
SAMUEL MESSICK

*Assistant Bill Clerk*  
HOWARD THOMPSON

*Chaplain*  
REV. JAMES O'NEIL

*Sergeant-at-Arms (Chief)*  
JAMES QUIGLEY

*Sergeants-at-Arms*  
LAMBERT GOODING  
GLEN CORDREY

*Document Clerk*  
MICHAEL FLOOD

*Assistant Document Clerk*  
WILLIAM I. CONOWAY

*Pages*  
GROVER E. SHOCKLEY  
J. FRANK THORINGTON

*Mail Clerk*  
E. F. KILLEN

*Doorkeepers*  
ERNEST V. BLENDT  
ELMER B. ADKINS  
ROBERT C. HELLER

*Budget Room Attendant*  
JOHN CROWLEY

*Cloak Room Attendants*  
WILLIAM REYNOLDS  
TIMOTHY MELSON

*Stenographers*  
EMMA L. SCOTTON  
BETTY R. WILLEY  
VINITA E. GILL  
ANN RICKARDS

*Attorney's Clerk*  
HARRY L. RALPH

*Floor Leader's Clerk*  
CHARLES RAUSCH

*Caretaker*  
JOHN W. WATERS

*Telephone Messengers*  
PHILEMON C. HARRINGTON  
WILBUR SIMPSON

*House Janitor*  
SPENCER MATTHEWS

*Messenger*  
FRANK CONNOR

### MEMBERS OF THE HOUSE OF REPRESENTATIVES—JANUARY 5, 1937

FRANCIS A. BURKE, First District, New Castle County.....	316 S. Claymont St.,	Wilmington
FRANK R. ZEBLEY, Second District, New Castle County.....	1302 King St.,	Wilmington
JAMES S. EVANS, Third District, New Castle County.....	2403 W. 18th St.,	Wilmington
JOHN P. WELSH, Fourth District, New Castle County.....	401 W. 5th St.,	Wilmington
JOHN P. HAMILL, Fifth District, New Castle County.....	413 N. Van Buren St.,	Wilmington
THOMAS M. ADAMSON, Sixth District, New Castle County.....		Hillcrest
EUGENE W. SCARBOROUGH, Seventh District, New Castle County.....		Newport
GEORGE W. MULLIN, Eighth District, New Castle County.....		Marshallton
JOHN R. FADER, Ninth District, New Castle County.....		Newark
CHAUNCEY P. HOLCOMB, Tenth District, New Castle County.....		New Castle
JOHN R. BUTLER, Eleventh District, New Castle County.....		Middletown, R.F.D.
CLAUDE N. LESTER, Twelfth District, New Castle County.....		St. Georges
FRED A. REYNOLDS, Thirteenth District, New Castle County.....		Odessa
GEORGE LESTER DANIELS, Fourteenth District, New Castle County.....		Townsend
ROBERT A. DERRICKSON, Fifteenth District, New Castle County.....		Taylor's Bridge
ERNEST S. MATTIFORD, First District, Kent County.....		Smyrna
HOWARD M. BUCKSON, Second District, Kent County.....		Dover
JOSEPH E. SWAIN, Third District, Kent County.....		Cheswold
WILLIAM D. CRAIG, Fourth District, Kent County.....		Hartly
BENJAMIN F. SIMMONS, Fifth District, Kent County.....		Dover
PAUL B. HUGHES, Sixth District, Kent County.....		Felton
ROBERT MARIS PYOTT, Seventh District, Kent County.....		Camden
HAROLD SCHABINGER, Eighth District, Kent County.....		Felton
WALTER J. PASKEY, JR., Ninth District, Kent County.....		Harrington
GEORGE DEWEY SAPP, Tenth District, Kent County.....		Houston
LUCIUS C. WEBB, First District, Sussex County.....		Lincoln City
RALPH EMORY WILLEY, Second District, Sussex County.....		Greenwood
CHARLES E. HASTINGS, Third District, Sussex County.....		Seaford
CHARLES D. BOYCE, Fourth District, Sussex County.....		Laurel, R.F.D.
SAMUEL G. RALPH, Fifth District, Sussex County.....		Laurel
JOHN O. MUMFORD, Sixth District, Sussex County.....		Millsboro, R.F.D.
WILLIAM R. RINGLER, Seventh District, Sussex County.....		Millville
KENDAL O. WARRINGTON, Eighth District, Sussex County.....		Millsboro
JOHN A. JONES, Ninth District, Sussex County.....		Georgetown
PURNELL NORMAN DODD, Tenth District, Sussex County.....		Rehoboth



# JOURNAL

OF THE

## HOUSE OF REPRESENTATIVES

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Dover, Delaware, January 5, 1937

The House assembled in Biennial Session at 2:30 o'clock,  
P. M.

The following members took their seats, they having been  
previously sworn in on December 28, 1936, at a Special Session:

### NEW CASTLE COUNTY

Representative District No. 1—Francis A. Burke  
Representative District No. 2—Frank R. Zebley  
Representative District No. 3—James S. Evans  
Representative District No. 4—John P. Welsh  
Representative District No. 5—John P. Hamill  
Representative District No. 6—Thomas M. Adamson  
Representative District No. 7—Eugene W. Scarborough  
Representative District No. 8—George W. Mullin  
Representative District No. 9—John R. Fader  
Representative District No. 10—Chauncey P. Holcomb  
Representative District No. 11—John R. Butler  
Representative District No. 12—Claude N. Lester  
Representative District No. 13—Fred A. Reynolds  
Representative District No. 14—George Lester Daniels  
Representative District No. 15—Robert A. Derrickson

### KENT COUNTY

Representative District No. 1—Ernest S. Mattiford  
Representative District No. 2—Howard M. Buckson  
Representative District No. 3—Joseph E. Swain  
Representative District No. 4—William D. Craig  
Representative District No. 5—Benjamin F. Simmons  
Representative District No. 6—Paul B. Hughes  
Representative District No. 7—Robert Maris Pyott  
Representative District No. 8—J. Harold Schabinger  
Representative District No. 9—Walter J. Paskey, Jr.  
Representative District No. 10—George Dewey Sapp

## SUSSEX COUNTY

Representative District No. 1—Lucius C. Webb  
 Representative District No. 2—Ralph Emory Willey  
 Representative District No. 3—Charles E. Hastings  
 Representative District No. 4—Charles D. Boyce  
 Representative District No. 5—Samuel G. Ralph  
 Representative District No. 6—John O. Mumford  
 Representative District No. 7—William R. Ringler  
 Representative District No. 8—Kendal O. Warrington  
 Representative District No. 9—John A. Jones  
 Representative District No. 10—Purnell Norman Dodd

The members were led in prayer by the Temporary Chaplain, Rev. James O'Neil.

Mr. Fader nominated Mr. Holcomb for Temporary Speaker.

Motion prevailed.

Mr. Holcomb proceeded to the Speaker's Chair.

Mr. Jones nominated Benjamin Ableman for Temporary Clerk.

Motion prevailed.

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

Motion prevailed.

The State of Delaware, }  
                                   } ss.  
 County of Kent, }

I, Chauncey P. Holcomb, 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 Temporary Speaker for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

CHAUNCEY P. HOLCOMB.

Sworn and subscribed to this fifth day of January, A. D. 1937.

HERMAN C. TAYLOR,  
 Notary Public

The State of Delaware, }  
 County of Kent, } ss.

I, Benjamin Ableman, 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 Temporary Clerk for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

BENJAMIN ABLEMAN.

Sworn and subscribed to this fifth day of January, A. D. 1937.

CHAUNCEY P. HOLCOMB,  
 Temporary Speaker of the House

Mr. Butler moved that the House of Representatives proceed to the election of a permanent Speaker for the Session of the One Hundred and Sixth General Assembly of the State of Delaware.

Motion prevailed.

Mr. Hamill nominated Mr. Fader for Speaker of the House of Representatives.

Motion prevailed.

The vote for Speaker being taken, resulted as follows:

YEAS: Messrs. Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Fader, Hamill, Hastings, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, Mr. Speaker—35.

NAYS—None.

Mr. Fader having received the unanimous vote of the House, was declared elected. Mr. Hamill moved that a committee of two be appointed to escort the Speaker-elect to the Chair.

Motion prevailed.

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

Motion prevailed.

The State of Delaware, }  
 County of Kent, } ss.

I, John R. Fader, 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 Speaker for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

JOHN R. FADER

Sworn and subscribed to this fifth day of January, A. D. 1937.

CHAUNCEY P. HOLCOMB,  
 Temporary Speaker of the House.

Mr. Holcomb nominated Benjamin Ableman for Chief Clerk of the House.

Motion prevailed.

The vote for Chief Clerk being taken, resulted as follows:

YEAS: Messrs. Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, Mr. Speaker—35.

NAYS—None.

Mr. Holcomb moved that the Speaker administer the oath to the Chief Clerk.

Motion prevailed.

The State of Delaware, }  
 County of Kent, } ss.

I, Benjamin Ableman, 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 Chief Clerk for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

BENJAMIN ABLEMAN

Sworn and subscribed to this fifth day of January, A. D. 1937.

JOHN R. FADER

Speaker of the House.

Mr. Derrickson, 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

BE IT RESOLVED by the Senate, the House of Representatives concurring therein, that a Joint Committee, consisting of two members of the Senate and three members of the House of Representatives, be appointed by the Presiding Officers of the respective Houses, to notify the Governor that the General Assembly is duly organized and ready to receive any message that he may have to offer.

And presented the same to the House.

Mr. Holcomb moved that the House resolve itself into a Committee of the Whole.

Motion prevailed.

Mr. Holcomb asked that the Committee report favorably on Senate Concurrent Resolution No. 1.

Motion prevailed.

Mr. Holcomb moved adoption of Senate Concurrent Resolution No. 1, entitled:

Authorizing the Appointment of a Joint Committee.

Which was adopted.

And was ordered returned to the Senate.

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

#### HOUSE JOINT RESOLUTION No. 1

BE IT RESOLVED by the Senate and the House of Representatives of the State of Delaware in General Assembly met:

That the sum of Five Thousand Dollars, (\$5,000) or so much thereof as may be necessary, be and the same is hereby appropriated out of the funds of the State of Delaware, not otherwise appropriated, for the purpose of defraying the expenses of the Inaugural Committee of the General Assembly in arranging for the attendance of the Governor and his staff, the members of the General Assembly, certain State Officers and certain officers and attaches of the General Assembly in the inaugural ceremonies of the Honorable Franklin D. Roosevelt as President of the United States and the State Treasurer is hereby authorized and directed to pay such sums of money from time to time upon warrants signed by the Chairman and Secretary of the said Inaugural Committee as shall not exceed in the aggregate the sum of Five Thousand Dollars (\$5,000).

Mr. Holcomb moved that the House resolve itself into a Committee of the Whole.

Motion prevailed.

Mr. Holcomb moved that the Committee report favorably on House Joint Resolution No. 1.

Mr. Zebley spoke for the minority.

Motion prevailed.

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

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

YEAS: Messrs. Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough,

Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, 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 to the Senate for concurrence.

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

HOUSE RESOLUTION No. 1  
NOTIFYING SENATE THAT THE HOUSE OF REPRESENTATIVES IS ORGANIZED

BE IT RESOLVED by the House of Representatives of the State of Delaware that the Chief Clerk be and he is hereby, directed to notify the Senate that the House of Representatives is duly organized and ready for business.

Which was taken up for consideration 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. Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, 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.

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

## HOUSE RESOLUTION No. 2

BE IT RESOLVED by the House of Representatives that the Building Custodian be and he is hereby directed to furnish a room in which members of the minority can hold conferences in private.

Which was taken up for consideration 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. Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, 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.

On motion for leave, Mr. Holcomb 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 General Session of the One Hundred and Sixth General Assembly of the State of Delaware, the said election to be given via voce vote on roll call:

Speaker's Clerk—Wright C. Dizer  
 Chief Clerk—Benjamin Ableman  
 Assistant Chief Clerk—Joseph Kirby  
 Reading Clerk—Archie Bradley  
 Reading Clerk—Charles Sipple  
 Reading Clerk—Carlton Lingo

Attorney—Howard E. Lynch, Jr.  
 Attorney—Francis A. Reardon  
 Bill Clerk—Samuel Messick  
 Assistant Bill Clerk—Howard Thompson  
 Chaplain—Rev. James O'Neil  
 Sergeant-at-Arms (Chief)—James Quigley  
 Sergeant-at-Arms—Lambert Gooding  
 Sergeant-at-Arms—Glen Cordrey  
 Document Clerk—Michael Flood  
 Assistant Document Clerk—William I. Conoway  
 Page—Grover C. Shockley  
 Page—J. Frank Thorington  
 Mail Clerk—E. F. Killen  
 Doorkeeper—Ernest V. Blendt  
 Doorkeeper—Elmer B. Adkins  
 Doorkeeper—Robert C. Heller  
 Budget Room Attendant—John Crowley  
 Cloak Room Attendant—William Reynolds  
 Cloak Room Attendant—Timothy E. Melson  
 Stenographer—Emma L. Scotton  
 Attorney's Clerk—Harry L. Ralph  
 Floor Leader's Clerk—Charles Rausch  
 Telephone Messenger—Philemon C. Harrington  
 Telephone Messenger—Wilbur Simpson

Which was taken up for consideration 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. Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, Mr. Speaker—35.

NAYS—None.

So the question was decided in the affirmative and the reso-

lution having received the required constitutional majority, passed the House.

The attaches of the House were sworn in as follows:

### OATH OF EMPLOYEES

The State of Delaware, }  
 County of Kent, } ss.

I, Wright C. Dizer, do solemnly affirm that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Speaker's Clerk for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

**WRIGHT C. DIZER**

Affirmed and subscribed to this 5th day of January, A. D. 1937.

**JOHN R. FADER,**  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, Joseph C. Kirby, 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 Assistant Chief Clerk for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

**JOSEPH C. KIRBY**

Sworn and subscribed to this 5th day of January, A. D. 1937.

**JOHN R. FADER,**  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, Archie Bradley, 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 Reading Clerk for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

**ARCHIE BRADLEY**

Sworn and subscribed to this 5th day of January, A. D. 1937.

**JOHN R. FADER,**  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, Charles Sipple, 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 Reading Clerk for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

CHARLES SIPPLE

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, Carlton Lingo, 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 Reading Clerk for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

CARLTON LINGO

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, Howard E. Lynch, Jr., do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Attorney for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

HOWARD E. LYNCH, JR.

