

Mr. Heal, on motion for leave, introduced Senate Bill No. 204, entitled:

An Act relative to Public Employment of War Veterans, providing they shall be preferred in certain appointments and employments; penalty for violation thereof.

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

Mr. Steele for Mr. Simmons, on motion for leave, introduced Senate Joint Resolution No. 1, entitled:

Appointing Directors on the part of the State for the Farmers Bank of the State of Delaware.

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

Mr. Moore, on motion for leave, introduced Senate Bill No. 205, entitled:

An Act authorizing the Council of the Town of Blades to borrow a sum of money not to exceed Fifteen Thousands (\$15,000.00) Dollars and to issue Bonds therefor for the purpose of installing a Water Plant and the laying of Water Mains in the Town of Blades and Equipment therefor; providing for Referendum.

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

Mr. Gooden, on motion for leave, introduced Senate Bill No. 206, entitled:

An Act to amend Chapter 4 of the 1935 Revised Code of the State of Delaware in relation to the State House by changing the Days and Hours during which the State House shall be kept open.

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

Mr. Gooden, on motion for leave, introduced Senate Bill No. 207, entitled:

An Act to amend Chapter 158 of the Revised Code of Delaware, 1935, relating to Board of Budget Directors by creating a new Board, providing for the salary of the Members thereof and appropriating moneys for the payment of such salaries and other expenses incident thereto.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Purnell, on motion for leave, introduced Senate Bill No. 208, entitled:

An Act to amend Chapter 186, Volume 23, Laws of Delaware, entitled "An Act to Incorporate the Town of Ellendale," providing for Election of Commissioners; Qualification of Voters; providing transcript of Assessment List shall be delivered to Collector at expiration of Ninety Days.

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

Mr. Purnell, on motion for leave, introduced Senate Bill No. 209, entitled:

An Act to amend Article 9, Chapter 21, of the Revised Code of the State of Delaware, 1935, by redefining Agricultural Seeds; making it unlawful for the sale of Seeds containing more than 3% by weight of Weed Seeds; defining the term "Weed Seeds," authorizing State Board of Agriculture to seize and tag seeds not in conformity with this Act; penalties therefor.

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

Mr. Purnell, on motion for leave, introduced Senate Bill No. 210, entitled:

An Act authorizing the use of Prisoners on Mosquito Control Work under the General Supervision of the Mosquito Control Commission; providing for Guards; appropriation of Five Thousand Dollars to cover cost of transportation and other necessary expenses.

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

Mr. Purnell, on motion for leave, introduced Senate Bill No. 211, entitled:

An Act proposing an Amendment to Section 15 of Article 2 of the Constitution of the State of Delaware, relating to the Compensation of the Members and Presiding Officers of the General Assembly, and fixing and limiting the amount for Clerks, Employees and Attaches.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Purnell, on motion for leave, by request introduced Senate Bill No. 212, entitled:

An Act to amend 5683, Section 145, Paragraph D of Chapter 165 of the Revised Code of Delaware, 1935, relating to the Collection and Disposition of Fines and Costs for Motor Vehicle violations.

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

Mr. Purnell, on motion for leave, by request introduced Senate Bill No. 213, entitled:

An Act to amend Chapter 45 of the Revised Code of Delaware, 1935, relative to County Treasurer and Collection of Taxes in Sussex County, providing that Purchaser of Property at Tax Sale in Sussex County shall receive a Title Free and Clear of all Liens and Encumbrances.

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

Mr. Brown moved that 200 copies of Senate Bill No. 140, entitled:

An Act to Reincorporate the Town of Bridgeville.

Be printed.

Motion prevailed.

Mr. Poore, on motion for leave, by request introduced Senate Bill No. 214, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relative to Alcoholic Liquors, Wines and Beer, providing that the Delaware Liquor Commission shall consist of three additional members, terms of office, salaries, prescribing method of handling Applications for Licenses.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Poore, on motion for leave, by request introduced Senate Bill No. 215, entitled:

An Act to permit the use of Voting Machines in the State of Delaware.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Steele, on motion for leave, introduced Senate Bill No. 216, entitled:

An Act to provide for the Repair, Replacement, Extension, and Protection of the Boardwalk along the Beach Front at Bethany Beach, Sussex County, Delaware.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Hannam, on motion for leave, introduced Senate Bill No. 217, entitled:

An Act appropriating Thirty Thousand Dollars for the purpose of erecting an addition to the Newport Public School, District No. 106-C, in New Castle County to provide for an addition of Five Classrooms to the Junior High School.

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

Mr. Heal, on motion for leave, introduced Senate Bill No. 218, entitled:

An Act amending Chapter 29 of the Revised Code of Delaware, 1935, as amended, relating to Mothers' Pension Commission so that the provisions thereof may conform with Federal Law concerning Dependant Children.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Heal, on motion for leave, introduced Senate Bill No. 219, entitled:

An Act to amend Chapter 82, Laws of Delaware, 1937, entitled "An Act to provide for the payment of State Indemnity for Bang's Disease Reactors, to combine the Bang's Disease and Bovine Tuberculosis Eradication Appropriations, and to provide for Bang's Disease Free Modified Accredited Areas," providing for the appointment of a Commission by the State Board of Agriculture to appraise value of condemned animals; fixing compensation of said Commission and increasing amount of State Indemnity.

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

Mr. Hannam, on motion for leave, introduced Senate Bill No. 220, entitled:

An Act directing the State Highway Department to take over and maintain and have jurisdiction over a Street known as "Grier Avenue" in the Unincorporated Town or Development of "Idella."

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Rinard, on motion for leave, introduced Senate Bill No. 221, entitled:

An Act to reinvest the State of Delaware with title to lands near Cape Henlopen heretofore conditionally conveyed to the United States of America for use as a Quarantine Station, and now abandoned.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Short, on motion for leave, by request introduced Senate Bill No. 222, entitled:

An Act authorizing and directing the State Board of Education to award Contracts for Transportation of Students by Competitive Bidding; providing method of awarding contracts and duration thereof.

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

Mr. Short, on motion for leave, by request introduced Senate Bill No. 223, entitled:

An Act to amend Article 13, Chapter 21, of the Revised Code of Delaware, 1935, entitled "Marketing of Cantaloupes," by making it unlawful to buy, sell or ship Cantaloupes unless mature, redefining method of determining Maturity.

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

Mr. Short, on motion for leave, introduced Senate Bill No. 224, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, providing for Reorganization of the State Highway Department by increasing the Membership thereof.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Rinard, on motion for leave, introduced Senate Bill No. 225, entitled:

An Act to amend Chapter 98, Revised Code of Delaware, 1935, relating to Settlement of Personal Estates, Register of Wills by providing expenses for last sickness shall be paid in same order as funeral expenses and limiting funeral expenses.

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

Mr. Purnell, on motion for leave, introduced Senate Bill No. 226, entitled:

An Act to amend Article 3, Chapter 116 of the Revised Code of Delaware, 1935, relative to the Juvenile Court of Kent and Sussex Counties; Term of Office of said Judge, Salary; effective date of this Act.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Purnell, on motion for leave, by request introduced Senate Bill No. 227, entitled:

An Act to amend Chapter 71 of the Revised Code of Delaware, 1935, relating to Condemnation Proceedings in connection with Building and Grounds for Free Public Schools.

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

Mr. Hendricks, on motion for leave, introduced Senate Bill No. 228, entitled:

An Act to amend Chapter 162, Volume 37, Laws of Delaware, entitled "An Act changing the name of 'The Town of Milford,' to 'The City of Milford,' and establishing a Charter therefor."

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

Mr. Sylvester, on motion for leave, introduced Senate Bill No. 229, entitled:

An Act authorizing the Motor Vehicle Commissioner to make Reciprocal Agreements with the Motor Vehicle Commissioner or other proper authorities of other States for the purpose of establishing a more Uniform Vehicle Code and more Uniform Traffic Rules and Regulations and authorizing Motor Vehicle Commissioner to establish Rules and Regulations not inconsistent with the Laws of this State.

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

Mr. Abrahams, on motion for leave, introduced Senate Bill No. 230, entitled:

An Act to amend Chapter 54 of the Revised Code of Delaware, 1935, relative to the State Old Age Welfare Commission and State Welfare Home by authorizing the Levy Court of New Castle County to appoint an Administrator of relief for New Castle County.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Hendricks, on motion for leave, introduced Senate Bill No. 231, entitled:

An Act amending Chapter 74 of the Revised Code of Delaware, 1935, by repealing all of 2987, Section 186, in relation to Net Fishing in the Delaware Bay.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Clark, on motion for leave, introduced Senate Bill No. 232, entitled:

An Act to amend Article 4 of Chapter 166 of the Revised Code of Delaware, 1935, relating to the Salaries of State Police.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Steele moved that the Senate recess until the call of the Chair.

Motion prevailed.

Same Day, Later

Senate met at the call of the Chair.

Mr. Abrahams, on motion for leave, by request introduced Senate Bill No. 233, entitled:

An Act to amend Chapter 25 of the Revised Code of Delaware, 1935, entitled "Department of Health" by increasing the Membership of the State Board of Health; by providing for the Appointments thereto; Qualification of Members; Terms of Office and Vacancies.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Abrahams, on motion for leave, introduced Senate Bill No. 234, entitled:

An Act to provide Funds for the State Old Age Welfare Commission for Relief of Indigent Persons.

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

Mr. Abrahams, on motion for leave, introduced Senate Bill No. 235, entitled:

An Act making Appropriation for the School Budget for the School Years beginning respectively July 1, 1939, and July 1, 1940, and ending respectively June 30, 1940, and June 30, 1941.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Simmons, on motion for leave, introduced Senate Bill No. 236, entitled:

An Act to amend Chapter 66 of the Revised Code of Delaware, 1935, relative to Banks, Savings Societies, and Trust Companies; by providing for the Appointment of a State Bank Commissioner; Term of Office; Bond; Salary; Vacancy; How Filled.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Abrahams, on motion for leave, introduced Senate Bill No. 237, entitled:

An Act authorizing and directing the State Treasurer to pay out of the School Fund of the State of Delaware any Appropriation that may hereafter be made to the University of Delaware, State College for Colored Students and for the Operation and Maintenance of the State Tax Department.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Abrahams, on motion for leave, introduced Senate Bill No. 238, entitled:

An Act appropriating moneys from the State Treasury for the purpose of paying Maturities on certain Highway Improvement Bonds and State Aid Road Bonds issued by the Levy Courts of New Castle, Kent and Sussex Counties, and maturing during the Fiscal Biennium of the State of Delaware, ending June 30, 1941.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Derrickson, on motion for leave, introduced Senate Bill No. 239, entitled:

An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, by changing the Voting Place of the First Election District of the Fifteenth Representative District of New Castle County.

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

Mr. Derrickson, on motion for leave, introduced Senate Bill No. 240, entitled:

An Act providing for Drainage Ditches and Drains between Land Owners and along Highways in New Castle County; authorizing the Maintenance, Regulation and Control thereof; Appropriating Funds therefor and Authorizing the Acceptance of or Participation in Public Grants therefor.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Derrickson, on motion for leave, introduced Senate Bill No. 241, entitled:

An Act regulating the Manufacture and Sale of Electric Fence Controllers or Devices for the Electrifying of Wire Fences; Permit to Manufacture or Sell the same to be obtained from the State Board of Agriculture.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Derrickson, on motion for leave, introduced Senate Bill No. 242, entitled:

An Act relative to the Responsibility of Owners of Cattle or other Livestock accidentally escaping from enclosures.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Steele, on motion for leave, introduced Senate Bill No. 243, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, providing for Reorganization of the State Highway Department.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Steele, on motion for leave, introduced Senate Bill No. 244, entitled:

An Act to amend Chapter 5 of the Revised Code of Delaware, 1935, relative to the State Library, providing for the Appointment of a State Librarian; Duties; Salary.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Steele, on motion for leave, introduced Senate Bill No. 245, entitled:

An Act to create a Public Service Commission and to prescribe its Powers and Duties, Appropriation therefor; Salaries; Penalties.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Heal, on motion for leave, introduced Senate Bill No. 246, entitled:

An Act to amend Chapter 156 of the Revised Code of Delaware, 1935, relative to Fees of Public Officers, by providing for Fixing of Certain Fees by the Recorder in New Castle County.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Rinard, on motion for leave, introduced Senate Bill No. 247, entitled:

An Act to create a "State Police Commission," to transfer to said Commission all of the existing jurisdiction and authority of the State Highway Department over the State Police and all the Property and Physical Assets, Books, Documents and Records of the State Highway Department relating to or used by or in the business of the State Police, granting certain specific authority to said Commission with respect to Officers, Agents, Employees and with respect to the making of Rules and Regulations, making Appropriations for the Operation and Maintenance of said Commission, and repealing all Acts or parts of Acts inconsistent therewith.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Clark, on motion for leave, introduced Senate Bill No. 248, entitled:

An Act to amend Chapter 56 of the Revised Code of the State of Delaware (1935) entitled "Registration of Voters."

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

Mr. Clark, on motion for leave, introduced Senate Bill No. 249, entitled:

An Act to amend Chapter 58 of the Revised Code of the State of Delaware (1935) entitled "Primary Elections."

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

Mr. Clark, on motion for leave, introduced Senate Bill No. 250, entitled:

An Act to amend Chapter 60 of the Revised Code of the State of Delaware (1935) entitled "General Elections."

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

Mr. Clark, on motion for leave, introduced Senate Bill No. 251, entitled:

An Act requiring the State Board of Education to provide for Commercial Courses in the High School of Delaware City.

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

Mr. Heal moved that the Senate recess until the call of the Chair.

Motion prevailed.

Same Day, Later

Senate met at the call of the Chair.

Mr. Moore, on motion for leave, introduced Senate Bill No. 252, entitled:

An Act providing for Drainage Ditches and Drains between Land Owners and along Highways in Kent and Sussex Counties; authorizing the Maintenance, Regulation and Control thereof; Appropriating Funds therefor and authorizing the acceptance of or participation in Public Grants therefor.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Abrahams, on motion for leave, introduced Senate Bill No. 253, entitled:

An Act providing a Uniform State Act concerning Liens from money due Physicians, Dentists, Nurses, Hospitals, and others for Services rendered for the Relief and Cure of Injuries caused by the Fault or Neglect of other persons.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Brown, on motion for leave, introduced Senate Bill No. 254, entitled:

An Act to amend Chapter 56 of the Revised Code of Delaware, 1935, relative to the Registration of Voters by providing for a Uniform Method of Registration of Qualified Voters of the State of Delaware; Appointment of Registration Officers; Preparation of Registration Books; Duties of Registration Officers; and General Registration.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Brown, on motion for leave, introduced Senate Bill No. 255, entitled:

An Act creating a Department of Elections for Kent and Sussex Counties; describing its powers and duties; term of office and salaries of Members of the Department; appointment of Election Officers; authority to make Rules and Regulations; Penalties for Violation thereof.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Moody, on motion for leave, by request introduced Senate Bill No. 256, entitled:

An Act to promote the Public Health and Safety by providing for Examination and Registration of those who desire to engage in the occupation of Beauty Culture; defining Beauty Culture, and regulating Beauty Culture Shops, Schools, Students, Apprentices, Teachers, Managers and Operators; providing for Appeals to Certain Courts by Applicants and Licenses; and providing Penalties.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Purnell, on motion for leave, introduced Senate Bill No. 257, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, relative to Levy Courts providing for the Relief and Care of the Indigent Sick of Sussex County.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Purnell, on motion for leave, introduced Senate Bill No. 258, entitled:

An Act authorizing the Appointment of a Commission to Commemorate "Delaware Day," Duties thereof.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Heal, on motion for leave, introduced Senate Bill No. 259, entitled:

An Act authorizing the Levy Court of Kent County to appropriate County Monies to David C. Harrison Post No. 14, Inc., American Legion, for the maintenance of Ambulance.

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

Mr. Heal, on motion for leave, introduced Senate Bill No. 260, entitled:

An Act providing for a Temporary Commission to study appropriate Legislation needed to Eliminate Possible Duplication of Taxes based on Domicile.

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

Mr. Heal, on motion for leave, introduced Senate Bill No. 261, entitled:

An Act adopting the "Blue Hen Chicken" as the Official Bird of the State of Delaware.

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

Mr. Heal, on motion for leave, introduced Senate Bill No. 262, entitled:

An Act to amend Chapter 165, as amended, of the Revised Code of Delaware, 1935, by placing the Motor Vehicle Department under the Jurisdiction and Control of the State Highway Department.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Heal, on motion for leave, introduced Senate Bill No. 263, entitled:

An Act providing for the Auditing of Tax Books of Tax Collectors formally collecting taxes in New Castle County; Uncollected Taxes to be collected by Delinquent Tax Collectors, providing for Release of Bond under certain conditions.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Heal for Mr. Steele, on motion for leave, introduced Senate Bill No. 264, entitled:

An Act authorizing and directing the State Highway Department, with the consent of the Commissioners of the Town of Bethany Beach, to operate and maintain Atlantic Avenue within the Limits of the Incorporated Town of Bethany Beach.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Heal for Mr. Steele, on motion for leave, introduced Senate Bill No. 265, entitled:

An Act appropriating Certain Moneys to Kent and Sussex County Fair, Incorporated, for Prizes.

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

Mr. Heal for Mr. Steele, on motion for leave, introduced Senate Bill No. 266, entitled:

An Act appropriating Certain Monies to Harlan J. Hitchens, of Dagsboro, Sussex County, Delaware, as Compensation for damages suffered in the Georgetown Police Station in the year 1938.

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

Mr. Rinard, on motion for leave, introduced Senate Bill No. 267, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, relating to Motor Vehicles by making it a Misdemeanor to remove or cause to be removed a Wrecked Motor Vehicle from the Highway until the arrival of a Representative of the State Police.

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

Mr. Rinard, on motion for leave, introduced Senate Bill No. 268, entitled:

An Act to amend Chapter 150 of the Revised Code of Delaware, 1935, relating to offenses against Private Property by making it a Felony to break and enter with intent to commit any crime or misdemeanor; and providing no criminal proceeding commenced prior to the approval of this Act shall be affected hereby.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Rinard for Mr. Hannam, on motion for leave, by request introduced Senate Bill No. 269, entitled:

An Act to amend An Act entitled "An Act providing for the Creation and Appointment of a State Board of Chiropractic Examiners, defining its powers and duties; regulating the practice of Chiropractic; providing for the Licensing of Chiropractors and prescribing penalties for any Violations of this Act," being Chapter 261 of Volume 41, Laws of Delaware, by prescribing Educational Requirements for Applicants, and authorizing the State Board to refuse to issue or reissue a License for certain reasons.

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

Mr. Rinard, on motion for leave, introduced Senate Bill No. 270, entitled:

An Act to provide for the Seizure, Condemnation and Forfeiture to the State of Delaware of all Vehicles knowingly used in or in connection with the commission of any Felony or in the violation of Article 42 of Chapter 100 of the Revised Code of Delaware, 1935, relating to Narcotic Drugs or knowingly and voluntarily used in or in connection with the Flight or Escape of any person who has committed any Felony or who has violated the provisions of the aforesaid Law relating to Narcotic Drugs.