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, Francis A. Reardon, 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 Attorney for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

FRANCIS A. REARDON

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, Samuel H. Messick, 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 Bill Clerk for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

SAMUEL H. MESSICK

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, Howard E. 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 the office of Assistant Bill Clerk for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

HOWARD E. THOMPSON

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, James O'Neil, 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 Chaplain for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

REV. JAMES O'NEIL

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, James Quigley, 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 Sergeant-at-Arms (Chief) for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

JAMES QUIGLEY

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, Lambert Gooding, do solemnly swear that I will support the Constitution of the United State and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Sergeant-at-Arms for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

LAMBERT GOODING

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, Glen E. Cordrey, 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 Sergeant-at-Arms for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

GLEN E. CORDREY

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, Michael Flood, 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 Document Clerk for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

MICHAEL FLOOD

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, William I. Conoway, 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 Assistant Document Clerk for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

WILLIAM I. CONOWAY

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, Grover C. Shockley, 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 Page for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

GROVER C. SHOCKLEY

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, J. Frank Thorington, 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 Telephone Messenger for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

J. FRANK THORINGTON

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, E. F. Killen, 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 Mail Clerk for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

E. F. KILLEN

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, Ernest V. Blendt, 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 Doorkeeper for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

ERNEST V. BLENDT

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, Elmer B. Adkins, 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 Messenger for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

ELMER B. ADKINS

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, Robert C. Heller, 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 Doorkeeper for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

ROBERT C. HELLER

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, John Crowley, 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 Budget Room Attendant for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

JOHN CROWLEY

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, William Reynolds, do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Cloak Room Attendant for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

WILLIAM REYNOLDS

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, Timothy E. Melson, 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 Cloak Room Attendant for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

TIMOTHY E. MELSON

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, Emma L. Scotton, 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 Stenographer for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

EMMA L. SCOTTON

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, Harry L. Ralph, 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 Attorney's Clerk for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

HARRY L. RALPH

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, Charles Rausch, 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 Floor Leader Clerk for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

CHARLES RAUSCH

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, Philemon C. Harrington, 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 Telephone Messenger for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

PHILEMON C. HARRINGTON

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

The State of Delaware, }  
 County of Kent, } ss.

I, Wilbur Simpson, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of Messenger for the House of Representatives in the General Assembly of the State of Delaware, according to the best of my ability.

WILBUR SIMPSON

Sworn and subscribed to this 5th day of January, A. D. 1937.

JOHN R. FADER,  
 Speaker of the House.

Mr. Holcomb moved that the House recess until 2:30 o'clock P. M.

Motion prevailed.

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Same Day, 3:45 o'clock P. M.

Mr. Holcomb moved the House proceed to the Senate to canvass the vote for Governor and Lieutenant-Governor at the general election held November 3rd, A. D. 1936.

Motion prevailed.

## JOINT SESSION

Representative Holcomb moved that the President Pro Tem of the Senate preside at this Joint Session.

Motion prevailed.

Senator Chandler moved that the Secretary of the Senate and the Chief Clerk of the House be the Secretaries of this Joint Session.

Motion prevailed.

President Pro Tem Simonton ordered the reading of Certificates of Election, as follows:

The State of Delaware, }  
New Castle County, } ss.

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

Forty-five Thousand and Twenty-six votes were given for Richard C. McMullen for Governor;

Thirty-six Thousand Five Hundred and Seven votes were given for Harry L. Cannon for Governor;

Three Thousand Five Hundred and Seven votes were given for Isaac Dolphus Short for Governor;

One Hundred and Thirty-three votes were given for Fred W. Whiteside for Governor;

Thirty-seven votes were given for John T. Wladkoski 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 seventh day of November, A. D. 1936.

(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 thirty-six for Kent County, according to the Constitution and Laws of the State of Delaware,

Nine Thousand Twenty-four votes were given for Richard C. McMullen for Governor;

Six Thousand Four Hundred Ninety-two votes were given for Harry L. Cannon for Governor;

Eighteen votes were given for Fred W. Whiteside for Governor;

One Thousand Three Hundred Eighty-six votes were given for Isaac Dolphus Short for Governor;

Thirteen votes were given for John T. Wladkoski 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, Josiah O. Wolcott and William W. Harrington, constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said Superior Court

to be hereunto affixed at the Court House in said County, on this 5th day of November, A. D. 1936.

(Seal)

J. O. WOLCOTT  
*Chancellor*

WM. WATSON HARRINGTON  
*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 thirty-six for Sussex County, according to the Constitution and Laws of the State of Delaware,

Eleven Thousand Three Hundred Eighty-seven (11,387) votes were given for Richard C. McMullen for Governor;

Nine Thousand Seven Hundred Eighty-three (9,783) votes were given for Harry L. Cannon for Governor;

Forty-seven (47) votes were given for Fred W. Whiteside for Governor;

Thirty-five Hundred and Seven (3,507) votes were given for Isaac Dolphus Short for Governor;

Twenty (20) votes for were given for John T. Wladkoski 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, Richard S. Rodney 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 fifth day of November, A. D. 1936.

(Seal)

RICHARD S. RODNEY  
*Associate Judge*

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 thirty-six, for New Castle County, according to the Constitution and Laws of the State of Delaware,

Forty-four Thousand One Hundred and Seventy-eight votes were given for Edward W. Cooch for Lieutenant Governor;

Thirty-seven Thousand Six Hundred and Sixty-four votes were given for George C. Hering, Jr., for Lieutenant Governor;

Two Thousand Nine Hundred and Sixteen votes were given for William J. Highfield for Lieutenant Governor;

One Hundred and Thirty-five votes were given for Edward T. Daniels 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 seventh day of November, A. D. 1936.

DANIEL J. LAYTON  
*Chief Justice*

(Seal)

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 thirty-six for Kent County, according to the Constitution and Laws of the State of Delaware,

Nine Thousand Three Hundred Forty-one (9,341) votes were given for Edward W. Cooch for Lieutenant Governor;

Six Thousand Nine Hundred and Twenty-two (6,922) votes were given for George C. Hering, Jr., for Lieutenant Governor;

Thirteen (13) votes were given for Edward T. Daniels for Lieutenant Governor;

Six Hundred Twenty-one (621) votes were given for William J. Highfield 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, Josiah O. Wolcott and William W. Harrington, constituting the Superior Court for Kent County, who have met and ascertained the state of the election throughout the said County, as the law requires, have hereunto set our hands and caused the seal of the said County, on this 5th day of November, A. D. 1936.

J. O. WOLCOTT  
*Chancellor*

(Seal)

WM. WATSON HARRINGTON  
*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 thirty-six for Sussex County, according to the Constitution and Laws of the State of Delaware,

Twelve Thousand One Hundred Forty-four (12,144) votes were given for Edward W. Cooch for Lieutenant Governor;

Ten Thousand and Sixty-five (10,065) votes were given for George C. Hering, Jr., for Lieutenant Governor;

Twenty-nine (29) votes were given for Edward T. Daniels for Lieutenant Governor;

Twenty-four Hundred Nineteen (2,419) votes were given for William J. Highfield 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, Richard S. Rodney 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 fifth day of November, A. D. 1936.

(Seal)

RICHARD S. RODNEY  
*Associate Judge*

CHARLES S. RICHARDS  
*Resident Associate Judge*

The Secretaries of the Joint Session presented the following summary:

GOVERNOR—

RICHARD C. McMULLEN

New Castle County .....	45,026	votes	
Kent County .....	9,024	votes	
Sussex County .....	11,387	votes	
	<hr/>		
Total .....	65,437	votes	
	52,782	votes	
	<hr/>		
	12,655	votes	Majority for Governor McMullen

HARRY L. CANNON

New Castle County .....	36,507	votes
Kent County .....	6,492	votes
Sussex County .....	9,783	votes
	<hr/>	
Total .....	52,782	votes

LIEUTENANT GOVERNOR—

EDWARD W. COOCH

New Castle County .....	45,178	votes	
Kent County .....	9,341	votes	
Sussex County .....	12,144	votes	
	<hr/>		
Total .....	66,663	votes	
	54,672	votes	
	<hr/>		
	11,991	votes	Majority for Lieut. Gov. Cooch

## GEORGE C. HERING, JR.

New Castle County .....	37,665	votes
Kent County .....	6,942	votes
Sussex County .....	10,065	votes
	<hr/>	
Total .....	54,672	votes

## GOVERNOR—

## ISAAC DOLPHUS SHORT

New Castle County .....	3,507	votes
Kent County .....	1,386	votes
Sussex County .....	3,507	votes
	<hr/>	
Total .....	8,500	votes

## FRED W. WHITESIDE

New Castle County .....	133	votes
Kent County .....	18	votes
Sussex County .....	47	votes
	<hr/>	
Total .....	198	votes

## JOHN T. WLADKOSKI

New Castle County .....	37	votes
Kent County .....	13	votes
Sussex County .....	20	votes
	<hr/>	
Total .....	70	votes

## LIEUTENANT GOVERNOR—

## WILLIAM J. HIGHFIELD

New Castle County .....	2,916	votes
Kent County .....	621	votes
Sussex County .....	2,419	votes
	<hr/>	
Total .....	5,956	votes

## EDWARD T. DANIELS

New Castle County .....	135	votes
Kent County .....	13	votes
Sussex County .....	29	votes
	<hr/>	
Total .....	177	votes

President Pro Tem Simonton declared Richard C. McMullen duly elected Governor, to take effect on January 19, 1937, and to continue for his constitutional term.

President Pro Tem Simonton declared Edward W. Cooch duly elected Lieutenant Governor, to take effect on January 19, 1937, and to continue for his constitutional term.

Mr. Chandler moved that the Secretaries compare their Journals.

Motion prevailed.

The Journals were compared and found correct.

Mr. Chandler moved that the two Houses do now separate.

Motion prevailed.

On motion of Mr. Hastings, the House adjourned until Wednesday, January 6, 1937, at 11 o'clock A. M.

Motion prevailed.

--(SECOND LEGISLATIVE DAY)--

Dover, Delaware, January 6, 1937, 11:45 o'clock A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. James E. O'Neil.

Roll called.

Members Present—Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, Mr. Speaker—35.

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

Motion prevailed.

Mr. Holcomb moved that the House Rules of the One Hundred and Fifth General Session be adopted as the temporary rules of this session.

Motion prevailed.

Mr. Speaker appointed a Rules Committee as follows:

Chairman, Chauncey P. Holcomb; Joseph F. Swain, Lucius C. Webb, John R. Fader, Frank R. Zebley.

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

An Act making an appropriation for the expenses of the State Government for each of the two fiscal years ending June 30, 1938 and 1939.

Which was given first reading by title only and was laid on the table pending the appointment of committees.

Mr. Speaker asked that communication be read, signed Henry W. Toll.

### COMMUNICATION

The Council of State Governments  
Drexel Avenue and 58 Street  
Chicago, Ill.

January 4, 1937

Speaker of the House,  
State Capitol.

Dear Speaker:

By this time you will have received a Proclamation and Call to the Third General Assembly of the Council of State Governments, to be held at The Mayflower Hotel, Washington, D. C., January 21-24, inclusive.

We sincerely trust that you will have this Proclamation read to the House of Representatives and that it will be incorporated into the Journal. As a special favor, will you send us an excerpt from the Journal which contains a copy of the Proclamation?

Sincerely yours,

Henry W. Toll.

Mr. Zebley explained the letter.

Mr. Holcomb moved that the communication be spread on the Journal.

Motion prevailed.

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

#### HOUSE RESOLUTION NO. 4

IN RESPECT TO THE DEATH OF MISS ANNIE EVANS,  
SISTER OF REPRESENTATIVE JAMES S. EVANS.

WHEREAS, The House has learned with sincerest regret of the death of Miss Annie Evans, sister of our esteemed representative;

AND WHEREAS, it is fitting that the House give expressions of sympathy to the Honorable James S. Evans, a member of this House:

NOW, THEREFORE, BE IT RESOLVED, that we extend to our fellow member, the Honorable James S. Evans, the sincere sympathy of this body in his loss and sorrow, and that a copy of this resolution be spread upon the Journal, a copy delivered to the press and a copy sent to the family of the deceased.

Which was taken up for consideration 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. Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, 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. Speaker displayed a token, a gavel, which had been presented to him, and placed it at the disposal of the Sergeant-at-Arms.

Mr. Speaker presented Wright C. Dizer, Parliamentarian of the House, who made fitting remarks.

Mr. Zebley replied with complimentary remarks to Mr. Dizer.

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

#### HOUSE RESOLUTION NO. 5

BE IT RESOLVED, by the House of Representatives that the State Librarian be and is hereby authorized and directed to furnish the members of the House of Representatives stationery and other supplies, the cost of which shall not exceed the sum of Twenty-Five Dollars (\$25.00) each; and

BE IT FURTHER RESOLVED by the House of Representa-

tives that the State Librarian be and is hereby authorized and directed to furnish to each of the Attorneys, the Chief Clerk, Assistant Chief Clerk, the Reading Clerk, the Clerk to the Speaker and the Document Clerk, stationery and other supplies, the cost of which shall not exceed the sum of Fifteen Dollars (\$15.00) each.

Which was taken up for consideration 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. Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Swain, Warrington, Webb, Welsh, Willey, Zebley, Mr. Speaker—32.

NAYS—None.

One not voting.

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

On motion of Mr. Holcomb, the House recessed until 2 o'clock P. M. the same day.

Motion prevailed.

Same Day, 3:45 o'clock P. M.

House met at expiration of recess.

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

#### HOUSE RESOLUTION NO. 6

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 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. Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, 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.

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

#### HOUSE RESOLUTION NO. 7

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 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. Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Hol-

comb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, 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.

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

#### HOUSE RESOLUTION NO. 8

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 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. Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, 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.

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

## HOUSE RESOLUTION NO. 9

BE IT RESOLVED by the House of Representatives that the State Librarian be and she is hereby instructed to furnish the two Attorneys of the House of Representatives, each with one copy of the Revised Code of the State of Delaware 1915, and each with one copy of the Session Laws enacted since the said Code of 1915.

Which was taken up for consideration 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. Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, 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.

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

## HOUSE RESOLUTION NO. 10

IN RESPECT TO THE DEATH OF THOMAS R. WILSON, FORMER MEMBER OF THE HOUSE OF REPRESENTATIVES AND FORMER INSURANCE COMMISSIONER OF THE STATE OF DELAWARE.

WHEREAS, The House has learned with sincerest regret of the death of Thomas R. Wilson, former member of the House of Representatives and former Insurance Commissioner of the State of Delaware;

AND WHEREAS it is fitting that the House give expressions of sympathy to the family of the late member of the House of Representatives and former Insurance Commissioner of the State of Delaware;

NOW, THEREFORE, BE IT RESOLVED, that we extend to the family of the late member of the House of Representatives and former Insurance Commissioner of the State of Delaware, the sincere sympathy of this body in their loss and sorrow, and that a copy of this resolution be spread upon the Journal, a copy delivered to the press and a copy sent to the family of the deceased.

Which was taken up for consideration 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. Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, 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.

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

#### HOUSE RESOLUTION NO. 11

BE IT RESOLVED by the House of Representatives that the State Librarian be and she is hereby authorized and instructed to furnish each member of the House of Representatives of the One Hundred and Sixth General Assembly of the State of Delaware, each Attorney for the House of Representatives, and the Chief Clerk of the House of Representatives with one copy of the Revised Code of Delaware 1935 that is now being compiled, as soon as it is printed and ready for distribution.

Which was taken up for consideration 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. Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, 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. Zebley, on motion for leave, introduced House Bill No. 2, entitled:

An Act to make valid the record of legal instruments which have not been properly acknowledged.

Which was given first and second reading, the second by title only, and was laid on the table pending the appointment of Committees.

On motion of Mr. Hughes, the House recessed for five minutes.

Motion prevailed.

House convened at expiration of recess.

Mr. Speaker announced the members of the Printing Committee to be:

Messrs. Fader, Schabinger, Dodd, Willey, Lester.

Mr. Hastings moved that the House adjourn until Friday, January 8, 1937 at 11 O'clock A. M.

Motion prevailed.

--\*(THIRD LEGISLATIVE DAY)\*--

Dover, Delaware, January 8, 1937, 11:50 o'clock A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. James E. O'Neil.

Roll Called.

Members Present—Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, Mr. Speaker—34.

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

Motion prevailed.

Mr. Holcomb moved that a recess be taken until 1:15 o'clock P. M.

Motion prevailed.

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Same Day, 2:08 o'clock P. M.

House met at expiration of recess.

Mr. Holcomb moved that the Senate be requested to return to the House, House Joint Resolution No. 1, entitled:

In reference to the attending the inauguration of the Honorable Franklin D. Roosevelt as President of the United States and appropriating money for the expenses thereof.

Motion prevailed.

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

### HOUSE RESOLUTION NO. 12

BE IT RESOLVED by the House of Representatives that the State be and is hereby authorized and directed to furnish to the Chief Clerk of the House of Representatives, postage stamps in the amount of Twenty-Five Dollars (\$25.00).

Which was taken up for consideration 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. Boyce, Burke, Butler, Craig, Derrickson, Dodd, Hamill, Hastings, Holcomb, Hughes, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Schabinger, Simmons, Swain, Webb, Welsh, Willey, Zebley, Mr. Speaker—28.

NAYS—None.

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

The privilege of the floor was extended to Mr. Dizer, Parliamentarian of the House.

Mr. Hastings moved that the House commemorate the birth-days of Speaker Fader and Mr. Zebley, both on this day.

Mr. Holcomb was requested to occupy the Chair.

Motion prevailed.

Mr. Hastings was designated to have a proper Resolution prepared.

A short recess was declared.

House met at expiration of recess.

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

## HOUSE RESOLUTION NO. 13

BE IT RESOLVED by the House of Representatives of the State of Delaware of the One Hundred and Sixth General Assembly, that this body extend to the Honorable Speaker John R. Fader and the Honorable Frank R. Zebley, felicitations and best wishes on this, the occasion of their birthday anniversary.

Which was taken up for consideration 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. Boyce, Burke, Butler, Craig, Derrickson, Dodd, Hamill, Hastings, Holcomb, Hughes, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Schabinger, Simmons, Swain, Webb, Welsh, Willey, Zebley, Mr. Speaker—28.

NAYS—None.

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

Mr. Hastings presented an engraved marble block to the Speaker.

Mr. Speaker accepted the token most graciously.

Mr. Holcomb reported for the Committee on Rules.

Mr. Holcomb moved that the Rules be adopted and that they be the Rules of the One Hundred and Sixth Session of the General Assembly.

Motion prevailed.

## 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 ex-

plain; 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 the 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 Judiciary, Crimes and Punishment.
- Committee on Education.
- Committee on Federal Relations.
- Committee on Elections.
- Committee on Fish, Oysters and Game.
- Committee on Insurance and Banking.
- 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 Temperance.

Committee on Stationery and Supplies.

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

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

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

## BILLS AND RESOLUTIONS

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

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

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

**RULE 24**—Every bill and joint resolution, except as to style or form, shall receive three separate readings; the first and sec-

ond 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**—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 31**—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 re-

quired by the Speaker or requested by any member, be reduced to writing by the mover, or may be typewritten as the mover may prefer.

**RULE 32**—Every motion, if seconded, shall be repeated by the Speaker, or presiding officer, before debate or discussion thereon; and if there has been any debate or discussion, the motion shall again be repeated distinctly by the Speaker or presiding officer before putting the question in the following terms: "As many as are in favor of the question say Aye," and, after the affirmative is expressed, "As many as are opposed, say No."

**RULE 33**—Every motion shall be decided in a fair and impartial manner by the Speaker or presiding officer, and the vote of a majority of the members present and voting shall prevail, unless contrary to these rules or in conflict with the provisions of the Constitution. The Speaker or presiding officer, if necessary for a fair decision, may cause, or any member may call for, a division, and the members voting in the affirmative shall be required to rise, and after the Clerk has counted and noted those so voting, the question shall be reversed. Excepting when provided by the Constitution, the yeas and nays shall be taken, only on motion that the names of those so voting be entered on the Journal.

**RULE 34**—Every motion to adjourn shall be in order (unless such motion has just immediately been decided, or the House is voting on another question) and shall be decided without debate.

**RULE 35**—The only motions, except as otherwise provided, that shall be permitted to interrupt the business regularly before the House, are as follows:

A motion to amend, commit or postpone.

A motion to lay on the table.

A motion for the previous question.

**RULE 36**—A motion for the previous question shall not be entertained except at the request of five members rising for that purpose, and shall be determined without debate; but when the previous question has been called and sustained, it shall not cut off any pending amendment. The vote shall be taken without debate, first on the amendments in their order and then on the main question.

**RULE 37**—A motion for the reconsideration of a question

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

## CALENDAR

**RULE 38**—The Clerk of the House shall keep a Calendar of business on which shall be placed the number and subject of all bills and resolutions referred to committee and the name of the introducer thereof; and, if reported from committee, the action of the committee thereon. Said bills and resolutions shall be kept on the Calendar until final action is taken thereon, and such as lie over and other matters undisposed of, shall be placed in the order in which they are presented, and a printed copy of the Calendar of both houses places on the desk of each member at the opening of the morning session.

**RULE 39**—The business on the Calendar shall be called at one-thirty o'clock on each day of the session and shall be called in sequence (but the Calendar will not be called if there is any other unfinished business the House was considering at the time of the previous adjournment or any special order for the day is ready for action). If the call of the Calendar is not completed at any session the next session's call shall be resumed at the place on the Calendar where the call was interrupted.

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

## MISCELLANEOUS

**RULE 40**—Messages from the House shall be conveyed by the Clerk or a member, as the Speaker may direct, and when messages are conveyed to the House by a messenger from the Governor or by a member of the State Senate, the members of the House shall rise. Messages to the House shall not be received while the House is voting on a question or a member is speaking.

**RULE 41**—Before any petition or memorial addressed to the House shall be presented, a brief statement of the contents shall be made by the introducer, and, upon motion, shall be re-

ceived at the Clerk's table and read; unless the reference is objected to by a member at the time the petition or memorial is read, it shall be referred without further motion.

RULE 42—The rules of the House shall not be changed or suspended except by a vote of a constitutional majority of the members, but in all cases to which they are applicable and in which they are not inconsistent with these rules, the rules of parliamentary practice comprised in Roberts' Rules of Order Revised shall govern the House; and when the rules of parliamentary practice comprised in Jefferson's Manual shall govern insofar as they may be applicable and not inconsistent with these rules.

Mr. Holcomb moved that the House adjourn until Monday, January 11, 1937, at 12 o'clock noon.

Mr. Holcomb withdrew his motion.

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

#### HOUSE RESOLUTION NO. 14

WHEREAS, the House of Representatives have been informed of a most unusual agrarian feat on the part of the Honorable Dewey Sapp, esteemed member of this House and

WHEREAS, the said Honorable Dewey Sapp has been adjudged a celebrated corn grower in the State of Delaware, having been declared as the winner at the State Corn Show, by growing the best ear of corn in the State, and the grower of the best ten ears of corn in the State, and furthermore, the best ten ears of corn in the Tri-States, and whereas it is fitting that the House of Representatives take this opportunity to extend to the Honorable Dewey Sapp its heartiest congratulations,

THEREFORE BE IT RESOLVED that the House of Representatives do hereby extend to the Honorable Dewey Sapp its heartiest congratulations on his extraordinary achievement, and wish him unlimited success in all his future agrarian endeavors.

Which was taken up for consideration 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. Boyce, Burke, Butler, Craig, Derrickson, Dodd, Hamill, Hastings, Holcomb, Hughes, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Schabinger, Simmons, Swain, Webb, Welsh, Willey, Zebley, Mr. Speaker—28.

NAYS—None.

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

Mr. Holcomb moved that the House adjourn until Monday, January 11, 1937 at 12 o'clock noon.

Motion prevailed.

--(FOURTH LEGISLATIVE DAY)--

Dover, Delaware, January 11, 1937,

12:30 o'clock P. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. James E. O'Neil.

Roll called.

Members Present—Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, Mr. Speaker—34.

Mr. Holcomb reported for the Committee to Notify the Governor.

The Inaugural Committee reported progress.

The Rules Committee had no report.

The Miscellaneous Committee had no report.

The Printing Committee had no report.

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

An Act to authorize the Recorder of Deeds of the State of Delaware in and for Kent County, to procure a new Seal of Office.

Which was given first and second reading, the second by title only, and laid on the table, pending the appointment of Committees.

Mr. Holcomb moved that the House reconsider House Joint Resolution No. 1, entitled:

In reference to attending the inauguration of the Honorable Franklin D. Roosevelt as President of the United States and appropriating money for the expenses thereof.

On the motion to reconsider the yeas and nays were ordered, which being taken, were as follows:

YEAS—Messrs. Adamson, Boyce, Burke, Butler, Craig, Derickson, Dodd, Evans, Hastings, Holcomb, Hughes, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, Mr. Speaker—31.

NAYS—None.

The motion to reconsider was therefore adopted.

Mr. Holcomb moved that House Joint Resolution No. 1 be stricken from the Calendar.

Motion prevailed.

The Clerk was instructed to strike House Joint Resolution No. 1 from the Calendar.

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

#### HOUSE JOINT RESOLUTION NO. 2

IN REFERENCE TO THE ATTENDING THE INAUGURATION OF THE HONORABLE FRANKLIN D. ROOSEVELT AS PRESIDENT OF THE UNITED STATES AND APPROPRIATING MONEY FOR THE EXPENSES THEREOF.

BE IT RESOLVED, by the Senate and House of Representatives of the State of Delaware in General Assembly met:

That the sum of Seven Thousand Five Hundred Dollars, (\$7,500.00), or so much thereof as may be necessary, be and the same is hereby appropriated out of the funds of the State of Delaware, not otherwise appropriated, for the purpose of defraying the expenses of the Inaugural Committee of the General Assembly in arranging for the attendance of the Governor and his staff, the members of the General Assembly, certain State Officers and certain officers and attaches of the General Assembly in the inaugural ceremonies of the Honorable Franklin D. Roosevelt as President of the United States and the State Treasurer is hereby authorized and directed to pay such sums of money from

time to time upon warrants signed by the Chairman and Secretary of the said Inaugural Committee as shall not exceed in the aggregate the sum of Seven Thousand Five Hundred Dollars, (\$7,500.00).

Mr. Holcomb moved that the rules be suspended and the resolution be adopted.

Motion prevailed.

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

YEAS: Messrs. Adamson, Boyce, Burke, Butler, Craig, Derickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, 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.

Mr. Holcomb moved that the House recess until 2:30 o'clock P. M.

Motion prevailed.

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Same Day, 4:30 o'clock P. M.

House met at expiration of recess.

Mr. Holcomb moved that the Senate be requested to return to the House, House Joint Resolution No. 1, entitled:

In reference to the attending the inauguration of the Honorable Franklin D. Roosevelt as President of the United States and appropriating money for the expenses thereof.

Motion prevailed.

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

House Joint Resolution No. 2, entitled:

Relating to inaugural of Honorable Franklin D. Roosevelt as President of the United States.

And returned the same to the House.

The Speaker announced that the Chair is about to sign:

House Joint Resolution No. 2.

Mr. Holcomb moved that the House adjourn to Wednesday, January 13, 1937, at 10 o'clock A. M.

Motion prevailed.

~~—FIFTH LEGISLATIVE DAY—~~

Dover, Delaware, January 13, 1937, 10 o'clock A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. James O'Neil.

Mr. Holcomb moved that Herman C. Taylor be selected Temporary Chief Clerk for this session.

Motion prevailed.

Roll called.

Members Present—Buckson, Daniels, Dodd, Hamill, Holcomb, Jones, Lester, Ringler, Willey, Mr. Speaker—10.

A quorum not being present to transact business, Mr. Holcomb moved the House adjourn to Friday, January 15, 1937, at 10 o'clock A. M.

Motion prevailed.

--SIXTH LEGISLATIVE DAY--

Dover, Delaware, January 15, 1937, 10:45 o'clock A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. James O'Neil.

Roll called.

Members Present—Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, Mr. Speaker—35.

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

Motion prevailed.

Mr. Derrickson, 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 Session to receive any message that the Governor may have to offer.

And presented the same to the House.

Mr. Holcomb moved that Senate Concurrent Resolution No. 3, entitled:

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

Be read.

Motion prevailed.

The resolution was read.

On motion of Mr. Holcomb, Senate Joint Resolution No. 3, entitled:

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

Was taken up for consideration, 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. Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, 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.

Mr. Daniels spoke for the Committee on the Inauguration of the Governor of the State of Delaware.

Mr. Holcomb moved that the House proceed to the Senate to hear the Governor's message.

Motion prevailed.

## JOINT SESSION

Senator Chandler moved that the Senate go into Joint Session with the House.

Motion prevailed.

Representative Holcomb moved that the President Pro Tem of the Senate act as the President of the Joint Session.

Motion prevailed.

Senator Chandler moved that the Secretary of the Senate

and the Chief Clerk of the House act as Secretaries of the Joint Session.

Motion prevailed.

President Pro Tem appointed Senator Chandler and Representative Holcomb to notify the Governor that the Legislature is in Joint Session to receive any message he may care to convey.

The Sergeant-at-Arms announced the presence of His Excellency, the Governor, C. Douglass Buck, accompanied by his Secretary of State, Walter Dent Smith.

The members of the two Houses arose to welcome the Governor.

The Governor proceeded to deliver the following message:

MESSAGE OF  
HON. C. DOUGLASS BUCK  
GOVERNOR OF DELAWARE  
TO THE  
ONE HUNDRED AND SIXTH GENERAL ASSEMBLY  
OF THE STATE OF DELAWARE

*Members of the One Hundred and Sixth General  
Assembly of the State of Delaware:*

Custom decrees that a departing Governor appear before the General Assembly and call the attention of the Legislature to the existing order of the State's affairs. The proof and bearing of the leadership for this session of the General Assembly should be and will be reflected by the inaugural message of the incoming Governor. The outgoing Governor should quietly and quickly withdraw to the background. Legislative thought must be directed to the future and not to the past. Civilization marches forward, not backward. Reflections backward are only permissible as an aid to going forward and the only reason why I should be permitted now to address you, is for the purpose of aiding in that march forward. Experience of the past is only an aid to the future, and the sole purpose that prompts

the few thoughts expressed in this message is the wish that they may serve as some aid to you in the work that lies ahead.