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

Mr. Rinard, on motion for leave, introduced Senate Bill No. 271, entitled:

An Act to require the Registration of all Firearms owned by Residents of the State of Delaware with the State Bureau of Identification.

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

Mr. Moore, on motion for leave, introduced Senate Bill No. 272, entitled:

An Act authorizing Motor Vehicle Commissioner to make such Rules and Regulations as may be necessary and proper in order to conform to the Rules and Regulations of the Interstate Commerce Commission and to establish a more Uniform Motor Vehicle Code and more Uniform Traffic Rules and Regulations.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Moore, on motion for leave, introduced Senate Bill No. 273, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, by authorizing the Levy Court of Sussex County to appropriate County Monies to Seaford Volunteer Fire Company for Maintenance of Ambulance.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Heal, on motion for leave, introduced Senate Bill No. 274, entitled:

An Act regulating the Salaries of all Employees of the State of Delaware and all Departments, Boards and Commissions related thereto.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Poore, on motion for leave, introduced Senate Bill No. 275, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, relative to Motor Vehicles by providing for Compulsory Dimming of Lights.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Poore, on motion for leave, introduced Senate Bill No. 276, entitled:

An Act to amend Chapter 71 of the Revised Code of Delaware, 1935, by providing for the Election of Boards of Education of Special School Districts and Boards of School Trustees outside of the City of Wilmington.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Poore, on motion for leave, introduced Senate Bill No. 277, entitled:

An Act providing that all State Revenue from any and all sources shall be deposited in One Fund to be designated as the "General Fund" and to be appropriated only by Special Acts and Regular Budgets of the General Assembly.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Poore, on motion for leave, introduced Senate Bill No. 278, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, relating to the Composition of the Levy Court of Kent County and fixing the Salaries of the Members thereof.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Poore, on motion for leave, introduced Senate Bill No. 279, entitled:

An Act to amend Chapter 44 of the Revised Code of Delaware, 1935, relating to the Appointment; Term of Office and Salary of the Members of the Board of Assessment for Kent County.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Poore, on motion for leave, introduced Senate Bill No. 280, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, by providing for a Warning and Notice to a person operating a Motor Vehicle with Defective Lights and requiring the correction of such Defective Lights within Seventy-two Hours thereafter and report thereof to a State Motor Vehicle Inspector.

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

Mr. Moore, on motion for leave, introduced Senate Bill No. 281, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, by authorizing the Levy Courts of the various Counties to appropriate County Monies to the various Fire Companies of each County for maintenance of Ambulance Service.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Derrickson, on motion for leave, introduced Senate Bill No. 282, entitled:

An Act creating a Civil Service Commission for the State of Delaware, defining its powers and duties, and placing the Employees of certain Offices, Commissions, Bureaus and Departments of the State of Delaware under the jurisdiction thereof.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Rinard, on motion for leave, introduced Senate Bill No. 283, entitled:

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

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

Mr. Purnell, on motion for leave, introduced Senate Bill No. 284, entitled:

An Act to amend Chapter 56 of the Revised Code of Delaware, 1935, relative to the Registration of Voters, by providing for the General Registrations of Qualified Voters in Kent and Sussex Counties; appointment of Registration Officers; preparation of Registration Books; Powers and Duties of Registration Officers and General Registration.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Purnell, on motion for leave, introduced Senate Bill No. 285, entitled:

An Act providing When and under What Circumstances Real or Personal Property in this State shall Escheat to the State of Delaware, and providing Method of Procedure therefor.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Purnell, on motion for leave, introduced Senate Bill No. 286, entitled:

An Act authorizing the Borrowing of Money and the Creation of a Debt by or in behalf of the State of Delaware for the Development and Laying out and General Improvement of Public Park Lands by the State Park Commission and the issuance of Bonds therefor.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Moore, on motion for leave, by request introduced Senate Bill No. 287, entitled:

An Act requiring the State Board of Education to furnish Transportation to and from School of Colored Students of Laurel Colored Schools.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Simmons, on motion for leave, introduced Senate Bill No. 288, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, relative to Levy Courts, providing for change of Levy Court Districts in Kent County.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Simmons, on motion for leave, introduced Senate Bill No. 289, entitled:

An Act to amend Chapter 65 of the Revised Code of Delaware, 1935, relative to Corporations by changing the Fee to be charged for Copies of the General Corporation Law from Ten to Five Cents a Copy.

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

Mr. Simmons, on motion for leave, introduced Senate Bill No. 290, entitled:

An Act to amend Chapter 170 of the Revised Code of Delaware, 1935, relative to the Court of Common Pleas, Kent County, by providing for the Appointment of a Judge for said Court; Term of Office, Qualification, Judge of the Supreme Court to preside in the Absence of Judge of Court of Common Pleas.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Simmons, on motion for leave, introduced Senate Bill No. 291, entitled:

An Act authorizing the Leasing of Public Lands by State Highway Department to persons having dwelling thereon under such Terms and Conditions as Department shall deem proper.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Brown, on motion for leave, introduced Senate Bill No. 292, entitled:

An Act to amend Chapter 150 of the Revised Code of Delaware, 1935, entitled "Offenses Against Private Property," relating to issuance of Worthless Cheques.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Heal, on motion for leave, introduced Senate Bill No. 293, entitled:

An Act creating a Department of Elections for New Castle County outside of the City of Wilmington; appointment of Members of Department of Elections; Powers and Duties; Salaries.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Heal, on motion for leave, introduced Senate Bill No. 294, entitled:

An Act proposing certain Amendments to Article IV of the Constitution of the State of Delaware, relating to the Judiciary.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Rinard, on motion for leave, introduced Senate Bill No. 295, entitled:

An Act to amend Chapter 150 of the Revised Code of Delaware, 1935, relating to Offenses Against Private Property by making Receiving Stolen Goods a Misdemeanor in certain cases; providing Penalties; providing for Proceedings without Indictment by Grand Jury on Trial by Petit Jury in certain cases; vesting jurisdiction in the Municipal Court of the City of Wilmington, the Courts of Common Pleas and the Justices of the

Peace in certain cases; providing Accused shall not be entitled to Acquittal upon Trial for Felony by proving offense Misdemeanor but that Jury may render Verdict of Misdemeanor, fixing Value of Goods; and providing no Criminal Proceedings commenced prior to the approval of this Act shall be affected hereby.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Rinard, on motion for leave, introduced Senate Bill No. 296, entitled:

An Act to amend 5296, Section 1 of the Revised Code of the State of Delaware, 1935, relating to Accomplices by conferring upon the Court Discretion in the Matter of Punishment under said Act.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Poore, on motion for leave, introduced Senate Bill No. 297, entitled:

An Act to amend Chapter 100 of the Revised Code of Delaware, 1935, relative to Slot Machines, providing that the use or exhibition of Slot Machines shall be a Misdemeanor and providing Penalty for Violation.

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

Mr. Poore, on motion for leave, introduced Senate Bill No. 298, entitled:

An Act providing for Equipment of Truck hauling Junk on the Highways.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Poore, on motion for leave, introduced Senate Bill No. 299, entitled:

An Act appropriating Money for the Construction and Alteration of Balconies in the Senate and House Chambers in the Legislative Hall at Dover and providing for Appointment of a Commission to arrange for and supervise the work thereon.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Poore, on motion for leave, introduced Senate Bill No. 300, entitled:

An Act proposing an Amendment to Article 3, Section 5, of the Constitution of the State of Delaware by changing the Time of Inauguration of the Governor.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Poore, on motion for leave, introduced Senate Bill No. 301, entitled:

An Act proposing an Amendment to Section 4, Article 2, of the Constitution of the State of Delaware, relating to the Time for the meeting and convening of the General Assembly.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Rinard, on motion for leave, introduced Senate Bill No. 302, entitled:

An Act authorizing the Motor Vehicle Commissioner to make Rules and Regulations relative to the Motor Vehicle Code in order to conform with the Rules and Regulations of the Interstate Commerce Commission and to establish a more Uniform Vehicle Code and more Uniform Traffic Rules.

Which was given first and second reading, the second by title only, presented in skeleton form.

Mr. Purnell, on motion for leave, introduced Senate Bill No. 303, entitled:

An Act to amend Chapter 65, as amended, of the Revised Code of the State of Delaware, 1935, providing for the Transfer of the Powers and Duties in connection with Corporations from the Secretary of State to the State Tax Department.

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

Mr. Heal moved that the Senate adjourn until 12 o'clock, noon, March 6, 1939.

Motion prevailed.

FORTIETH LEGISLATIVE DAY

March 6, 1939, 12 o'clock, Noon

Senate met pursuant to adjournment.

Lieutenant-Governor Edward W. Cooch presiding.

Prayer by the Chaplain, Rev. Frank A. Baker.

Roll called.

Members Present — Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—17.

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

Motion prevailed.

The Chair presented the following communication:

POMONA GRANGE, No. 1, OF NEW CASTLE COUNTY

March 2, 1939

Mr. Edward Cooch
President of the Senate
Dover, Delaware

Dear Sir:

The following Resolution was unanimously adopted by the New Castle County Pomona Grange in session at Talleyville, March 2.

Inasmuch as there is at present a bill before the State Legislature which would materially affect the the Farmers attending the Curb Market in Wilmington.

THEREFORE BE IT RESOLVED: Pomona Grange No. 1, of New Castle County, goes on record as opposing any change in the present market law.

The present law enforced would adequately serve both the patrons of the market and the farmers.

We would greatly appreciate your consideration of this matter, and any efforts which you may use to prevent changes in the existing Farmers Curb Market Law.