Needless to say, I have no desire and it would be manifestly improper for me, upon this occasion to advance any suggestions that might trespass upon the rights of the incoming Governor as to any policy that he may wish to carry out. However, there are matters with which I am familiar, that merit your attention, which I shall endeavor hereinafter to present to you without, I trust, infringing upon the prerogatives of my successor.

### *General Fund*

With the exception of a warrant for \$60,000 dated November 30, 1936, to the order of the U. S. Engineer's Office, authorized by Chapter 71, Volume 40, Laws of Delaware, the money to cover same having been recently borrowed from the Farmers Bank,—receipts and expenditures of the General Fund have been in balance during the last eighteen months. For the remaining six months of the second fiscal year covered by the last biennial budget, it is estimated that the same satisfactory situation as now pertains to the Fund will continue, unless the expenses connected with this session of the Legislature should exceed the sum budgeted for the item.

### *Budget*

Following hearings last September and October, the Budget Directors meticulously prepared a tentative budget, which barring a few minor changes, has been approved by the Governor as received, and is now available for the consideration and guidance of your Joint Appropriations Committee. Certain figures in this report warrant your attention and among these are to be found the following: The estimated income to the General Fund for the first fiscal year of the next biennium is shown as being \$427,631.00 less than that actually received during the year ending June 30, 1936. This apparent loss of income is explained by reference to an Act of the 105th General Assembly, Chapter 15, Volume 40, Laws of Delaware, which provides for the diversion of approximately \$419,000.00 of franchise tax

revenues, to the General Fund each year of the biennium.

Appropriations recommended for the next two years are \$755,171.95 less than the amount requested and based on these recommendations it will be found that the statement shows that as of July 1, 1939, the General Fund will have a deficit of \$1,170,242.84. However, this budget deficit should not actually occur. In fact, the Fund ought to show a substantial credit balance on June 30, 1939, if the Act, Chapter 15, Volume 40, is reenacted and the net receipts to the State from the State Racing Commission beginning this year and estimated at \$250,000.00 annually, hold to that figure through the racing season.

From the appropriation bill as recommended, certain welfare agencies and institutions have been omitted. There are in all eight such agencies, and as they are not State Departments, more than a majority vote is required for the passage of any bill carrying appropriations for them. For the fiscal year 1936-37 the appropriations granted these organizations totalled approximately \$95,248.00. In the event you should deem it necessary to approve most of the aforementioned grants in the sums requested, the budget will necessarily be increased, each of the two years, by the sum total of these grants.

It is suggested by the Attorney General that legislation be enacted which would give State Departments or agencies receiving monetary grants from the Federal Government, the right to withdraw from the State Treasury any monies so received for their use. An alternative, is to authorize the opening of special accounts.

### *Fiscal Suggestion*

By reason of the budget situation above set forth, I respectfully offer the following simple suggestion as one way by which the State Budget within certain limits may be balanced over the next two years.

Re-enact the statute found in Chapter 15, Volume 40, Laws of Delaware, which provides for the diversion of Franchise Tax receipts to the General Fund to be used to meet the appropriations required of the State

for Delaware College and the College for Colored Students.

The adoption of this suggestion will provide approximately \$437,149.00 annually, an amount sufficient to put the budget in balance.

### *Bonded Debt of the State*

Since January 1, 1935, the State's bonded indebtedness has been increased \$427,000.00 by the sale of \$292,000.00 2¼% interest bearing serial bonds and \$135,000.00 refunding State Highway Bonds. Conversely it was reduced by \$215,000.00 through the call and redemption on October 1, 1936, of \$190,000.00 2¾% refunding State Highway Bonds and the redemption during the two calendar years, 1935-1936 of \$25,000.00 State Hospital and Women's College improvement bonds, and today the funded debt is \$3,162.00.

### *School Fund*

Income from the operation and maintenance of our public schools is obtained from two sources—the State income tax and the annual tax levied on the stock of companies incorporated in Delaware—the franchise tax. During the depression years the income from each of these sources was adversely affected but even more alarming has been the decline in the revenue from the franchise tax occasioned by the action of many companies in changing the par value of their authorized stock from \$100 par or no par, to stock of a low par value. Meanwhile the school budget has had to be increased from year to year as new consolidations were effected and new schools opened. As a result, today we find the school fund in need of additional income if it is to adequately support the splendid system of public schools which the State has.

Mr. Pierre duPont, as chairman of the State Finance Commission, created by an act of the last General Assembly, has had an exhaustive study made of ways in which the franchise tax receipts might be safely and materially increased. At the time of writing this, his commission has prepared a tentative report and I think it safe to assume that the General Assembly will

duly receive helpful recommendations from the members of this commission which it will do well to adopt.

As of June 30, 1937, it is estimated that the balance to the credit of the School Fund will be \$2,327,445.83. However, the school budget for the next two years as recommended, amounts to \$7,650,000.00 while the income for the same period is estimated to be 6,011,304.00, a deficiency of \$1,638,696.00 in operating income. Assuming the foregoing figures to be approximately correct, the balance in the School Fund will be reduced by July 1, 1938 to about \$700,000.00.

*School Bonds of the City of Wilmington  
and Special Districts*

In 1931 the Delaware Legislature first passed an Act authorizing the redemption of district school bonds coming due the following biennium, with moneys appropriated from the State's School Fund. This same procedure has since been followed and so for six years taxpayers residing within these special districts have been spared direct tax upon their homes and other real property that would otherwise have been necessary. To continue this aid will require \$264,864.00 until the Legislature meets in 1939.

*Highways*

When speaking of highways, in my message to the 104th General Assembly which convened January 3, 1933, I said in part, "At the present time farm land, and in fact all real property in Delaware, with minor exceptions, is taxed for road purposes and on this work last year, the counties spent \$1,200,000.00, all of which money was raised by taxes on real estate." And continuing, I said—"I view this condition as an inexcusable injustice in these years when farm land and largely all it produces has depreciated in value to an extent unknown by anyone of this generation, while in the case of city and suburban real estate, owners already pay their proportionate share of road taxes through the State Motor Vehicle Department, as do likewise the farmers. I strongly urge that you take all road taxes off of real estate, where they do not belong, and let the necessary revenue to be raised be paid by those who

use the highways. To provide this I suggest that the State tax on gasoline be increased from three to four cents a gallon. . . . and forever free Delaware homes and farms from road taxes.”

Two years later the 105th General Assembly adopted this recommendation even though the Federal Government in the interim had levied a tax of one cent on gasoline.

In 1934-35, revenue from the equivalent of one cent a gallon tax on gasoline amounted to \$405,570.86, in 1935-36, notwithstanding a 33 $\frac{1}{3}$ % increase in the State tax—the revenue which each cent thus produced was \$435,626.68.

In total revenue this meant an increase of \$525,794.13 in the receipts from the gasoline tax for 12 months. Furthermore the amount of gasoline consumed in the State during the first four months of this fiscal year is 18.5% more than that used during the same period last year. With all revenues to the Highway Department showing a substantial increase over those of a year ago, I recommend for your consideration a reduction of one cent in the tax on gasoline, effective as of July 1, 1937. This saving to the motorist would mean a reduction of at least \$450,000.00 in the revenue to the State Highway Department—a serious cut—yet I am prepared to believe that a one cent reduction in the tax will result in such an increase in consumption that the equivalent of one-half the loss incurred will be made up in increased sales.

### *Highway Fatalities*

In the past ten years automobile accidents have cost the lives of 779 of our citizens and been responsible for the serious injury of 11,494 others. Last year our State record was the best in the country; this year it will be among the worst.

It is evident that all of our official and unofficial agencies must redouble their efforts to halt this staggering life loss. The increased appropriation which I have recommended for the motor vehicle department will enable a closer check up on and supervision of those drivers who repeatedly cause trouble. The provisions of our motor vehicle law providing for the revocation of the licenses of unsafe drivers must be increasingly

invoked. The State Highway Department must continue its efforts to bring physical road hazards down to a minimum. The State and City Police must act unrelentingly against that small minority who endanger the lives of others by reckless speed, extreme carelessness and intoxication. It is gratifying to note that recent actions of our courts indicate that no leniency will be shown those who by criminal actions cause motor death.

The work of safety education produces great dividends. It must be promoted with increasing vigor both by our educational authorities and the Delaware Safety Council.

### *County Highway Bonds*

Since 1927, by an Act of the General Assembly passed every two years, the State has assumed the responsibility for servicing the serial bonds originally issued by the Counties for the construction of State Aid highways and the re-construction and improvement of county roads. Of the various issues, a total of \$6,290,000.00 are still outstanding, and it is respectfully suggested that by an Act of the Legislature the State Highway Department again be authorized and directed to service these bonds out of its revenues for the biennium beginning July 1, 1937.

### *Taxes*

A recent review of Delaware tax laws allows me to mention that there are several of such laws that might be modified or repealed without incurring any appreciable or serious loss of revenue.

- A. **CAPITATION TAX.** This tax in itself is trivial and yet there are many citizens, I understand, who neglect to pay it and because of the small sums involved, its forced collection is unprofitable. The repeal of this County tax is recommended.
- B. **PROPERTY TAX.** There is a Delaware law which provides for a property tax—Section 1098 of the Revised Code of 1915. However, it is gratifying to report that I am unable to find that any taxes are now being collected under this Act, which fact in itself is sufficient reason to do away with it. It should be amended.

- C. **MANUFACTURERS' TAX.** As an added inducement to industry to locate in Delaware, I offer the suggestion that the so-called Manufacturer's tax of  $\frac{1}{40}$  of 1% upon aggregate gross receipts, be done away with. Industry looks upon the assessment as a nuisance tax, and since the revenue it produces is nominal—\$21,967.35 in 1936—its loss, it is thought, would be inconsequential in comparison to the degree of good will among industrialists that would be created by its repeal.

### *Delaware State Hospital*

Two years ago the Legislature authorized the State to borrow \$325,000.00 for the erection of new buildings at six of its welfare institutions, one of them being the State Hospital.

The Act authorizing the bond issue was duly passed as were five of the six bills appropriating certain amounts to five of the institutions in need of additional buildings. The fourth enabling act, carrying an appropriation of \$35,000.00 intended for the State Hospital at Farnhurst was overlooked in the closing hours of the session. As a result of which, the Board of Trustees of the Hospital never received the sum it was intended they should have. I suggest the oversight be remedied at this session.

### *Capital Expenditures*

It is generally understood that this Legislature will be asked to appropriate money for new buildings. In this connection permit me to call your attention to figures contained in the new budget which show that if appropriations are authorized for capital expenditures, such as new schools or new welfare buildings, it will be necessary for the State to borrow the money. Knowledge of this fact should assist you in arriving at certain decisions, which you will undoubtedly be called upon to make.

### *Permanent Old Age Benefits*

The Federal Government has set up a Social Security Law, part of the provisions of which became

effective January 1, of this year, when a Federal tax was levied on employers' payrolls. To come under the provisions of this law, your attention is called to the fact that each State must enact collateral legislation that will supply supplementary payments.

### *Old Age Pensions*

The One Hundred and Third General Assembly in 1931 passed an Act appropriating Two Hundred Thousand Dollars annually to those of our citizens who in their advanced years were found to be without sufficient means of support. Subsequent Legislatures have authorized similar appropriations, and within the calendar year the Federal Government made a grant to Delaware of an amount sufficient to match the State money dollar for dollar. The distribution of these funds through pensions has been most efficiently administered by the State Old Age Welfare Commission and it is generally considered, I think, that the small monthly remittances received by the 3034 old folks now on the pension rolls constitutes one of the State's most laudable welfare achievements.

Estimated revenues as forecast in the General Budget would seem to preclude any likelihood of the Legislature being able to increase this pension appropriation, but you will agree with me, I am sure, that it should be continued and must not be reduced.

### *Constitutional Amendment*

In the interest of the State as a whole as well as those who will be a part of the Legislative Branch of our State Government in future years—I wish to leave with you a suggestion for an amendment to the State Constitution.

Amend Section 16 of Article III of the Constitution to provide that the work of an extraordinary session of the General Assembly shall be definitely limited to the business set forth in the Call issued by the Governor. Furthermore, delegate to the Governor, not alone the authority to convene, but the power, as well, to permanently adjourn, an extraordinary session of the General Assembly.

*Delaware Swedish Tercentenary Commission*

Pursuant to authority conferred by a Joint Resolution of the 105th General Assembly, a commission composed of eleven members was duly appointed to prepare tentative plans for a fitting celebration of the tercentenary celebration of the founding in 1638 of the first permanent settlement in Delaware.

The members of this commission have been busily occupied over a year and a half in the study and inauguration of tentative plans for the proposed celebration. They have prepared for submission to this Honorable Body, an interesting and concise report of their activities and embodied therein important and timely recommendations which, as citizens of the State, we can all subscribe to wholeheartedly. I respectfully submit, looking to the event, that I regard it as incumbent upon the State to obtain title to a suitable area of land surrounding "The Rocks" as recommended by the commission, and in order to properly finance the celebration, approval should be given for the appropriation of such a sum as the commission petitions. Upon arrival of the day to be fixed for the celebration, the eyes of this Nation and those of many other countries, will be upon Delaware and we should see to it that the State is prepared to play its part as host in a manner strictly in keeping with the important place it holds in the history of the birth and growth of a great and powerful Nation, these United States of America.

As my term of office draws to a close, I wish to leave with you a seemingly trivial suggestion, which if approved will, I believe, contribute much to the peace of mind, comfort and convenience of my successor. The recommendation is, that the State provide, for the exclusive use of the Governor, a suitable automobile with a full-time chauffeur to operate it. The dignity of the office warrants the service, and furthermore, experience teaches that it is next to impossible to accurately determine the cost to the State for the use of a privately owned car when used day in and day out for personal as well as official business.

*Conclusion*

I relinquish the office of Governor with mingled feelings of pleasure and appreciation. The pleasure is prompted by the thought that some of the things we

had hoped to accomplish have been realized. The appreciation felt is for the opportunity granted me by the people of rendering some small service to my State, in return for the advantages it has given and the benefits received from the days of my childhood. No greater honor can come to any man than the bestowal of the confidence of the people, and no higher form of appreciation can be shown than to hold their trust inviolate. This I have tried to do.

And now the time has come to say good-bye to those who have so generously aided me in all my endeavors in behalf of the State. Whatever measure of success my administration may have had, has been made possible through the cooperation of these friends, and friends of good government in Delaware.

To my successor, I extend the hope that his administration will be prosperous and successful, and that his duties will afford him the same pleasure and satisfaction as have mine, and of a number of good wishes I should like to extend to him, one is, that the men and women who shall serve in his administration will be as loyal and faithful and hard working as those who have served with me during the past eight years.

Respectfully submitted,

C. D. BUCK

Senator Chandler moved that the Secretary of the Senate and the Clerk of the House compare their Journals.

Motion prevailed.

The Journals were compared and found to agree.

Senator Chandler moved that the two Houses do now separate.

Motion prevailed.

Mr. Holcomb moved that the House recess until 2 o'clock P. M.

Motion prevailed.

Same Day, 2:30 o'clock P. M.

House met at expiration of recess.

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

#### HOUSE RESOLUTION No. 15

BE IT RESOLVED, that the Treasurer of the State of Delaware, be and he is hereby authorized and directed to pay from the General Fund of the State Treasury of the State of Delaware, upon the order of the Speaker of the House of Representatives, the sum of Fifty Dollars, (\$50.00) to each member of the House of Representatives as a part payment and compensation due such members of the House of Representatives.

Which was taken up for consideration 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. Adamson, Boyce, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Schabinger, Simmons, Swain, Warrington, Webb, Willey, Zebley, 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.

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

#### HOUSE JOINT RESOLUTION No. 3

IN REFERENCE TO THE INAUGURATION OF THE HONORABLE RICHARD C. McMULLEN AS GOVERNOR OF THE STATE OF DELAWARE AND APPROPRIATING MONEY FOR THE EXPENSES THEREOF.

BE IT RESOLVED by the House of Representatives and Senate of the State of Delaware in General Assembly met:

That the sum of Three Thousand Dollars, (\$3,000.00), or so much thereof as may be necessary, be and the same is hereby appropriated out of the funds of the State of Delaware, not otherwise appropriated, for the purpose of defraying the expenses of the inaugural committee of the General Assembly in arranging for the inaugural ceremonies of the Honorable Richard C. McMullen as Governor of the State of Delaware, and the State Treasurer is hereby authorized and directed to pay such sums of money from time to time upon warrants signed by the Chairman and Secretary of said inaugural committee as shall not exceed in the aggregate the sum of Three Thousand Dollars, (\$3,000.00).

Which was taken up for consideration 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. Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Willey, Zebley, Mr. Speaker—33.

NAYS—None.

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

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

An Act to amend Chapter 44 of the Revised Code of Delaware, 1935, in reference to valuation and assessment of property by exempting certain personal property from provisions thereof.

Which was given first and second reading, the second by title only, and was laid on the table pending the appointment of Committees.

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

An Act to amend Chapter 60 of the Revised Code of Dela-

ware, 1935, by changing the polling place in the Third Election District of the Tenth Representative District in Sussex County.

Which was given first and second reading, the second by title only, and was laid on the table pending the appointment of Committees.

On motion for leave, Mr. Holcomb introduced House Resolution No. 16, entitled:

### HOUSE RESOLUTION NO. 16

WHEREAS it is a matter of common knowledge that there are employed by the State of Delaware and the several departments, agencies and commissions of the State of Delaware, persons who are not now or who were not at the time of their employment bona fide residents of the State of Delaware.

AND WHEREAS it is advisable for this House to be informed in detail of such conditions.

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives that the Chief Clerk of the House of Representatives be and he is hereby authorized and directed to communicate with the hereinafter named departments, agencies and commissions of the State of Delaware requesting that they furnish this House, not later than the first day of February, 1937, with a list of the names of all persons employed by said departments, agencies or commissions, the date of the employment of each, the duration of the residence of each in the State of Delaware and the initial and present salary of each such employee, viz:

Secretary of State  
 State Tax Department  
 State Liquor Commission  
 State Board of Health  
 Ferris Industrial School  
 State Board of Charities  
 Delaware State Hospital  
 Delaware Industrial School for Girls  
 Mothers Pension Commission  
 Delaware Commission for Feeble Minded

Old Age Welfare Commission  
 Industrial School for Colored Girls  
 University of Delaware  
 State College for Colored Students  
 State Board of Agriculture  
 State Forestry Department  
 State Board of Education and through them each School in  
 the State.  
 Insurance Commission  
 State Treasurer  
 State Auditor of Accounts

Which was taken up for consideration 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. Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Willey, Zebley, Mr. Speaker  
 —33.

NAYS—None.

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

Mr. Holcomb reported for the Committee on the Inauguration of Franklin D. Roosevelt as President of the United States.

Mr. Holcomb moved that the House adjourn until Monday, January 18, 1937, at 11 o'clock A. M.

Motion prevailed.

--(SEVENTH LEGISLATIVE DAY)--

Dover, Delaware, January 18, 1937, 11:20 o'clock, A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. James O'Neil.

Members Present—Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, Mr. Speaker—35.

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

Motion prevailed.

The Speaker read a communication from the State Board of Health.

The Speaker read a communication from the State Board of of Georgetown, Delaware.

Clerk read a communication from the Wilmington Chamber of Commerce inviting the members of the House of Representatives to attend a dinner Wednesday night, February 24, 1937.

Mr. Holcomb moved that the House accept and the Clerk so notify Mr. Gerrish Gassaway, manager of the Wilmington Chamber of Commerce.

Motion prevailed.

The Speaker called for reports of committees.

The Committee on Rules had no report to make.

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

An Act to prohibit the use and sale and display or possession of fireworks, fire crackers, sparklers and other pyrotechnic displays and regulating the having, using, storing and keeping of fireworks, fire crackers, sparklers and other pyrotechnics in the State of Delaware, and further prohibiting the firing and discharging of firearms in or into any street, highway, alley, or other public places of the State, and providing penalties for the violation thereof.

Which was given first and second reading, the second by title only, and was laid on the table pending the appointment of Committees.

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

An Act to amend Chapter 86 of the Revised Code of Delaware, 1935, in reference to hearings in divorce cases.

Which was given first and second reading, the second by title only, and was laid on the table pending the appointment of Committees.

Mr. Butler moved that the House recess until 2:00 o'clock P. M.

Motion prevailed.

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Same Day, 3:35 o'clock, P. M.

House met at expiration of recess.

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

#### HOUSE CONCURRENT RESOLUTION No. 1

BE IT RESOLVED by the House of Representatives, the Senate concurring therein, that the two houses meet in joint session on Tuesday, January 19, 1937 at 11:30 o'clock A. M., for the purpose of attending the inauguration of the Honorable Richard C. McMullen, as Governor of the State of Delaware.

Which was taken up for consideration 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. Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, 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 to the Senate for concurrence.

On motion for leave, Mr. Dodd introduced House Resolution No. 17, entitled:

#### HOUSE RESOLUTION NO. 17

BE IT RESOLVED, That the Treasurer of the State of Delaware, be and he is hereby authorized and directed to pay from the General Fund of the State Treasury of the State of Delaware, upon the order of the Speaker of the House of Representatives, the sum of Twenty-Five Dollars (\$25.00) to each attache of the House of Representatives as a part payment and compensation due such attache of the House of Representatives.

Which was taken up for consideration 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. Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford,

Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, 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. Adamson, on motion for leave, introduced House Bill No. 8, entitled:

An Act to amend Chapter 156 of the Revised Code of Delaware, 1935, in reference to fees of public officers.

Which was given first and second reading, the second by title only, and was laid on the table pending the appointment of Committees.

The Secretary of State, being admitted, delivered to the House pardons and commutations of sentences.

Mr. Welsh moved that the Clerk be instructed to notify "Labor," a newspaper published at Washington, D. C., of a Vote of Thanks by the House for the receipt by the members of the paper.

Motion prevailed.

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

House Joint Resolution No. 3, entitled:

Relating to appropriation of money for expenses in attending the inauguration of Honorable Richard C. McMullen as Governor of Delaware.

And returned the same to the House.

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

House Concurrent Resolution No. 1, entitled:

Relating to a joint session of the House and the Senate Tuesday, January 19, 1937, to attend the inauguration of Honorable Richard C. McMullen as Governor of Delaware.

And returned the same to the House.

The Chair recognized former Representative K. J. Paskey, who made fitting remarks.

Mr. Zebley made fitting reply.

The Chair recognized Mr. Matthew Ford.

The Chair recognized Mr. John Owens.

The Speaker read a communication from the Governor on pardons and commutations.

Mr. Simmons moved that so much be considered the reading of the communication and it be approved.

Motion prevailed.

On motion for leave, Mr. Reynolds introduced House Resolution No. 18, entitled:

#### HOUSE RESOLUTION NO. 18

BE IT RESOLVED by the House of Representatives that the State Board of Education be and it is hereby requested to submit to the House of Representatives its recommendations for balancing the present school budget, taking into consideration the present expenditures, including therein such sums as shall be necessary to meet the maturities of the outstanding bonds issued by the several special school districts, and the present income of the school fund. And the Clerk of the House is hereby directed to convey a copy of this resolution to the said State Board of Education.

Which was taken up for consideration 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. Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, 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. Holcomb, on motion for leave, introduced House Bill No. 9, entitled:

An Act proposing an amendment to Section 5 of Article VIII of the Constitution of the State of Delaware, relating to the Levy and Collection of Capitation Tax.

Which was given first and second reading, the second by title only, and was laid on the table, pending the appointment of Committees.

Mr. Holcomb reported to the House that the Committee on the Inauguration of Franklin D. Roosevelt as President of the United States, has engaged two rooms and the Embassy Room at the Lafayette Hotel, Sixteenth and Eye Streets, Washington, D. C., for the convenience of the members and their families attending the inauguration Wednesday, January 20, 1937.

Mr. Burke moved that the House adjourn until 10:00 o'clock A. M., Tuesday, January 19, 1937.

Motion prevailed.

~~—(EIGHTH LEGISLATIVE DAY)—~~

Dover, Delaware, January 19, 1937, 11 o'clock A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. James O'Neil.

Roll called.

Members Present—Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, Mr. Speaker—35.

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

HOUSE CONCURRENT RESOLUTION NO. 2

BE IT RESOLVED by the House of Representatives, the Senate concurring therein, that at the close of the legislative session of Tuesday, January 19, 1937, the two houses of the General Assembly shall adjourn until Monday, January 25, 1937, at eleven o'clock A. M.

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

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

YEAS—Messrs. Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, 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.

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

Motion prevailed.

Mr. Holcomb moved that the House recess for five minutes.

Motion prevailed.

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House met at expiration of recess.

Mr. Holcomb moved the House proceed to the Senate for a Joint Session.

Motion prevailed.

### JOINT SESSION

Representative Holcomb moved that Lieutenant-Governor Edward W. Cooch, President of the Senate, preside over the Joint Inaugural Session.

Motion prevailed.

Senator Chandler moved that the Secretary of the Senate and the Chief Clerk of the House be the Secretaries of this Joint Session.

Motion prevailed.

Mr. Holcomb moved that the Joint Session recess until 12 o'clock noon, and reconvene at that time at the Dover Opera House.

Motion prevailed.

Same Day, 12 o'clock Noon.

The House and the Senate reconvened in Joint Session at the Dover Opera House at the expiration of recess.

Prayer by Rev. Marion W. Marine.

The President of the Senate, Lieutenant-Governor Cooch, announced that Chancellor Josiah O. Wolcott would administer the oath of office of Governor of the State of Delaware to the Honorable Richard C. McMullen.

Chancellor Wolcott administered the oath.

Governor McMullen proceeded to deliver his inaugural address, as follows:

INAUGURAL ADDRESS  
OF  
HONORABLE RICHARD C. McMULLEN  
GOVERNOR OF DELAWARE

*Mr. President, Members of the General Assembly and my Fellow Citizens:*

Custom does not require, neither does wisdom approve, that the governor should, at the first moment of his installation in office, lay before the people and their representatives a detailed program of policies and measures which in his judgment are calculated, if accepted, to promote the best interests of the State and to advance the common welfare of its citizens.

Following the precedents of the past, it is not therefore my purpose on this inaugural occasion to make specific recommendations to the members of the General Assembly of Legislative measures which I deem worthy of their consideration. As time progresses, I expect,

during the continuance of the present session of the One Hundred and Sixth General Assembly, to be able to communicate suggestions, either by formal message or otherwise, which in my view, and I hope in the view of the members of the Senate and House of Representatives, will, if translated into action, prove to be of constructive value to our State.

The oath which I have just taken, to perform the duties of the high office of Governor to the best of my ability, I do not regard as a mere formal requisite to my induction into office. It rests with all the solemnity of its implications upon my heart and conscience. Whatever the problems of the next four years may be, however great may be their controversial aspects, if any, I embrace the opportunity which this occasion affords—to assure my fellow citizens that I shall approach the solution of the problems in a spirit harmonious with the obligations of the oath; and I bespeak from those who may disagree with me a belief that any course of action which I may have followed, even though it lacks the approval of their judgment, was nevertheless pursued by me in the light of sincere conviction.

Under our system of Party Government, custom has rather firmly established it as an unyielding practice, that, upon the shifting of power from one political party to another, the new administration should appoint its adherents to the offices theretofore filled by its opponents. No one can reasonably expect me, under the present circumstances, to be exempt from the practical exactions of this custom. Members of my party have been the victims of its operation in the past. They have the right then, which all must recognize, of becoming its beneficiaries in the present. I shall experience no personal exultation, however, in being the instrument

whereby many who have been employed by the State in years past will now find themselves under the necessity of seeking employment in other fields. To a man of feeling, Victory—whether in politics or in other fields of endeavor—when gained at the expense of others, is always tinged with a shade of sadness.

I subscribe to the doctrine of President Cleveland that a public office is a public trust, and in the exercise of the Governor's appointive power, I shall seek to select persons for appointment whose conception of public office recognizes that its duties are to be administered in trust for the people.

While it is not my purpose, as I have already stated, at this time to undertake to make any recommendations to the Legislative branch of the State Government of specific measures, there is one subject of such immediate importance, in view of the commencement of a new Legislative Session, that brief reference thereto in a very general way is, in my judgment, not only opportune but highly advisable. I refer to the question of the State finances.

The finances of a state are in one outstanding particular, the same fundamentally as are the financial problems of any business enterprise. In the particular to which I refer, the problem is one of income and outgo. No business enterprise can long endure if the volume of its expenditures exceeds the volume of its income. If a business disregards this fundamental principle, its end is insolvency. If a State disregards it, repudiation, loss of credit, and the impairment of governmental functions are the inevitable result.

There must be a balancing of public expenditures against public revenues. We owe it to the generations

which are to follow us in this beloved State of ours not to leave them the heritage of a heavy burden of debt, a governmental structure impaired by poverty and rendered impotent thereby to carry on the reasonable public services which but for the financial imprudence of ourselves, the state would be able adequately to render.

Most of the discussion of public finance deals only with the income side of the problem—how to secure more income. I suggest that the General Assembly and the Governor address themselves with earnest care to the outgo side of the problem—how to keep expenditures within the limits of reasonably anticipated but not oppressively levied revenues.

I, therefore, appeal to the General Assembly to co-operate with me in striving to practice economy in administering the business affairs of the State which the people of the State have entrusted to our care.

In saying this, I do not wish to be understood as advocating the policy of a parsimonious attitude toward public services which are essential to the welfare of the people and which it is the duty of a well governed State to supply. Those public activities which it is the duty of the State to perform should not, of course, be suffered to be unreasonably abated. At the same time, it is always an inquiry of sensible significance to ask how much can we afford to spend even in behalf of concededly meritorious causes.