Very truly yours,

AGNES H. WAY
(MRS. MARC D. WAY)
Secretary

Mr. Gooden presented the following communication:

TWENTIETH CENTURY CLUB
SMYRNA, DELAWARE

March 1, 1939

Dear Mr. Gooden:

Members of the Twentieth Century Club of Smyrna, over 100 women, wish to emphasize their strong desire to have maintained the musical education and to have restored the art courses in the Smyrna Special School District. We are in favor of no curtailment along these lines in Public School programs in Delaware.

We shall be pleased to have your interest and constructive activity in this matter.

Yours very truly,

VIRGINIA FALLIN KING
Corresponding Secretary

Mr. Heal moved that the Senate recess until 2 o'clock P. M.

Motion prevailed.

Same Day, 2 o'clock P. M.

Senate met at expiration of recess.

On motion for leave, Mr. Heal introduced Senate Concurrent Resolution No. 13, entitled:

SENATE CONCURRENT RESOLUTION NO. 13

EXPRESSING THE PROFOUND SORROW OF THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE OVER THE DEATH OF THE HONORABLE ROBERT P. ROBINSON, EX-GOVERNOR OF THE STATE OF DELAWARE.

WHEREAS, the members of the General Assembly have learned with deep regret of the death of the Honorable Robert P. Robinson, ex-Governor of the State of Delaware; and,

WHEREAS, in the death of Governor Robinson, who has served this State with honor and distinction, both as Governor and as a private citizen, the State of Delaware has suffered an irreparable loss; and,

WHEREAS, it is fitting and proper that this General Assembly, at its first opportunity, give public expression for the loss of such a distinguished citizen and offer its sympathy to the family of the late Governor Robinson in their bereavement;

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

That this General Assembly, on behalf of the members thereof and on behalf of the citizens of this State, does hereby express deep regret at the death of ex-Governor Robinson and extends to his family the sincere sympathy of the members of the General Assembly; and,

That a copy of this resolution be spread upon the Journals of each House, a copy delivered to the press and a copy sent to the family of the deceased.

Upon motion the resolution was taken up for consideration in order to pass the Senate.

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

The Senate stood in silence for one minute in honor of ex-Governor Robert P. Robinson on the passing of Senate Concurrent Resolution No. 13, entitled:

Expressing the Profound Sorrow of the General Assembly of the State of Delaware over the Death of the Honorable Robert P. Robinson, ex-Governor of the State of Delaware.

Mr. Heal moved that the Senate adjourn until 11 o'clock A. M., March 7, 1939.

Motion prevailed.

FORTY-FIRST LEGISLATIVE DAY

March 7, 1939, 11 o'clock A. M.

Senate met pursuant to adjournment.

Lieutenant-Governor Edward W. Cooch presiding.

Prayer by the Acting Chaplain, Rev. Ivanhoe Willis.

Roll called.

Members Present — Abrahams, Brown, Clark, Derrickson, Hannam, Heal, Hendricks, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—15.

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

Motion prevailed.

Mr. Abrahams presented the following communication:

PAST COMMANDERS' ASSOCIATION VETERANS OF FOREIGN WARS OF U. S. A. DEPARTMENT OF DELAWARE

March 4, 1939

Hon. Edward Abrahams
State Senate
Dover, Delaware

Dear Hon. Abrahams:

By a unanimous vote of the membership of this Association at a regular business meeting held on Monday evening, February 20th, it went on record to oppose any action at this time to change the name of the Bird to represent this State.

The membership of this Association felt that the Blue Hen Chicks have served this State since the Revolutionary Days and therefore, with the historical background of said Blue Hen Chicks it should remain the emblem of this State.

Therefore, the membership of this Association protest any change at this time.

Sincerely yours,

HENRY O. SWENSON
Secretary

Mr. Clark, on behalf of the Committee on Buildings and Highways, to whom had been referred, House Bill No. 71, entitled:

An Act to amend Chapter 36 of the Revised Code of Delaware, 1935, by providing that a copy of all plans for future State Buildings be filed with the State Archives Commission.

Reported the same back to the Senate favorably.

GEORGE R. CLARK
HAROLD W. T. PURNELL
C. E. BROWN
BURTON S. HEAL
FRANK MOODY

Mr. Clark, on behalf of the Committee on Buildings and Highways, to whom had been referred, House Bill No. 105, entitled:

An Act to amend Chapter 47, Volume 41, Laws of Delaware, 1937, entitled "An Act appropriating certain money for the construction and equipment of a new State Armory in the City of Milford."

Reported the same back to the Senate favorably.

GEORGE R. CLARK
C. E. BROWN
HAROLD W. T. PURNELL
BURTON S. HEAL
FRANK MOODY

Mr. Clark, on behalf of the Committee on Buildings and Highways, to whom had been referred, Senate Bill No. 95, entitled:

An Act to authorize a Highway Crossing at grade in Seaford Hundred, Sussex County, over the Cambridge Division of the Pennsylvania Railroad.

Reported the same back to the Senate favorably.

GEORGE R. CLARK
HAROLD W. T. PURNELL
C. E. BROWN
BURTON S. HEAL
FRANK MOODY

Mr. Clark, on behalf of the Committee on Buildings and Highways, to whom had been referred, House Bill No. 109, entitled:

An Act authorizing the State Highway Department to convey a certain tract, piece or parcel of land situate in Pencader Hundred, New Castle County, and to set the price for conveyance thereof.

Reported the same back to the Senate favorably.

GEORGE R. CLARK
HAROLD W. T. PURNELL
C. E. BROWN
BURTON S. HEAL
FRANK MOODY

Mr. David W. Steele presented the following communications:

In reference to House Bill No. 105, advocating passage, signed by 105 signatures.

Resolutions from United Farmers and Sportsmen of
Claymont Chapter, Claymont, Del.

Seaford Chapter, Seaford, Del.

Milford Chapter, Milford, Del.

Laurel Chapter, Laurel, Del.

On approval of House Bill No. 167.

Also the following communications:

CHRIST METHODIST PROTESTANT CHURCH

LAUREL, DELAWARE

March 6, 1939

Mr. David W. Steele
President Pro Tem of the Senate
Dover, Delaware

Dear Sir:-

The official board of Christ M. P. Church, Laurel, Delaware, protests vigorously against the passage of Bill No. 152 which would legalize moving pictures after 2 P. M. on Sunday, and any other bills that may be presented to liberalize the liquor traffic in our State.

THE OFFICIAL BOARD OF CHRIST M. P. CHURCH

HARVEY M. PHILLIPS, *Secretary*

WOMAN'S CHRISTIAN TEMPERANCE UNION
OF DELAWARE

March 6, 1939

David W. Steele:

We, the members of Foster Union of the W. C. T. U. of Wilmington, Delaware, New Castle County, do herewith offer our protest against the bill known as the Rinard Bill 152. We protest the Sunday moving picture bill, before or after 2 P. M., Sundays.

Respectfully,

EMMA WILKINSON, *President*

MARJORIE VINGUELLE, *Secretary*

TRINITY M. E. CHURCH

WILMINGTON, DELAWARE

March 5, 1939

Hon. David W. Steele
President Pro Tem of Senate
Dover, Delaware

The assembled congregation of Trinity M. E. Church, Wilmington, Delaware, do hereby enter protest against any bill legalizing moving pictures and bowling at any time on Sunday.

We also protest the legalizing of gambling with slot machines, or any other devices, and the liberalizing of the liquor laws of our State.

Yours very truly,

CHARLES W. COOK, JR., *Secretary*
REV. CHAS. H. HUDSON, *Pastor*

BUSINESS AND PROFESSIONAL WOMEN'S CLUB
OF SUSSEX COUNTY
GEORGETOWN, DELAWARE

March 3, 1939

To the Honorable David W. Steele
President Pro Tem of Senate and
Honorable Senators
Dover, Delaware

Gentlemen:

The Business and Professional Women's Club of Sussex County wish to go on record as endorsing and urging the passage of Senate Bill No. 166 which is "An Act to appropriate Two Hundred Thirty-six Thousand Dollars (\$236,000.00) for the erection and construction of cottages for rehabilitation of Delinquent Mental Defectives, a school building and a central water system at the Institute for Feeble-Minded near Stockley."

We, as a club, believe the work being done at this Institution is worth while and believe that these improvements are necessary and desirable.

Very respectfully,

THE BUSINESS AND PROFESSIONAL WOMEN'S
CLUB OF SUSSEX COUNTY

DOROTHY A. MORGAN
Corresponding Secretary

WEST PRESBYTERIAN CHURCH
WILMINGTON, DELAWARE

Board of Managers of the West Presbyterian Bible School expressed its opposition to the so-called Sunday Movie Bill or any other bill which commercializes amusements on Sunday, also any bills which further liberalizes the liquor traffic or any bill which legalizes gambling.

We do favor any bill on Christian or Moral Education of the Youth, such as the one being sponsored by the Independent Order of Odd Fellows.

Unanimously adopted March 3, 1939.

C. N. BOWER, *Vice Chairman*

THE METHODIST EPISCOPAL CHURCH
MARSHALLTON, DELAWARE

March 6, 1939

Mr. David W. Steele
President Pro Tem, Senate of Delaware
Dover, Delaware

Honorable Sir:-

Yesterday my congregation by standing vote—no one voting adversely at all—authorized me to transmit to you their record of opposition to the moving picture bills, to the bowling bill, to liberalizing the liquor traffic in this State, and also to any further legislation to permit gambling with slot machines or any other device.

Respectfully,

JOHN M. KELSO, *Pastor*

EAST LAKE METHODIST EPISCOPAL CHURCH
WILMINGTON, DELAWARE

March 6, 1939

Mr. David W. Steele
President Pro Tem of the Senate
Dover, Delaware

Dear Mr. Steele:-

This letter to you is to register the protest of the East Lake Methodist Church in Wilmington (membership 550) against the bill to legalize Sunday movies in Wilmington; also bowling on the Sabbath Day; also the liberalizing of the liquor traffic, and any further legislation to permit gambling with slot machines or any other device.

Any such enactments would simply mean the further subverting of the youth of our city and State; it would make it still more difficult for Churches in holding back the floodgates of crime and lawlessness which today are threatening the very foundations of our National life. It would mean a vote against the home, the State, and the Church of God.

CHAS. C. HARRIS, *Pastor*

Mr. Heal presented the following communication:

HOLLY OAK M. E. CHURCH
HOLLY OAK, DELAWARE

March 5, 1939

Hon. Burton S. Heal
Legislative Hall
Dover, Delaware

Dear Senator:

As members of the Temperance Committee of Holly Oak M. E. Church, we wish to go on record as opposing any legislation which will further liberalize the liquor laws of New Castle County and the State of Delaware; also any legislation to allow the opening of Moving Picture Houses on Sunday.

Respectfully,

EDWIN S. YOUNG
JOHN G. CONRAD
EMMA McCLURE, *Committee*

Mr. Heal moved that the Senate recess until 1:30 o'clock P. M.

Motion prevailed.

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

Senate met at expiration of recess.

The "Third House" presented the Senate with a fine basket of apples.

Mr. Rinard, on behalf of the Committee on Banking and Insurance, to whom had been referred, Senate Joint Resolution No. 1, entitled:

Appointing Directors on the part of the State for the Farmers Bank of the State of Delaware.

Reported the same back to the Senate favorably.

PAUL R. RINARD
J. B. HENDRICKS
HAROLD W. T. PURNELL
GEORGE R. CLARK
EARL SYLVESTER

Mr. Rinard, on behalf of the Committee on Banking and Insurance, to whom had been referred, Senate Bill No. 71, entitled:

An Act to authorize Savings Banks and Savings Societies to pension their Officers, Clerks and other Employees.

Reported the same back to the Senate favorably.

PAUL R. RINARD
J. B. HENDRICKS
HAROLD W. T. PURNELL
GEORGE R. CLARK
EARL SYLVESTER

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

Senate Bill No. 12, entitled:

An Act relating to increasing the Territorial Limits of Cities and Incorporated Towns; providing for Referendum.

And returned the same to the Senate.

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

Senate Concurrent Resolution No. 13, entitled:

Expressing the profound sorrow of the General Assembly of the State of Delaware over the death of the Honorable Robert P. Robinson, ex-Governor of the State of Delaware.

And returned the same to the Senate.

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

House Concurrent Resolution No. 9, entitled:

Expressing Sympathy on the Death of Ex-Governor Robert P. Robinson.

And presented the same to the Senate.

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

House Joint Resolution No. 3, entitled:

Authorizing the Commemoration of the Anniversary of the Swedes upon the Soil of Delaware.

And presented the same to the Senate.

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

House Joint Resolution No. 4, entitled:

Requesting acceptance of Report of Delaware Tercentenary Commission.

And presented the same to the Senate.

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

House Bill No. 295, entitled:

An Act authorizing and directing the State Treasurer to pay out of the State Highway Fund any appropriation that may hereafter be made for the operation and maintenance of the Motor Vehicle Department of the State of Delaware.

And presented the same to the Senate.

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

House Bill No. 169, entitled:

An Act to amend Chapter 158 of the Revised Code of Delaware, 1935, entitled "Board of Budget Directors" relating to the allotment of appropriations and approval thereof.

And presented the same to the Senate.

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

House Bill No. 165, entitled:

An Act to amend Chapter 90 of the Revised Code of Delaware, 1935, in relation to preference being given to Delaware Labor in the construction of Public Works for City, County or State.

And presented the same to the Senate.

The Chair presented House Concurrent Resolution No. 9, entitled:

Expressing Sympathy on the Death of Ex-Governor Robert P. Robinson.

Mr. Heal moved that rules be suspended and action proceed on House Concurrent Resolution No. 9.

Motion prevailed.

On motion of Mr. Heal, House Concurrent Resolution No. 9, entitled:

Expressing Sympathy on the Death of Ex-Governor Robert P. Robinson.

Was taken up for consideration and read in order to pass the Senate.

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

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

YEAS—Messrs. Abrahams, Brown, Derrickson, Gooden, Hannam, Heal, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester—13.

NAYS—None.

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

Ordered returned to the House.

The Chair presented House Joint Resolution No. 3, entitled:

Authorizing the Commemoration of the Anniversary of the Swedes upon the Soil of Delaware.

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

The Chair presented House Joint Resolution No. 4, entitled:

Requesting acceptance of Report of Delaware Tercentenary Commission.

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

The Chair presented House Bill No. 295, entitled:

An Act authorizing and directing the State Treasurer to pay out of the State Highway Fund any appropriation that may hereafter be made for the operation and maintenance of the Motor Vehicle Department of the State of Delaware.

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

The Chair presented House Bill No. 169, entitled:

An Act to amend Chapter 158 of the Revised Code of Delaware, 1935, entitled "Board of Budget Directors" relating to the allotment of appropriations and approval thereof.

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

The Chair presented House Bill No. 165, entitled:

An Act to amend Chapter 90 of the Revised Code of Delaware, 1935, in relation to preference being given to Delaware Labor in the construction of Public Works for City, County or State.

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

Mr. Rinard, on behalf of the Committee on Judiciary, to whom had been referred, Senate Bill No. 144, entitled:

An Act to amend Chapter 121 of the Revised Code of Delaware, 1935, relative to Justices' Jurisdiction in Civil Cases for Debt; providing for the Issuance of Attachment Process against State Employees.

Reported the same back to the Senate favorably.

PAUL R. RINARD
BENJAMIN F. SIMMONS
HAROLD W. T. PURNELL
GEORGE R. CLARK
W. J. POORE

Mr. Rinard, on behalf of the Committee on Judiciary, to whom had been referred, Senate Bill No. 283, entitled:

An Act to amend Chapter 150 of the Revised Code of Delaware, 1935, relating to offenses against Private Property by providing for different degrees of Larceny and providing Penalties therefor; providing for proceedings without Indictment by Grand Jury or Trial by Petit Jury in certain cases; vesting jurisdiction in the Municipal Court of the City of Wilmington, the Courts of Common Pleas and the Justices of the Peace in certain cases; providing accused shall not be entitled to acquittal upon trial for Felony by proving offense Misdemeanor but that Jury may render verdict of Misdemeanor; fixing value of things being the subject of Larceny; and providing no Criminal Proceedings commenced prior to the approval of this Act shall be affected hereby.

Reported the same back to the Senate favorably.

PAUL R. RINARD
BENJAMIN F. SIMMONS
HAROLD W. T. PURNELL
GEORGE R. CLARK
W. J. POORE

Mr. Brown, on behalf of the Committee on Municipal Corporations, to whom had been referred, Senate Bill No. 13, entitled:

An Act to amend Paragraph 6118, Section 48, of Chapter 175, Revised Code of Delaware, 1935, relative to Commissioners of the Town of Lewes accepting the provisions of the Delaware Workmen's Compensation Act of 1917.

Reported the same back to the Senate favorably.

C. E. BROWN
J. B. HENDRICKS
H. M. HANNAM
BURTON S. HEAL
W. J. POORE

Mr. Heal moved that the Senate adjourn until 11 o'clock A. M., March 8, 1939.

Motion prevailed.

FORTY-SECOND LEGISLATIVE DAY

March 8, 1939, 11 o'clock A. M.

Senate met pursuant to adjournment.

Lieutenant-Governor Edward W. Cooch presiding.

Prayer by the Chaplain, Rev. Frank A. Baker.

Roll called.

Members Present — Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—17.

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

Motion prevailed.

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

House Bill No. 229, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, relating to exemption of World War Veterans from Peddler's and Auctioneer's License requirements.

And presented the same to the Senate.

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

House Concurrent Resolution No. 11, entitled:

Relative to Adjournment from March 8, 1939 to March 13, 1939.

And presented the same to the Senate.

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

House Bill No. 60 with House Amendment No. 1, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, relating to the State Highway Department with reference to the installation and maintenance for suitable lighting in all rural and suburban communities.

And presented the same to the Senate.

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

House Concurrent Resolution No. 10, entitled:

Relating to Joint Session for Hearing relative to the proposed Welfare Department.

And presented the same to the Senate.

The President announced he is about to sign:

Senate Bill No. 12.

Senate Concurrent Resolution No. 13.

The Chair presented the following communications:

GRACE METHODIST EPISCOPAL CHURCH
MILLSBORO, DELAWARE

March 6, 1939

Mr. Edward W. Cooch, President
The Senate
Dover, Delaware

Dear Mr. Cooch:

At the regular meeting of the Salisbury District Ministerial Association today, I was instructed by vote to write you in behalf of the Pastors residing in Delaware, and protest against the passage of the bills now pending which seek to legalize Moving Pictures, Bowling, Liberalizing the Liquor Traffic, and Gambling with slot-machines or other devices, on the Sabbath Day.

Sincerely yours,

L. E. WIMBROW

THE CHILDREN'S BUREAU OF DELAWARE
WILMINGTON, DELAWARE

March 6, 1939

Hon. Edward W. Cooch, Lieutenant-Governor
Dover, Delaware

My dear Mr. Cooch:

At the meeting of the Board of Directors of the Children's Bureau held on February 17, 1939, the Board discussed Senate Bill No. 78 regarding the establishment of a Department of Public Welfare. We feel that this bill is most desirable and would be very beneficial to both public and private welfare agencies throughout the State. The coordination brought about by such a department will undoubtedly make it easier for agencies to cooperate and for those in need to find assistance, and in the end should be advantageous to the taxpayer.