If in any respect the primary functions of Government are in need of new machinery and as a consequence thereof of more liberal appropriations for their efficacious operation, it would be a penny-wise and pound-foolish policy for the responsible authorities to withhold,

in the interest of economy, the legislative measures necessary for effecting the needed improvement.

What we should be on our guard against is not the disposition to distinguish between the dispensable and the indispensable, but the consequent inclination to be generously free handed with all.

It was only a few years ago that our treasury was so replete with funds that many of our people thought our current and future revenues would be ample to support ambitious projects and ever-expanding programs. So delusive are present revenues as an indication of future resources that in the short space of a few years after our financial situation appeared so rosy, the legislature was forced to authorize borrowing to replenish the general fund out of which the operating expenses of the state are defrayed. It authorized the borrowing from the Farmers Bank of a sum up to Seven Hundred Thousand Dollars to meet any casual deficiency in the general fund from February 1935 to the end of the fiscal year, June 30, 1936. And it authorized the borrowing for the benefit of the general fund of as much as Fifty Thousand Dollars in any one month during the six months after July 1, 1935 from the Highway fund and for a like period as much as One Hundred Thousand in any month from the school fund, the total in the case of the Highway fund not to exceed Six Hundred Thousand Dollars and the total in the case of the School fund not to exceed Four Hundred Thousand Dollars. I understand that this power was never exercised.

I refer to these facts not in the spirit of criticism, but solely to emphasize the point that as late as February 1935 the responsible authorities of the State were so alarmed over the immediate situation of the general

fund that they deemed it wise to authorize those large borrowings for its benefit.

It thus appears from this brief recital that in a short space of time it is quite possible for the public finances to turn from a state of optimistic security to one of rather gloomy uncertainty.

This recent experience ought to admonish us to exercise a wise discretion in the projects we select for our appropriations and in the amounts we should allow to those which pass the muster of our approval.

What I have just concluded saying is all that I care to say at this time upon subjects which are for legislative consideration. I wish to emphasize the importance of a wise but not foolish economy in our conduct of the State's business by making this subject the sole topic of my present recommendation to the legislature for its careful consideration.

Under the superior leadership of Franklin D. Roosevelt the chaos and the fear that enveloped the country have disappeared and in their wake one finds happiness and the sunshine of a new born era having as a foundation confidence which has spread into the hearts and minds of men.

As Chief Executive of this State, I shall endeavor at all times to work in co-operation and complete harmony with our Representatives in Congress relative to our National Administration and consider it my duty always to see that Delaware receives its rightful recognition as a state within this union.

We are fortunate in that within our boundaries there are located many large and successful industries,

fertile soil, and many other advantages which supply the necessities for the comfort and well being of our people, and we can with pride look back as far as colonial times and say that we have kept faith with the ideals and principles of those illustrious men and women whose heritage is ours.

It has been thirty-six years since a Democrat occupied the Gubernatorial chair. I was nominated for the office of Governor by the Democratic Party. I was elected as a Democrat. I suppose it is but natural for the Democrats of the State to experience a sense of exuberance when they reflect that long deferred victory has at last perched upon their banners. I would expose myself as a pretender if I professed not to share in the exhilaration of spirit which animates the rank and file of the party which honored me as its choice as Governor. But, my fellow citizens, as deeply sensitive as I am of the political obligation that rests upon me, I believe I shall be able to mark the boundaries which define the legitimate limits beyond which political considerations have no right to trespass.

The Governor of Delaware is not the Governor of a political party. He is the Governor of this State, which embraces within its citizenry men and women of all political persuasions, of varying stations in life, and of divers views. I very sincerely covet from my fellow citizens, regardless of their stations in life, whether they be among the rich or poor, a deserved reputation among them of being a Governor who strives as best he may to administer the affairs of state with an eye single to its welfare and with a solicitude that the confidence which has been so conspicuously reposed in him shall at the end of his term of service be generally conceded not to have been misplaced.

With this spirit I approach my task. I believe a similar spirit animates those with whom I must collaborate in the conduct of the State business. I anticipate pleasant relations with the members of the General Assembly. Though the Senate is in control of gentlemen who are of the opposing political party to mine, yet I anticipate no difficulty on that score, for I attribute to the Republican members of the Legislature the same loyalty to the State and the same zealous regard for its welfare which I claim for those of my own party and for myself.

To the end that our State may receive the benefits of the best in government that disinterested fidelity on the part of all its officials is able within the limits of the State resources to give it, I solicit the co-operation, not only of the members of the General Assembly and of the various officials entrusted with responsibility, but as well also of all our fellow citizens; and to the same end, I humbly invoke the guidance of that Divine Power to which we all must look for support in times of stress and for illumination in the hours of darkness.

RICHARD CANN McMULLEN

*Governor.*

Senator Chandler moved that the Secretary of the Senate and the Chief Clerk of the House compare their Journals.

Motion prevailed.

The Journals were compared and found to agree.

Representative Simmons moved that the two Houses do now separate.

Motion prevailed.

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

Motion prevailed.

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Same Day, 3:35 o'clock P. M.

House met at expiration of recess.

Mr. Holcomb reported to the House for the Inaugural Committee, regarding the Lafayette Hotel, at Sixteenth and Eye Streets, Washington, D. C., where rooms were secured for those attending the inauguration from Delaware.

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

House Concurrent Resolution No. 2, entitled:

**HOUSE CONCURRENT RESOLUTION NO. 2**

BE IT RESOLVED by the House of Representatives, the Senate concurring therein, that at the close of the legislative session of Tuesday, January 19, 1937, the two Houses of the General Assembly shall adjourn until Monday, January 25, 1937, at eleven o'clock A. M.

And returned the same to the House.

Mr. Holcomb moved that the House adjourn until Monday, January 25, 1937, at 11 o'clock A. M.

Motion prevailed.

--(NINTH LEGISLATIVE DAY)--

Dover, Delaware, January 25, 1937, 11 o'clock A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. James O'Neil.

Clerk read a communication from Honorable John R. Fader, Speaker of the House appointing Mr. Holcomb Temporary Speaker of the House.

STATE OF DELAWARE  
HOUSE OF REPRESENTATIVES  
DOVER, DELAWARE

John R. Fader, Speaker

Newark, Delaware,  
January 25, 1937.

House of Representatives,  
Dover, Delaware.

Due to illness will be unable to attend today's session. Therefore I appoint Hon. Chauncey P. Holcomb Temporary Speaker.

Signed,

JOHN R. FADER,  
Speaker of the House.

Roll called.

Members Present—Adamson, Boyce, Buckson, Burke, Butler, Craig, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley—33.

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

Motion prevailed.

Clerk read a communication from the Council of State Governments, Chicago, Illinois.

Which was ordered filed.

Clerk read a communication from the Department of Public Instruction of the State of Delaware.

Which was ordered filed.

The Temporary Speaker called for Reports of Committees.

No committees had any report to make.

Mr. Hastings moved that the House recess for fifteen minutes.

Motion prevailed.

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House met at expiration of recess.

The Temporary Speaker instructed Mr. Hastings to notify the Secretary of State that the House is in Session.

The Temporary Speaker ordered a meeting of the Rules Committee.

Mr. Reynolds moved that the House recess until 2 o'clock P. M.

Motion prevailed.

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Same Day, 2 o'clock P. M.

House met at expiration of recess.

The Temporary Speaker asked for New Business.

On motion for leave, Mr. Hamill introduced House Resolution No. 19, entitled:

#### HOUSE RESOLUTION No. 19

WHEREAS, the names of Vinita Gill and Anne Rickards, Stenographers for the House of Representatives, and Frank Connor, Messenger, were inadvertently omitted from the House Resolution employing attaches;

THEREFORE, BE IT RESOLVED by the House of Representatives, that the names of Vinita Gill, Anne Rickards and Frank Connor be and they are hereby placed on the payroll of the House, and they are hereby employed by the House of Representatives as attaches, and that this Resolution shall date back to the beginning of this Session of the General Assembly.

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

Mr. Hamill moved its adoption.

Motion prevailed.

On motion for leave, Mr. Adamson introduced House Resolution No. 20, entitled:

#### HOUSE RESOLUTION No. 20

WHEREAS, the members, the attaches, and guests of the House of Representatives of the State of Delaware enjoyed a most delightful trip to Washington in attending the Inauguration of the Honorable Franklin D. Roosevelt as President of the United States; and

WHEREAS, the thoughtful attention and consideration of the House Committee and the Senate Committee contributed greatly to the pleasure and satisfaction of the trip; therefore

BE IT RESOLVED by the House of Representatives of the State of Delaware that the members of the House desire to extend to the members of both committees their very great appreciation for their courtesy and thoughtful attention and consideration shown to the members, attaches, and guests on their trip to Washington to attend the said Inauguration.

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

Mr. Adamson moved its adoption.

Motion prevailed.

Honorable Charles L. Terry, Jr., Secretary of State, being admitted amid applause from the members of the House, delivered to the House copies of the Annual Reports of the Board of Parole of the State of Delaware for the Years Ending June 30, 1935 and June 30, 1936.

STATE OF DELAWARE  
OFFICE OF SECRETARY OF STATE  
DOVER, DELAWARE

Charles L. Terry, Jr.,  
Secretary of State

January 25, 1937.

To the Honorable  
The House of Representatives  
The 106th General Assembly of the State of Delaware.

Gentlemen:

I have the honor to submit herewith copy of the annual reports of the Board of Parole of the State of Delaware for the years ending June 30, 1935 and June 30, 1936.

Respectfully yours,

CHARLES L. TERRY, JR.,

Secretary of State.

ANNUAL REPORT

Wilmington, Delaware,

June 30th, 1935.

To the President and Members of  
The Board of Parole of Delaware,

Gentlemen:—

I submit for your consideration this, the Twelfth Annual Report of the operations of your Board.

This report, as you doubtless know, includes the operations of Parole for the second full year in both Kent and Sussex Counties. During the year there were ten meetings of the Board held at the New Castle County Workhouse, and four meetings were held at the jails in Kent and Sussex Counties. The meetings in Kent and Sussex Counties were held in the months of September, December, March and June, and the meetings at the New Castle County Workhouse are scheduled to be held on the first Friday of each month.

The difficulty of securing employment for those paroled has been greater during the past year than heretofore. This difficulty is particularly noticeable in Wilmington. The only section of the State that has shown any improvement in this line is in the rural section of the State, and even in the agricultural portions of the State the demand for additional labor is only seasonal.

Your Board is dealing with the lower element of society, and one of the chief problems is to bring those who are fortunate enough to secure parole to understand that they are only prisoners at large and still under the jurisdiction of the Trustees of the New Castle County Workhouse, and the Sheriffs of Kent and Sussex Counties, and may be returned to one of those institutions for the violation of law or the Rules of your Board.

For the past twelve months there were three who violated their parole. One of these is now incarcerated in the State Penitentiary of Virginia, one is at large in the State of Maryland, the other has been given another chance to make good by your Board.

There were 89 applications considered by your Board, during the year, nine more than the year ending June 30th, 1934. Of those considered, Forty-one (41) were granted and Forty-eight (48) were refused parole.

Of the Forty-one who were granted parole, three (3), as stated above, violated parole. On the basis of the actual number paroled by the Board during the year, 92.7% may be credited with good records. It is still evident that those who have served long terms of imprisonment make much the best record on

parole. The longer terms of incarceration seem to have sunken in and made the most lasting impression.

The total number on parole during the year was Seventy-three, (73), thirteen more than for the year previous.

The total expenses of the Board for the year were \$3,072.13.

As heretofore, the Board has taken credit for the amount saved the several Counties of the State through the operation of parole.

The total savings to the Counties, as will be observed, was \$12,714.00, while the total cost of operating the system to the State was \$3,072.13. It is therefore apparent that for every dollar spent in the operation of the system there was saved to the citizens of the State \$4.13.

As heretofore, the names of all paroled persons have been withheld in the report and a number substituted therefor. This is done for the reason that this report must become public and the paroled person who is actually trying to reform is deserving of protection from the comments of the curious. This would not be possible if names were given rather than numbers.

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

	Budget	Expenditures	Balance
Salary of Board Members-----	\$ 360.00	\$ 378.00	
Salary of Secretary and Parole Officer - -----	2,400.00	2,160.00	
Salary and Wages (clerk) ----	85.00	75.00	
Office Expenses -----	35.00	34.99	
Travel - -----	450.00	424.14	
Totals - -----	<u>\$3,330.00</u>	<u>\$3,072.13</u>	\$257.87

The following schedule shows the number of the person on parole, the date of the expiration of parole, the number of days on parole during the year ending June 30th, 1935 and the individual and grand totals saved to the Counties by parole:

Prisoner's Number	Date of Parole	Parole Expires	Parole Days	Per diem saved to Counties	Total saved to Counties by Parole \$
1	7-25-23	Life	365	\$1.00	\$ 365.00
16	8-15-23	Life	365	1.00	365.00
18	1-16-27	Life	365	1.00	365.00
51	1- 8-24	Life	365	1.00	365.00
864	12- 1-31	6-10-36	365	1.00	365.00
894	9- 2-32	Life	365	1.00	365.00
908	7- 2-32	12- 2-35	365	1.00	365.00
972	10- 7-32	6-24-36	365	1.00	365.00
980	11- 4-32	Life	365	1.00	365.00
990	2- 3-32	Life	365	1.00	365.00
994	4- 7-33	3-16-35	259	1.00	259.00
1008	6- 2-33	6- 4-35	339	1.00	339.00
1016	7-10-33	8-27-34	58	1.00	58.00
1021	7-18-33	3-26-37	365	1.00	365.00
1032	10- 3-33	10- 5-35	231	1.00	231.00
1034	10- 6-33	7-13-34	13	1.00	13.00
1038	11- 3-33	7- 6-36	365	1.00	365.00
1044	12-16-31	12- 9-34	162	1.00	162.00
1047	1- 5-34	8- 7-34	38	1.00	38.00
1053	2- 7-34	9-16-34	78	1.00	78.00
1055	2- 5-34	Life	365	1.00	365.00
1057	2- 3-34	Life	365	1.00	365.00
1058	2-12-34	8-31-34	62	1.00	62.00
1062	2- 2-34	9-20-34	82	1.00	82.00
1063	3-28-34	9-17-34	79	1.00	79.00
1066	3-28-34	9-10-34	72	1.00	72.00
1068	8-27-34	8-27-35	307	1.00	307.00
1069	4- 7-34	1-24-35	208	1.00	208.00
1070	4- 6-34	1-19-35	203	1.00	203.00
1072	4- 6-34	7-31-34	31	1.00	31.00
1073	4- 6-34	7-29-34	29	1.00	29.00
1082	5- 4-34	9- 3-34	65	1.00	65.00
1083	5-12-34	12-23-34	176	1.00	176.00
1086	6-10-34	9-13-34	75	1.00	75.00
1088	6-27-34	12- 1-34	154	1.00	154.00
1089	6-27-34	12-15-34	171	1.00	171.00
1091	7-15-34	7-14-37	350	1.00	350.00
1093	7-20-34	1- 7-35	171	1.00	171.00
1094	7- 6-34	12-16-34	163	1.00	163.00
1098	7- 6-34	10-18-34	104	1.00	104.00
1099	7- 9-34	10-18-34	101	1.00	101.00
1100	8-21-34	7-28-36	17	1.00	17.00
1101	9- 7-34	1- 5-35	120	1.00	120.00
1102	9- 7-34	1- 5-35	120	1.00	120.00
1114	10- 9-34	11- 9-36	264	1.00	264.00