We hope that the members of the State Senate will give this bill their earnest consideration.

Sincerely yours,

MRS. GEORGE P. EDMONDS
President

The Chair presented House Concurrent Resolution No. 11, entitled:

Relative to Adjournment from March 8, 1939 to March 13, 1939.

On motion of Mr. Heal, House Concurrent Resolution No. 11, entitled:

Relative to Adjournment from March 8, 1939 to March 13, 1939.

Was taken up for consideration and read in order to pass the Senate.

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

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

YEAS—Messrs. Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moody, Moore, Purnell, Short, Simmons, Sylvester—12.

NAYS—None.

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

Ordered returned to the House.

The Chair presented House Concurrent Resolution No. 10, entitled:

Relating to Joint Session for Hearing relative to the purposed Welfare Department.

On motion of Mr. Heal, House Concurrent Resolution No. 10, entitled:

Relating to Joint Session for Hearing relative to the purposed Welfare Department.

Was taken up for consideration and read in order to pass the Senate.

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

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

YEAS—Messrs. Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moody, Moore, Purnell, Short, Simmons, Sylvester—12.

NAYS—None.

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

Ordered returned to the House.

Mr. Derrickson presented the following communication:

PENINSULA HORTICULTURAL SOCIETY
NEWARK, DELAWARE

March 2, 1939

Senator Robert A. Derrickson
Taylor's Bridge
Middletown, Delaware

Dear Member:

WHEREAS, there is now pending before the Legislature of Delaware a proposed law (House Bill 27) erroneously called a "Fair Trade Act" which would give to manufacturers and dealers the right to fix prices on trademarked or branded goods sold to farmers and other consumers, and

WHEREAS, the farmers have no such authority for monopolistic, price fixing methods and what limited price fixing used in agriculture is by law under the supervision and control of State or Federal authority or both, and,

WHEREAS, the purchasing power of agriculture is already too low to sustain on our farms a fair standard of living, and

WHEREAS, House Bill 27 would penalize farmers through higher prices for the things which they must buy and thereby further diminish the purchasing power of agriculture, now therefore

BE IT RESOLVED that the Peninsula Horticultural Society calls upon our Representatives and Senators to protect the farmers and other consumers of our State by defeating House Bill 27.

Signed: EXECUTIVE COMMITTEE OF THE
PENINSULA HORTICULTURAL SOCIETY

OTTO SANGER, *President*
LESLIE G. KNAPP, *Vice-Pres.*
O. R. HIGGINS
E. R. DICK
A. BAILEY THOMAS

Mr. Heal, on behalf of the Committee on Passed Bills, reported as approved by the Governor, the following:

Senate Bill No. 36—Approved March 3, 1939.

Mr. Clark, on behalf of the Committee on Buildings and Highway, to whom had been referred, Senate Bill No. 280, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, by providing for a Warning and Notice to a person operating a Motor Vehicle with Defective Lights and requiring the correction of such Defective Lights within Seventy-two Hours thereafter and report thereto to a State Motor Vehicle Inspector.

Reported the same back to the Senate favorably with Senate Amendment No. 1.

GEORGE R. CLARK
HAROLD W. T. PURNELL
C. E. BROWN
BURTON S. HEAL
FRANK MOODY

Mr. Clark, on behalf of the Committee on Public Health, to whom had been referred, Senate Bill No. 93, entitled:

An Act to amend Chapter 31 of the Revised Code of Delaware, 1935, relative to Delaware State Board of Examiners in Optometry; qualifications for examination; increasing fee for re-examination; providing for compensation and expenses; increasing annual registration fee and revocation of certificate for non-payment.

Reported the same back to the Senate favorably.

GEORGE R. CLARK
HAROLD W. T. PURNELL
EDWARD ABRAHAMS, JR.
BENJAMIN F. SIMMONS
FRANK MOODY

Mr. Clark, on behalf of the Committee on Public Health, to whom had been referred, Senate Bill No. 270, entitled:

An Act to provide for the seizure, condemnation and forfeiture to the State of Delaware of all Vehicles knowingly used in or in connection with the commission of any Felony or in the violation of Article 42 of Chapter 100 of the Revised Code of Delaware, 1935, relating to Narcotic Drugs or knowingly and voluntarily used in or in connection with the flight or escape of any person who has committed any Felony or who has violated the provisions of the aforesaid law relating to Narcotic Drugs.

Reported the same back to the Senate favorably.

GEORGE R. CLARK
HAROLD W. T. PURNELL
EDWARD ABRAHAMS, JR.
BENJAMIN F. SIMMONS
FRANK MOODY

Mr. Clark, on behalf of the Committee on Buildings and Highways, to whom had been referred, Senate Bill No. 267, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, relating to Motor Vehicles by making it a misdemeanor to remove or cause to be removed a wrecked Motor Vehicle from the Highway until the arrival of a Representative of the State Police.

Reported the same back to the Senate favorably.

GEORGE R. CLARK
HAROLD W. T. PURNELL
C. E. BROWN
BURTON S. HEAL
FRANK MOODY

The Chair presented House Bill No. 229, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, relating to exemption of World War Veterans from Peddler's and Auctioneer's License requirements.

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

The Chair presented House Bill No. 60 with House Amendment No. 1, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, relating to the State Highway Department with reference to the installation and maintenance for suitable lighting in all rural and suburban communities.

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

On motion of Mr. Moore, Senate Bill No. 95, entitled:

An Act to authorize a Highway Crossing at grade in Seaford Hundred, Sussex County, over the Cambridge Division of the Pennsylvania Railroad.

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

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

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

YEAS — Messrs. Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Simmons, Sylvester—13.

NAYS—None.

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

Ordered to the House for concurrence.

Mr. Purnell, on behalf of the Committee on Education, to whom had been referred, Senate Bill No. 107, entitled:

An Act to appropriate Five Hundred Dollars (\$500.00) for a Special Commission to study Sex Education in the Public Schools and to report its findings and recommendations to the General Assembly meeting in 1941.

Reported the same back to the Senate favorably with Senate Amendment No. 1.

HAROLD W. T. PURNELL
J. B. HENDRICKS
PAUL R. RINARD
EARL SYLVESTER
BURTON S. HEAL

Mr. Heal moved that the Senate recess until 1:30 o'clock P. M.

Motion prevailed.

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

Senate met at expiration of recess.

Mr. Hendricks, on behalf of the Committee on Revised Statutes, to whom had been referred, Senate Bill No. 80, entitled:

An Act to amend Chapter 98 of the Revised Code of Delaware, 1935, relative to Settlement of Personal Estate by providing for hearing concerning absence and circumstances thereof of persons presumed to be dead; granting of Letters on Estate of such person to party interested; distribution of estate; revocation of Letters of Administration and Vacation of Decree upon proof that presumed decedent is alive; costs.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
PAUL R. RINARD
C. E. BROWN
EDWARD ABRAHAM, JR.
ROBERT A. DERRICKSON

Mr. Heal moved that the Senate recess until call of the Chair.

Motion prevailed.

Same Day, 2:45 o'clock P. M.

Senate met at the call of the Chair.

Mr. Heal, on behalf of the Committee on Passed Bills, reported to the Senate that he had delivered to the Governor the following:

Senate Bill No. 12, entitled:

An Act relating to increasing the Territorial Limits of Cities and Incorporated Towns; providing for Referendum.

The President announced he is about to sign:

House Concurrent Resolution No. 9.

The Secretary of State was admitted and delivered a nomination from the Governor.

Mr. Hendricks, on behalf of the Committee on Revised Statutes, to whom had been referred, Senate Bill No. 155, entitled:

An Act to amend Chapter 82 of the Revised Code of the State of Delaware, 1935, as amended, relating to Weights and Measures, by specifying and defining Solid Fuels covered herein and the Legal Standard Ton of Solid Fuels and the sale of same by weight in this State, and providing for the furnishing of weight or delivery tickets, and the reweighing of same, and for the appointment of licensed weighmasters in connection therewith, and providing for the marking of all vehicles transporting Solid Fuels, and providing for the place of weighing Solid

Fuels brought into the State by motor truck, and providing for the issuance and signing of certificates of origin for Solid Fuels brought into the State by motor truck, and providing for the appointment of Deputy Regulators of Weights and Measures for the several Counties and further providing for the enforcement and penalties for violations of this Act relating to the transportation, sale and delivery of Solid Fuels within this State.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
EDWARD ABRAHAMS, JR.
ROBERT A. DERRICKSON
C. E. BROWN

Mr. Hendricks, on behalf of the Committee on Revised Statutes, to whom had been referred, Senate Bill No. 161, entitled:

An Act to amend An Act entitled, "An Act to amend Chapter 92 of the Revised Code of Delaware, 1935, in reference to the Time for Recording of Deeds," (being Chapter 190, Vol. 41, Laws of Delaware) by eliminating certain provisions concerning Leases.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
EDWARD ABRAHAMS, JR.
ROBERT A. DERRICKSON
C. E. BROWN

Mr. Hendricks, on behalf of the Committee on Revised Statutes, to whom had been referred, Senate Bill No. 160, entitled:

An Act to amend 1445, Section 105, Revised Code of Delaware, 1935, by providing the procedure to be followed in cases where the Purchaser of Real Estate sold at Tax Sale dies before receiving a deed therefor.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
EDWARD ABRAHAMS, JR.
ROBERT A. DERRICKSON
C. E. BROWN

Mr. Brown, on behalf of the Committee on Municipal Corporations, to whom had been referred, Senate Bill No. 205, entitled:

An Act authorizing the Council of the Town of Blades to borrow a sum of money not to exceed Fifteen Thousand (\$15,000.00) Dollars and to issue Bonds therefor for the purpose of installing a Water Plant and the laying of Water Mains in the Town of Blades and equipment therefor; providing for Referendum.

Reported the same back to the Senate favorably.

C. E. BROWN
J. B. HENDRICKS
W. J. POORE
BURTON S. HEAL
H. M. HANNAM

Mr. Brown, on behalf of the Committee on Municipal Corporations, to whom had been referred, Senate Bill No. 183, entitled:

An Act to amend Chapter 155, Laws of Delaware in 1915, as amended, entitled "An Act to Incorporate the Town of Blades;" imposing Penalty on Unpaid Taxes and directing Collector to collect same.

Reported the same back to the Senate favorably.

C. E. BROWN
J. B. HENDRICKS
W. J. POORE
BURTON S. HEAL
H. M. HANNAM

EXECUTIVE SESSION

Mr. Heal moved that the Senate go into Executive Session.

Motion prevailed.

Same Day, Later

Senate met in regular session.

Mr. Moore moved that Senate Bill No. 272, entitled: "An Act authorizing Motor Vehicle Commissioner to make such Rules and Regulations as may be necessary and proper in order to conform to the Rules and Regulations of the Interstate Commerce Commission and to establish a more Uniform Motor Vehicle Code and more Uniform Traffic Rules and Regulations," be stricken from the Calendar.

Motion prevailed.

The Senate on March 9 and 10 proceeded on the New Castle County Visitation Trip. The schedule being as follows:

THURSDAY, MARCH 9, 1939

- 9:00 A. M.—Blind Shop—305 West Eighth Street, Wilmington, Delaware.
- 10:30 A. M.—Edgewood Sanitorium.
- 12:00 Noon—Brandywine Sanitorium.
- 1:00 P. M.—Lunch.
- 2:30 P. M.—Ferris Industrial School.
- 3:30 P. M.—New Castle County Workhouse.
- 4:30 P. M.—Industrial School for Girls at Claymont.
- 5:30 P. M.—Dinner at Industrial School for Girls at Claymont.

FRIDAY, MARCH 10, 1939

- 9:00 A. M.—Delaware State Hospital.
- 11:30 A. M.—Industrial School for Colored Girls.
- 1:00 P. M.—University of Delaware, Newark.
- Lunch at University of Delaware.

Mr. Heal moved that the Senate adjourn in accordance with House Concurrent Resolution No. 11, until Monday, March 13, 1939, at 11 o'clock A. M.

Motion prevailed.

FORTY-THIRD LEGISLATIVE DAY

March 13, 1939, 11 o'clock A. M.

Senate met pursuant to adjournment.

Lieutenant-Governor Edward W. Cooch presiding.

Prayer by the Chaplain, Rev. Frank A. Baker.

Roll called.

Members Present — Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—17.

Secretary 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.

The Chair presented the following communication:

WILMINGTON PUBLIC SCHOOLS
WILMINGTON, DELAWARE

March 10, 1939

To the Honorable Lieutenant-Governor
E. W. Cooch, President of Senate
Dover, Delaware

Dear Lieutenant-Governor Cooch:

We, the teachers of the David W. Harlan School, Wilmington, Delaware, do most earnestly ask that you look with favor and vote accordingly when Senate Bill 165, sponsored by Senator Rinard, is presented.

We also ask that you vote favorably when the Retirement Bill, Senate Bill 38, introduced by Senator Purnell, is presented.

Thanking you in advance and hoping that you can see your way clear to vote favorably for both bills, we are,

Respectfully yours,

[SIGNED]: Sarah S. Devine, Sue Houpt, Nellie C. Smith, Ethel Hammond, Wilhelmina R. Creamer, Mary P. Perkins, Daisy L. Chambers, Marjorie K. Loven, Maude H. Deakyne, Elizabeth Seeds Hickman, Gertrude W. Cameron, Norma B. Blair, Rachel B. Killen, Ada A. Rudert, Eva Hartzel, Barbara French, Jane DeVore, Clara W. Staats, Marjorie E. Hanf, Bargherita L. Wright, Hazel W. Speakman, Helen M. Sasse, Alice N. Wix, Eliz. A. Refsnyder, Eva W. Hanson, Edith Fredrick, Barnet Mahaffey, Margaret N. Mullin.

Mr. Abrahams presented the following communication:

WILMINGTON PUBLIC SCHOOLS

WILMINGTON, DELAWARE

March 10, 1939

Senator Edward Abrahams
604 McLane Street
Wilmington, Delaware

Honorable Sir:

We, the undersigned members of the faculty of George Gray public school in Wilmington, petition your Honorable Body for favorable action on Senate Bill No. 38 and Senate Bill No. 165.

We submit that the provisions of these Bills are logical, just and to the best interest of the teachers in the public schools of the State of Delaware whom we feel have merited your support in their behalf.

[SIGNED]: Bessie E. Lynam, Marjorie Wintrup, Hilda F. Grimm, Emma M. McLaughlin, Madeline C. L. Bailey, Katherine R. Stewart, F. Elizabeth Penrose, Bessie Cloud, Helen Warren Smith, M. Rebecca Wolleston, Elizabeth M. Toman, Anna B. Jeffers, Viola L. Starr, Elizabeth A. Detwiler, Lucile Grigsby, Marguerite Nearing, Pearl C. Satterfield, Marguerite Y. Millikin, Susie W. Brackin, Mary Lee Messick, Ella McIntire, A. Edith Kelley, Dorothy J. Newman, Corinne J. Drake, Elizabeth E. McMurray, Frances G. Doherty.

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

House Bill No. 191 with House Amendment No. 1, entitled:

An Act directing the Board of Game and Fish Commissioners to grant Hunting and Fishing Licenses free to persons living on and operating farms in the State of Delaware.

And presented the same to the Senate.

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

House Bill No. 41, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, in reference to Motor Vehicles: number plates to be furnished by the Department; special number plates to be furnished by the Department; providing date of registration; renewal of registration; registration by manufacturers and dealers; registration by non-residents; suspension of registration upon notice of theft or embezzlement.

And presented the same to the Senate.

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

House Bill No. 143 with House Amendment No. 1, entitled:

An Act regulating the Sale and Possession of Barbital and other Hypnotic Drugs.

And presented the same to the Senate.

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

House Bill No. 82, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to the sale and delivery of Alcoholic Liquors, those entitled to sale and delivery of Alcoholic Liquors, those entitled to purchase, resell or dispense Alcoholic Liquors, tariff of License Fees, seizures and transportation of Alcoholic Liquors.

And presented the same to the Senate.

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

House Bill No. 87, entitled:

An Act to amend Chapter 169 of the Revised Code of Delaware, 1935, in reference to the right of an accused person to elect to be tried by the Court of Common Pleas of New Castle County; duty of the Justice of the Peace and the arresting officer to advise the accused of his right to so elect; effect upon jurisdiction.

And presented the same to the Senate.

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

House Bill No. 374, entitled:

An Act to amend Chapter 98 of the Revised Code of Delaware, 1935, relating to the settlement of Personal Estates providing for Notice of Administration, publication of, effect thereof with respect to Claims against the Estate of a Decedent, and barring certain Claims not presented within one year.

And presented the same to the Senate.

The Chair presented the following communications:

THE AMERICAN LEGION
DEPARTMENT OF DELAWARE

March 9, 1939

Lieutenant-Governor Edward W. Cooch
President, Delaware State Senate
Dover, Delaware

My dear Governor:

Again this year the American Legion is going to conduct a Boys' State and the dates selected are May 5th and 6th.

The Governor and Building Custodian have advised us we can have the use of the Legislative facilities on these dates, providing Legislature is not in session. We, of course, feel that both houses will have adjourned before that date, but in event such should not be the case, we are hopeful that you can see your way clear to have the Senate recessed at that time.

We most respectfully solicit your assistance on these dates because you are well equipped to help the Boys organize a Senate, elect a Governor, and other State officers.

We will be glad to give you any additional information you desire and propose to keep you informed of our progress.

Assuring you that your help and assistance will be appreciated by us and knowing that the greatest appreciation will come from our Boy Legislators of the 1939 Boys' State, I remain

Very sincerely,

GEORGE D. HILL

Vice Chairman, Boy State Committee

Bethel, Delaware

March 13, 1939

The Honorable Edward W. Cooch
Lieutenant-Governor, State of Delaware
State House, Dover, Delaware

Dear Sir:

As secretary of the Ninth Annual Delmarva Youth Conference which held its sessions in McCabe Memorial Methodist Episcopal Church, Wilmington, Delaware, I have been authorized to communicate with you concerning the "Sunday Movie Bill."

There were 450 delegates attending this Youth Conference and it was unanimously voted to take a definite stand against this bill which is before the Delaware Legislature.

We appeal to you, the Lieutenant-Governor of Delaware, to use your influence to the utmost for the sake of humanity, democracy, and posterity to defeat such a bill as would have the tendency to lower the moral of a people as honorable and loyal as the citizens of the State of Delaware.

Very truly yours,

J. GREGG WHEDBEE, *Secretary*
Annual Delmarva Youth Conference

The Chair presented House Bill No. 191 with House Amendment No. 1, entitled:

An Act directing the Board of Game and Fish Commissioners to grant Hunting and Fishing Licenses free to persons living on and operating farms in the State of Delaware.

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

The President announced he is about to sign:

House Concurrent Resolution No. 10.

House Concurrent Resolution No. 11.

The Chair presented House Bill No. 143 with House Amendment No. 1, entitled:

An Act regulating the Sale and Possession of Barbital and other Hypnotic Drugs.

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

The Chair presented House Bill No. 41, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, in reference to Motor Vehicles: number plates to be furnished by the Department; special number plates to be furnished by the Department; providing date of registration; renewal of registration; registration by manufacturers and dealers; registration by non-residents; suspension of registration upon notice of theft or embezzlement.