Prisoner's Number	Date of Parole	Parole Expires	Parole Days	Per diem saved to Counties	Total saved to Counties by Parole
1115	10- 5-34	5- 6-35	213	1.00	213.00
1116	10- 5-34	2- 1-35	119	1.00	119.00
1117	10- 6-34	5- 7-35	213	1.00	213.00
1118	10- 6-34	5- 7-35	213	1.00	213.00
1119	11-10-34	10- 5-35	232	1.00	232.00
1121	10- 6-34	10- 6-36	267	1.00	267.00
1123	10- 2-34	3-30-35	179	1.00	179.00
1124	10- 3-34	3- 4-35	152	1.00	152.00
1136	2- 2-35	6- 3-35	121	1.00	121.00
1137	1- 9-35	7- 5-36	172	1.00	172.00
1138	1-25-35	9- 3-35	156	1.00	156.00
1139	2- 1-35	5-27-35	46	1.00	46.00
1142	2- 5-35	11- 2-35	145	1.00	145.00
1144	2-16-35	6-17-35	121	1.00	121.00
1145	2-16-35	6-17-35	121	1.00	121.00
1151	3- 5-35	8- 4-35	117	1.00	117.00
1152	3- 5-35	8- 4-35	117	1.00	117.00
1153	4- 8-35	8- 8-35	83	1.00	83.00
1154	5-18-35	12-23-35	43	1.00	43.00
1157	4- 5-35	3-15-36	86	1.00	86.00
1158	4- 5-35	1-19-36	86	1.00	86.00
1162	4- 5-35	7-27-35	86	1.00	86.00
1167	4-12-35	8-12-35	79	1.00	79.00
1169	5-17-35	5-10-36	44	1.00	44.00
1170	5-15-35	9-16-35	46	1.00	46.00
1174	6-16-35	12-14-36	14	1.00	14.00
1177	6-17-35	10-17-35	13	1.00	13.00
1178	6-12-35	10-13-35	18	1.00	18.00
Totals	-----		12,714		\$12,714.00

In the prosecution of the work of your Board, your Secretary and Parole Officer traveled more than 9,500 miles. The handling of parole cases from the jails of Kent and Sussex Counties increased, to a considerable extent, the number of miles traveled.

Respectfully submitted,

JAMES W. ROBERTSON, Secretary.

## ANNUAL REPORT

Wilmington, Delaware,

June 30th, 1936.

The President and Members  
of the Board of Parole,

Gentlemen:—

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

This report includes the results of the Parole system of the entire State of Delaware for the year ending June 30th, 1936. During the year there were eleven meetings of the Board held in New Castle County, and four meetings of the Board held at the county jails in Kent and Sussex Counties. The meetings of the Board in Kent and Sussex Counties were held in the months of September, December, March and June, and the meetings in New Castle County were held according to the rules of the Board, on the first Friday of each month, excepting the month of September, 1935.

The laws of the State and the rules of your Board, while not tyrannical, are, nevertheless, sufficiently plain and forceful in giving to your Board the power to deal with parole violators. This power has been invoked on four occasions during the past year. Your Board, as has been said before, is dealing with the lower element of society, and one of the major problems is to bring those under parole to understand that they are still prisoners, though unconfined, and still under the jurisdiction of the Warden of the New Castle County Workhouse, the Sheriff of Kent County, or the Warden of the Sussex County jail.

The problem of employment has eased somewhat from that of last year, and it has been easier to secure work and homes for those on parole. This is especially true in the farm sections of the State.

There were 107 applications considered by your Board, 55 of which were granted and 52 refused parole. The color and sex of the applicants were as follows:

White Male—36	Female—3	- - - - -	39
Colored Male—62	Female—6	- - - - -	68
Total - - - - -			<u>107</u>

Of the 55 granted parole during the year, four violated parole. On the basis of the actual number paroled, 92.72% must be credited with good records. The total number on parole during the year was 81, eight more than during the previous year.

During the past twelve months there were four violations of parole. No. 1173 was paroled from the New Castle County Workhouse, August 7th, 1935. A home and employment were secured for him near Hockessin, Delaware. The prisoner violated his parole on November 1st, 1935, by leaving the State of Delaware without permission of the parole officer, and by failing to report at the time specified. His whereabouts remained unknown, although diligent search was made for him, until March 18th, 1936, when he was apprehended and placed under arrest by one of the Workhouse guards and returned to that institution. Our investigation of his actions during the time he was on parole developed that he had not committed any crime. On April 10th, 1936, he was given a hearing by the Board and after hearing his plea the Board instructed the Secretary to notify him that he could make application for parole again only after the expiration of six months from that date.

No. 1189 violated his parole as of October 18th, 1935, and was committed to the New Castle County Workhouse by Magistrate Cramer of New Castle, having been adjudged guilty of the reckless driving of an automobile. The Board decided that the prisoner be required to serve out the sentence imposed by the Court plus the loss of all accumulated good time.

No. 1198 violated his parole as of January 17th, 1936 by leaving the State of Delaware against definite instructions of the Board and by failing to report as directed by the parole officer. He was located in Trenton, New Jersey, by the Sheriff of Kent County and brought back to the Kent County Jail on January 17th by the Sheriff. Although the Board was unable to find that he had committed any crime during the period he was on parole, it decided that the prisoner should serve out the sentence as imposed by the Court, together with the loss of all accumulated good time.

No. 1199 was declared to have violated his parole as of January 9th, 1936 by having committed larceny of chickens. As he

was in jail awaiting the action of the Court, the Board took no further action in his case.

Three cases of tuberculosis were brought to our attention during the past year. In two of these cases, the Board found it necessary to take prompt action, if the lives of the affected were to be prolonged.

No. 1184 was paroled in the regular way on June 30th, 1935 but developed tuberculosis and it was necessary to permit him to leave his place of employment and go to his father's home for rest and treatment. He died, however, on March 1st, 1936.

No. 1249 was paroled on February 25, 1936, after he had served part of a five year sentence, in order that he might receive hospital treatment. He is still suffering from that dread disease and is, at this time, a patient in the Edgewood Sanitorium.

No. 1264 was paroled from the Kent County Jail on April 3rd, 1936, suffering from an advanced case of tuberculosis. He was removed to Edgewood Sanitorium on April 10th, and died on April 14th, 1936.

As heretofore, the names of all paroled persons have been withheld in this report and a number substituted therefor. This is done for the reason that this report will become public, and a paroled person is deserving of protection from the comments of the curious. This would not be possible if names were used instead of numbers.

The Appropriations and Expenditures of the Board for the year follow:

	Budget	Expenditures	Balance
Salary of Board Members _ _ _ _	360.00	342.00	
Salary of Parole Officer _ _ _ _ _	2,400.00	2,280.00	120.00
Clerk - _ _ _ _ _	85.00	75.00	
Office Expenditures - _ _ _ _ _	35.00	18.80	
Travel Expenses - _ _ _ _ _	450.00	494.20	
	<u>3,330.00</u>	<u>\$3,210.00</u>	
Unexpended Balance - _ _ _ _ _		120.00	
		<u>\$3,330.00</u>	

In accordance with the above, our entire budget was absorbed during the year with the exception of \$120.00 in the salary account of the Secretary, leaving the salary and mileage

of the members of the Board unpaid for the meeting in May, 1936 and two meetings in June, 1936. One of the June meetings was the attendance of the Board at the two jails in the two lower counties. Upon bringing this matter to the attention of the State Auditor, the Secretary was informed that the \$120.00 balance could not be transferred to any other account and reverted to the Treasury of the State. The following is an itemized account of the unpaid items mentioned above, in addition to a small balance due the Secretary for traveling expenses:

Salary, Mileage of Members Unpaid  
and  
Balance Due Secretary for Traveling Expenses

	Meetings	Mileage	Total
Newlin T. Booth -----	3 at \$9.50	\$28.50	\$ 39.78
Howard F. Callaway ----	2 at 9.50	19.00	34.18
Haldeman C. Stout ----	3 at 9.50	28.50	30.42
Balance of traveling expenses of Secretary-----			17.90
			\$122.28

Mileage is charged at the rate of 6c a mile.

At this time, when parole systems are the subject of much unfavorable comment, your Board is most seriously concerned with its duties to the State, to the prisoner, and to society. The decisions either for or against parole have been made after very careful consideration of all available aspects and information and, in each instance, the merits of the case have been the deciding factors.

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

The total savings to the Counties, as will be observed, was \$14,779.00, while the total cost of operating the system was \$3,210.00. It will be seen that for every dollar spent in the operation of the parole system there was saved to the citizens of the State \$4.60.

The following schedule shows the number of persons on parole, the date of the expiration of parole, the number of days on parole during the year ending June 30th, 1936 and the total amount saved to the Counties by parole:—

Prisoner's Number	Date of Parole	Parole Expires	Parole Days	Per diem saved to Counties	Total saved to Counties by Parole
1	7-25-23	Life	366	\$1.00	\$ 366.00
16	8-15-23	Life	366	1.00	366.00
18	1-16-27	Life	366	1.00	366.00
51	1- 8-24	Life	366	1.00	366.00
864	12- 4-31	6-10-36	346	1.00	346.00
894*	9- 2-32	Life	39	1.00	39.00
908	7- 2-32	12- 2-35	155	1.00	155.00
972	10- 7-32	6-24-36	360	1.00	360.00
980	11- 4-32	Life	366	1.00	366.00
990	2- 3-32	Life	366	1.00	366.00
1021	7-18-33	3-26-37	366	1.00	366.00
1038	11- 3-33	7- 6-36	366	1.00	366.00
1055	2- 5-34	Life	366	1.00	366.00
1057	2- 3-34	Life	366	1.00	366.00
1068	8-27-34	8-27-35	58	1.00	58.00
1091	7-15-34	7-14-37	366	1.00	366.00
1100*	5-10-35	7-28-36	11	1.00	11.00
1119	11-10-34	10- 5-35	97	1.00	97.00
1121	10- 6-34	10- 6-36	366	1.00	366.00
1137	1- 9-36	7- 5-36	366	1.00	366.00
1142	2- 5-35	11- 2-35	125	1.00	125.00
1151	3- 5-35	8- 4-35	35	1.00	35.00
1152	3- 5-35	8- 4-35	35	1.00	35.00
1153	4- 9-35	8- 8-35	39	1.00	39.00
1154	5-18-35	12-23-35	176	1.00	176.00
1157	4- 5-35	3-15-36	259	1.00	259.00
1158	4- 5-35	1-19-36	203	1.00	203.00
1162	4- 5-35	7-27-35	27	1.00	27.00
1167	4-12-35	8-12-35	43	1.00	43.00
1169	5-17-35	5-10-36	315	1.00	315.00
1170	5-15-35	9-16-35	78	1.00	78.00
1173**	8- 7-35	Life	224	1.00	224.00
1174	6-16-35	12-14-36	366	1.00	366.00
1177	6-17-35	10-17-35	109	1.00	109.00
1178	6-12-35	10-13-35	105	1.00	105.00
1182	8- 2-35	12- 2-35	122	1.00	122.00
1183	6-30-35	10- 1-35	94	1.00	94.00
1184***	6-30-35	12- 6-36	245	1.00	245.00
1185	8- 6-35	12-28-36	329	1.00	329.00
1187	7- 8-35	5- 1-36	298	1.00	298.00
1188	8- 2-35	12-27-35	147	1.00	147.00
1189*	7-13-35	11-13-35	98	1.00	98.00
1190	7-13-35	11-14-35	124	1.00	124.00
1198**	10- 2-35	9-12-37	201	1.00	201.00
1199***	11-16-35	4- 3-36	54	1.00	54.00

Prisoner's Number	Date of Parole	Parole Expires	Parole Days	Per diem saved to Counties	Total saved to Counties by Parole
1200	11-16-35	5- 3-36	169	1.00	169.00
1201	11-19-35	4- 7-36	123	1.00	123.00
1204	9-28-35	1-29-36	170	1.00	170.00
1205	11-12-35	5- 1-36	171	1.00	171.00
1206	9-23-35	12-12-35	80	1.00	80.00
1208	12- 8-35	8-11-40	205	1.00	205.00
1209	10-13-35	12- 4-36	261	1.00	261.00
1210	10-13-35	12- 4-36	261	1.00	261.00
1212	10- 7-35	5- 3-36	209	1.00	209.00
1216	10-14-35	11-16-36	260	1.00	260.00
1222	11- 4-35	5- 8-36	186	1.00	186.00
1224	11- 4-35	3- 3-36	120	1.00	120.00
1226	11- 6-35	3-15-36	130	1.00	130.00
1227	12-10-35	5-31-36	173	1.00	173.00
1228	12-21-35	5- 6-36	137	1.00	137.00
1229	12- 6-35	2-11-38	207	1.00	207.00
1231	12-22-35	4-22-36	122	1.00	122.00
1233	1- 2-36	10-23-36	180	1.00	180.00
1234	12-23-35	4-22-36	121	1.00	121.00
1235	12-29-35	6-18-36	172	1.00	172.00
1238	1- 4-36	5- 5-36	122	1.00	122.00
1239	1-30-36	1-23-37	152	1.00	152.00
1240	1-10-36	9-24-36	172	1.00	172.00
1246	2-21-36	11-13-39	130	1.00	130.00
1247	2- 7-36	10-18-37	144	1.00	144.00
1249	2-20-36	6- 7-37	131	1.00	131.00
1254	3-10-36	10-17-36	112	1.00	112.00
1255	3-23-36	7-25-36	99	1.00	99.00
1256	3-12-36	7-14-36	110	1.00	110.00
1257	3-29-36	7-31-36	93	1.00	93.00
1260	4- 1-36	8-14-36	90	1.00	90.00
1262	4- 3-36	8- 4-36	88	1.00	88.00
1264*	4- 3-36	3- 3-42	11	1.00	11.00
1268	4-10-36	1-28-37	81	1.00	81.00
1270	4-30-36	9- 1-36	61	1.00	61.00
1278	5-10-36	9-11-36	51	1.00	51.00
Totals - -----			14,779		\$14,779.00

894\* Returned to Workhouse because of lack of employment.

1100\* Returned voluntarily to the Workhouse.

1173\*\* Violated parole, November 1, 1935.

1184\*\*\* Died March 1, 1936.

1189\* Violated parole, October 18, 1935.

- 1198\*\* Violated parole and returned to Kent County Jail January 17, 1936.  
 1199\*\*\* Violated parole, January 9, 1936—chicken stealing.  
 1264\* Died April 14, 1936 at Edgewood.

The Board desires to express appreciation of the attitude of helpful assistance given by the Wardens of New Castle and Sussex Counties and the Sheriff of Kent County.

Respectfully submitted,

JAMES W. ROBERTSON, Secretary.

Approved:

BOARD OF PAROLE

Haldeman C. Stout

Newlin T. Booth

Howard F. Callaway

Mr. Derrickson, 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 providing for the Sale and Distribution of the Revised Code of Delaware, 1935.

And presented the same to the House.

Mr. Hamill moved that the Rules be suspended.

Motion prevailed.

The Chair presented Senate Bill No. 1, entitled:

An Act providing for the Sale and Distribution of the Revised Code of Delaware, 1935.

Which was given first and second reading, the second by title only.

Which was taken up for consideration and read a third time, by paragraphs, 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. Adamson, Boyce, Buckson, Burke, Butler, Craig, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley—33.

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.

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

An Act to amend Chapter 49 of the Revised Code of the State of Delaware 1935 relating to Deputy Coroners for New Castle County.

Which was given first and second reading, the second by title only, and was laid on the table pending the appointment of Committees.

Mr. Hamill moved that the House adjourn until January 26, 1937 at 11 o'clock A. M.

Motion prevailed.

—\*TENTH LEGISLATIVE DAY\*—

Dover, Delaware, January 26, 1937, 11 o'clock A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. James O'Neil.

Roll called.

Members Present—Adamson, Boyce, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley—34.

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

Motion prevailed.

Clerk read a communication from the Honorable John R. Fader, Speaker of the House, appointing Major C. P. Holcomb, Representative from the Tenth Representative District of New Castle County, as Temporary Speaker.

STATE OF DELAWARE  
HOUSE OF REPRESENTATIVES

Dover, Del.

John R. Fader  
Speaker

Newark, Del.  
Jan. 26, 1937

House of Representatives  
Dover, Delaware

I hereby appoint Hon. Chauncey P. Holcomb Temporary Speaker for the day.

Signed  
John R. Fader  
Speaker of the House

The list of House Standing Committees, as announced, follows:

## HOUSE COMMITTEES FOR 1937 SESSION

### ACCOUNTS

Chairman, Walter J. Paskey, Jr., John P. Welsh, Purnell Norman Dodd, John O. Mumford, James S. Evans.

### AGRICULTURE AND FORESTRY

Chairman, John R. Butler, Robert A. Derrickson, Paul B. Hughes, Purnell Norman Dodd, William R. Ringler.

### APPROPRIATIONS

Chairman, Chauncey P. Holcomb, George Lester Daniels, Paul B. Hughes, Charles E. Hastings, Frank R. Zebley.

### CHARITY

Chairman, John P. Welsh, Fred A. Reynolds, William D. Craig, John O. Mumford, George W. Mullin.

### CLAIMS

Chairman, John R. Fader, George Lester Daniels, J. Harold Schabinger, John A. Jones, James S. Evans.

### CORPORATIONS, MUNICIPAL

Chairman, John P. Hamill, Chauncey P. Holcomb, Joseph E. Swain, Lucius C. Webb, James S. Evans.

### CORPORATIONS, PRIVATE

Chairman, Francis A. Burke, John R. Fader, George Lester Daniels, Paul B. Hughes, Claude N. Lester.

### JUDICIARY, CRIMES & PUNISHMENT

Chairman, John A. Jones, George Dewey Sapp, Fred A. Reynolds, John R. Fader, Eugene W. Scarborough.

### EDUCATION

Chairman, J. Harold Schabinger, William D. Craig, John R. Fader, Ralph Emory Willey, Frank R. Zebley.

## FEDERAL RELATIONS

Chairman, Charles E. Hastings, George Dewey Sapp, John R. Butler, John R. Fader, Robert Maris Pyott.

## ELECTIONS

Chairman, George Lester Daniels, Fred A. Reynolds, Ernest S. Mattiford, Charles E. Hastings, George W. Mullin.

## FISH, OYSTER &amp; GAME

Chairman, Robert A. Derrickson, Fred A. Reynolds, Ernest S. Mattiford, John O. Mumford, Howard M. Buckson.

## INSURANCE &amp; BANKING

Chairman, Samuel G. Ralph, Ernest S. Mattiford, Fred A. Reynolds, Francis A. Burke, Howard M. Buckson.

## LABOR

Chairman, John P. Hamill, Chauncey P. Holcomb, Robert A. Derrickson, Charles D. Boyce, Benjamin F. Simmons.

## MANUFACTURES &amp; COMMERCE

Chairman, William D. Craig, John P. Hamill, John P. Welsh, Charles D. Boyce, Benjamin F. Simmons.

## MILITARY AFFAIRS

Chairman, Joseph E. Swain, Francis A. Burke, Charles D. Boyce, Ralph Emory Willey, William R. Ringler.

## MISCELLANEOUS

Chairman, John R. Fader, George Lester Daniels, J. Harold Schabinger, John A. Jones, Benjamin F. Simmons.

## PASSED BILLS

Chairman, George Lester Daniels, George Dewey Sapp, Samuel G. Ralph.

## PRINTING

Chairman, John R. Fader, J. Harold Schabinger, Purnell Norman Dodd, Ralph Emory Willey, Claude N. Lester.

## PUBLIC BUILDINGS &amp; LANDS

Chairman, Chauncey P. Holcomb, John R. Butler, J. Harold Schabinger, Walter J. Paskey, Jr., Kendal O. Warrington.

## PUBLIC HEALTH

Chairman, Purnell Norman Dodd, Francis A. Burke, Joseph E. Swain, Walter J. Paskey, Jr., Eugene W. Scarborough.

## PUBLIC HIGHWAY

Chairman, Ernest S. Mattiford, John R. Butler, George Dewey Sapp, John A. Jones, Thomas M. Adamson.

## REVENUE &amp; TAXATION

Chairman, John R. Fader, Francis A. Burke, William D. Craig, Lucius C. Webb, Howard M. Buckson.

## REVISED STATUTES

Chairman, Paul B. Hughes, John R. Fader, John P. Hamill, Charles E. Hastings, Kendal O. Warrington.

## RULES

Chairman, Chauncey P. Holcomb, John R. Fader, Joseph E. Swain, Lucius C. Webb, Frank R. Zebley.

## TEMPERANCE

Chairman, William D. Craig, John R. Butler, John P. Welsh, Samuel G. Ralph, Robert Maris Pyott.

## SUPPLIES

Chairman, Charles D. Boyce, Walter J. Paskey, Jr., Robert A. Derrickson, Samuel G. Ralph, Thomas M. Adamson.

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

An Act appropriating money to certain Fire Companies in the State of Delaware.

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

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

An Act to amend Chapter 49 of the Revised Code of the State of Delaware 1935 relating to 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 Revised Statutes.

Mr. Zebley urged that the Rules be printed at once.

Former Speaker of the House, the Honorable Thomas Robinson, was recognized and invited to take a seat beside the Temporary Speaker.

The Temporary Speaker announced that

House Bill No. 10 had been referred to the Committee on Revised Statutes.

The Temporary Speaker announced that

House Bill No. 6 had been referred to the Committee on Miscellaneous.

The Temporary Speaker announced that

House Bill No. 5 had been referred to the Committee on Elections.

The Temporary Speaker announced that

House Bill No. 2 had been referred to the Committee on Judiciary.

The Temporary Speaker announced that

House Bill No. 3 had been referred to the Committee on Miscellaneous.

The Temporary Speaker announced that

House Bill No. 7 had been referred to the Committee on Revised Statutes.

The Temporary Speaker announced that

House Bill No. 8 had been referred to the Committee on Revised Statutes.

Mr. Ringler moved that flowers be sent to the Honorable Speaker, John R. Fader, who is confined to his home with illness.

Motion prevailed.

Mr. Craig moved that the House recess until 1:30 P. M.

Motion prevailed.

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

House met at expiration of recess.

The Temporary Speaker announced that

House Bill No. 4 had been referred to the Committee on Revised Statutes.

The Temporary Speaker announced that

House Bill No. 9 had been referred to the Committee on Revised Statutes.

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

An Act to amend Chapter 113, Volume 32, Laws of Delaware, relating to the Police Pension Fund for members of the Police Force of the City of Wilmington.

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

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

An Act to amend Chapter 74, Revised Code of Delaware, 1935, in reference to Sturgeon Fishing; Size of Mesh.

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

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

An Act to amend Chapter 188, Volume 18, Laws of Dela-

ware, in relation to the Streets and Sewers of the City of Wilmington, Delaware.

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

Mr. Boyce was asked to take the Chair by the Temporary Speaker.

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

An Act to amend Chapter 44 of the Revised Code of Delaware, 1935, in reference to Valuation and Assessment of Property by Exempting Certain Personal Property from the Provisions thereof.

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

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

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, entitled Alcoholic Liquors, Wines and Beers, relating to Admission of Minors in "Taverns."

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

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

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, entitled Alcoholic Liquors, Wines and Beer, relating to Sale to Certain Individuals.

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

Mr. Jones, on motion for leave, introduced House Bill No. 19, entitled:

An Act making an Appropriation for Furnishings and for Maintenance of Davies and Forest Cottages at Delaware Colony.

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

Mr. Welsh, on motion for leave, introduced House Bill No. 20, entitled:

An Act appropriating money to St. Michael's Home for Babies.

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

Mr. Zebley, on motion for leave, introduced House Bill No. 21, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, entitled Alcoholic Liquors, Wines and Beer, relating to Purchases for Personal Use.

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

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

### HOUSE CONCURRENT RESOLUTION No. 3

BE IT RESOLVED, by the House of Representatives of the State of Delaware, the Senate concurring therein:

WHEREAS, in the United States Senate, Honorable John G. Townsend has introduced a Joint Resolution known as Senate Joint Resolution No. 1, proposing an amendment to the Constitution of the United States relative to equal rights for men and women, and

WHEREAS, the subject matter is one that many of the residents of this State are interested in,

THEREFORE BE IT RESOLVED, that the General Assembly of Delaware requests United States Senators John Townsend, Jr., and James H. Hughes to vote for said United States Senate Joint Resolution No. 1.

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to said Senators.

Which was referred to the Committee on Federal Relations.

Mr. Hamill moved that the House adjourn until January 27, 1937, at 11 o'clock A. M.

Motion prevailed.

---(ELEVENTH LEGISLATIVE DAY)---

Dover, Delaware, January 27, 1937, 11 o'clock, A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. James O'Neil.

Roll called.

Members Present—Adamson, Buckson, Burke, Butler, Craig, Daniels, Derrickson, Dodd, Evans, Hamill, Hastings, Holcomb, Hughes, Jones, Lester, Mattiford, Mullin, Mumford, Paskey, Pyott, Ralph, Reynolds, Ringler, Sapp, Scarborough, Schabinger, Simmons, Swain, Warrington, Webb, Welsh, Willey, Zebley, Mr. Speaker—34.

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

Motion prevailed.

Clerk read a communication addressed to the Honorable John R. Fader, Speaker of the House, from the University of Delaware, signed by Walter Hulihan, President, inviting the General Assembly to visit the University of Delaware.

Which was ordered filed.

Clerk read a communication from the Public Archives Commission, signed by George H. Ryden, State Archivist, with reference to their being granted an opportunity to appear before the Joint Legislative Budget Committee.

Which was ordered filed.

The Speaker called for reports of Committees.

No Committees had any report to make.

Mr. Zebley, on motion for leave, introduced House Bill No. 22, entitled:

An act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to Fish, Oysters and Game, in reference to Bull Frogs.

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

Mr. Simmons, on motion for leave, introduced House Bill No. 23, entitled:

An Act to Create the Office of Public Printer.

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

Mr. Evans spoke about the flood situation now menacing many sections of the country.

The Speaker spoke on the same subject, expressing willingness to aid flood victims.

Mr. Holcomb suggested that Mr. Evans prepare a Resolution showing the sentiment of the House in respect to the floods.

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

Motion prevailed.

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Same Day, 2:10 o'clock P. M.

House met at expiration of recess.

On motion for leave, Mr. Holcomb introduced House Resolution No. 21, entitled:

#### HOUSE RESOLUTION NO. 21

BE IT RESOLVED by the House of Representatives that the Insurance Commissioner of the State of Delaware be and he is hereby authorized and directed to furnish to the House of Representatives, not later than February 1, 1937, a detailed statement of all insurance in effect at this time, covering all State property, setting forth in detail the property covered, the name of the insurance company, with whom insured, the term for

which insured, the expiration date of each policy, the agent to whom the premium was paid or is payable, and also, whether or not during the two years last passed any policy or policies of insurance have been cancelled prior to the expiration date, and such insurance re-issued for a longer period of time than the period covered in the policy or policies so cancelled, together with a full and detailed explanation of the circumstances of such transaction or transactions.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be and he is hereby instructed to deliver a copy of this Resolution to the Insurance Commissioner of the State of Delaware.

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

Mr. Holcomb moved that the Resolution be adopted.

Motion prevailed by a unanimous vote of the House.

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

#### HOUSE CONCURRENT RESOLUTION NO. 4

WHEREAS the Members of the General Assembly of the State of Delaware are fully cognizant of the great distress and desolation of the neighboring states caused by unprecedented floods in the various states, and

WHEREAS this national calamity calls for the citizens of the more fortunate states to render what assistance they may to the stricken families.

THEREFORE, BE IT RESOLVED, by the House of Representatives, the Senate concurring therein, that the Governor of the State of Delaware be prepared to mobilize the National Guards of the State of Delaware to send into the stricken areas.

BE IT FURTHER RESOLVED that the citizens of the State of Delaware be urged to do all in their power to assist the stricken areas financially or otherwise.

BE IT FURTHER RESOLVED that the Governor of the State of Delaware notify the Governors of our neighboring states that the Delaware State Militia stands ready to render whatever assistance the emergency calls for.

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

Mr. Hamill moved that the Resolution be adopted.

Motion prevailed by a unanimous vote of the House.

And the Resolution was ordered to the Senate for Concurrence.

The Speaker welcomed the ladies of the Dover Century Club to the Chamber of the House of Representatives.

Mrs. Mabel Derby, of the Dover Century Club, addressed the House.

Mrs. Willard Hinkle, President of the Dover Century Club, also addressed the House.

Mr. Holcomb made appropriate remarks expressing appreciation of this visit.

Mr. Zebley also made appropriate remarks in appreciation of the visit.

The Speaker announced that

House Bill No. 1 had been referred to the Committee on Appropriations.

The Chair recognized Honorable J. Harry Latchum, former Senator of the Fifth Senatorial District of Kent County.

Mr. Latchum made fitting remarks.

The Speaker announced that Wright C. Dizer, Parliamentarian of the House, will give a Radio Address over Radio Station W D E L this night at 6:30 o'clock P. M.

Mr. Buckson, on motion for leave, introduced House Bill No. 24, entitled:

An Act to amend Chapter 65 of the Revised Code of Delaware, 1935, relating to Corporations: Change of Resident Agent.

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