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

The Chair presented House Bill No. 82, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to the sale and delivery of Alcoholic Liquors, those entitled to sale and delivery of Alcoholic Liquors, those entitled to purchase, resell or dispense Alcoholic Liquors, tariff of License Fees, seizures and transportation of Alcoholic Liquors.

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

The Chair presented House Bill No. 87, entitled:

An Act to amend Chapter 169 of the Revised Code of Delaware, 1935, in reference to the right of an accused person to elect to be tried by the Court of Common Pleas of New Castle County; duty of the Justice of the Peace and the arresting officer to advise the accused of his right to so elect; effect upon jurisdiction.

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

The Chair presented House Bill No. 374, entitled:

An Act to amend Chapter 98 of the Revised Code of Delaware, 1935, relating to the settlement of Personal Estates providing for Notice of Administration, publication of, effect thereof with respect to Claims against the Estate of a Decedent, and barring certain Claims not presented within one year.

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

Mr. Heal moved that the Senate recess until 1:30 o'clock P. M.

Motion prevailed.

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

Senate met at expiration of recess.

Mr. Heal moved that all rules be suspended, such suspension of rules to cover all business conducted during this afternoon's session, and that a roll call be taken on the motion.

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro tem—11.

NAYS—Messrs. Derrickson, Moody—2.

So the question was decided in the affirmative and the motion having received the required constitutional majority, was adopted.

Mr. Short, on motion for leave, introduced Senate Substitute for Senate Bill No. 224, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, providing for Reorganization of the State Highway Department by increasing the Membership thereof.

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

Mr. Heal moved that the Senate recess for 15 minutes.

Motion prevailed.

Same Day, 3:10 o'clock P. M.

Senate met at expiration of recess.

Mr. Clark, on behalf of the Committee on Buildings and Highways, to whom had been referred, Senate Substitute for Senate Bill No. 224, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, providing for Reorganization of the State Highway Department by increasing the Membership thereof.

Reported the same back to the Senate favorably.

GEORGE R. CLARK
BURTON S. HEAL
C. E. BROWN
HAROLD W. T. PURNELL

On motion of Mr. Short, Senate Substitute for Senate Bill No. 224, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, providing for Reorganization of the State Highway Department by increasing the Membership thereof.

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

Mr. Gooden moved that action on Senate Substitute for Senate Bill No. 224, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, providing for Reorganization of the State Highway Department by increasing the Membership thereof.

Be delayed for one day.

The Chair ruled that it was the right of a Senator to request the deferring of action on a bill, and such request should be granted.

Mr. Heal moved that the decision of the Chair be overruled as the Senate was working under Suspension of all Rules.

On the question, "Shall the Chair be overruled?"

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

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

NAYS—Messrs. Derrickson, Gooden, Moody, Moore, Poore, Sylvester—6.

So the question was decided in the affirmative and the motion having received the required constitutional majority, was adopted, and the Chair was overruled.

Mr. Heal requested the Chair to proceed on Mr. Short's motion on the third reading of Senate Substitute for Senate Bill No. 224, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, providing for Reorganization of the State Highway Department by increasing the Membership thereof.

The Chair instructed the Reading Clerk to proceed to read a third time, Senate Substitute for Senate Bill No. 224, by paragraphs, in order to pass the Senate.

Mr. Short requested the privilege of the floor for Attorney Percy Warren Green to explain Senate Substitute for Senate Bill No. 224, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, providing for Reorganization of the State Highway Department by increasing the Membership thereof.

The request was granted.

Mr. Green proceeded to explain the bill in full detail.

Mr. Heal requested a roll call for the passage of Senate Substitute for Senate Bill No. 224, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, providing for Reorganization of the State Highway Department by increasing the Membership thereof.

On the question, "Shall Senate Substitute for Senate Bill No. 224 pass the Senate?"

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

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

NAYS—Messrs. Derrickson, Gooden, Moody, Moore, Poore, Sylvester—6.

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

Ordered to the House for concurrence.

Mr. Heal moved that the Senate recess for one hour.

Motion prevailed.

Same Day, 4:35 o'clock P. M.

Senate met at expiration of recess.

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

Senate Substitute for Senate Bill No. 224, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, providing for Reorganization of the State Highway Department by increasing the Membership thereof.

And returned the same to the Senate.

On motion for leave, Mr. Heal introduced Senate Resolution No. 29, entitled:

SENATE RESOLUTION NO. 29

AUTHORIZING PAYMENTS ON ACCOUNT TO MEMBERS OF SENATE AND ATTACHES AND EMPLOYEES OF THE SENATE.

BE IT RESOLVED by the Senate, that the State Treasurer be and he is hereby authorized to pay to any member of the Senate and any Attache or Employee of the Senate, who has been duly appointed by Resolution of the Senate, upon the order of the President Pro Tem of the Senate, sums on account from time to time, not to exceed the total sum of Four Hundred Dollars (\$400.00) to any person, any such sums so paid shall be charged against the salaries of the respective persons to whom paid, and shall be a part of the expenses of the Senate at this Session.

Upon motion the resolution was taken up for consideration in order to pass the Senate.

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—16.

NAYS—None.

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

Mr. Sylvester moved that the Secretary of the Senate ascertain if any Attaches are functioning in the Senate without being sworn to perform their duties.

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

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

YEAS—Messrs. Derrickson, Gooden, Moody, Moore, Poore, Sylvester—6.

NAYS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

So the question was decided in the negative and the motion not having received the required constitutional majority, was lost.

On motion for leave, Mr. Heal introduced Senate Resolution No. 30, entitled:

SENATE RESOLUTION NO. 30

AUTHORIZING STATE LIBRARIAN TO DELIVER POSTAGE STAMPS TO SECRETARY OF THE SENATE AND SECRETARY TO THE PRESIDENT PRO TEM.

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

That the State Librarian be and she is hereby directed to deliver to the Secretary of the Senate and the Secretary to the President Pro Tem of the Senate, postage stamps in an amount up to and including Ten Dollars (\$10.00) each.

Upon motion the resolution was taken up for consideration in order to pass the Senate.

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—17.

NAYS—None.

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

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

House Concurrent Resolution No. 12, entitled:

Expressing Sympathy on the Death of R. G. Buckingham.

And presented the same to the Senate.

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

House Bill No. 316, entitled:

An Act to amend Chapter 147 of the Revised Code of Delaware, 1935, relating to Limitation of Appeals and Executions, by adding a new Section thereto, limiting Appeals of the Superior Court from the Register of Wills and the Orphans' Court.

And presented the same to the Senate.

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

House Bill No. 204, entitled:

An Act to amend 2611, Section 113 of Chapter 70 of the Revised Code of Delaware, 1935, relating to Commitments to the Commission for the Feeble-Minded from other Institutions, and stating the Requirements therefor.

And presented the same to the Senate.

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

House Bill No. 294, entitled:

An Act to amend Chapter 142 of the Revised Code of Delaware, 1935, in relation to Landlord and Tenant by providing for the exception of farm land where the term of demise is not expressly limited.

And presented the same to the Senate.

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

House Substitute for House Bill No. 133, entitled:

An Act to amend Chapter 142 of the Revised Code of Delaware, in relation to Landlord and Tenant.

And presented the same to the Senate.

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

House Bill No. 440, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, relating to Licenses for the Sale of Deadly Weapons.

And presented the same to the Senate.

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

House Bill No. 239, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, in relation to State Revenue derived from Tax upon Salaries, Fees, Wages or Pensions paid by the Government of the United States.

And presented the same to the Senate.

The Chair presented House Concurrent Resolution No. 12, entitled:

Expressing Sympathy on the Death of R. G. Buckingham.

On motion of Mr. Heal, House Concurrent Resolution No. 12, entitled:

Expressing Sympathy on the Death of R. G. Buckingham.

Was taken up for consideration and read in order to pass the Senate.

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered returned to the House.

Mr. Heal moved that the Senate recess for 15 minutes.

Motion prevailed.

Same Day, Later

Senate met at expiration of recess.

The President announced he is about to sign:

Senate Substitute for Senate Bill No. 224.

The Chair presented House Bill No. 294, entitled:

An Act to amend Chapter 142 of the Revised Code of Delaware, 1935, in relation to Landlord and Tenant by providing for the exception of farm land where the term of demise is not expressly limited.

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

The Chair presented House Bill No. 204, entitled:

An Act to amend 2611, Section 113 of Chapter 70 of the Revised Code of Delaware, 1935, relating to Commitments to the Commission for the Feeble-Minded from other Institutions, and stating the Requirements therefor.

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

The Chair presented House Bill No. 316, entitled:

An Act to amend Chapter 147 of the Revised Code of Delaware, 1935, relating to Limitation of Appeals and Executions, by adding a new Section thereto, limiting Appeals of the Superior Court from the Register of Wills and the Orphans' Court.

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

The Chair presented House Substitute for House Bill No. 133, entitled:

An Act to amend Chapter 142 of the Revised Code of Delaware, in relation to Landlord and Tenant.

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

The Chair presented House Bill No. 239, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, in relation to State Revenue derived from Tax upon Salaries, Fees, Wages or Pensions paid by the Government of the United States.

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

The Chair presented House Bill No. 440, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, relating to Licenses for the Sale of Deadly Weapons.

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

On motion of Mr. Abrahams, Senate Bill No. 86, entitled:

An Act to amend Chapter 57 of the Revised Code of the State of Delaware (1935) entitled "Department of Elections for the City of Wilmington" by providing for the Establishment of a Department of Elections for New Castle County.

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

Mr. Abrahams, on motion for leave, introduced Senate Substitute for Senate Bill No. 86, in lieu of the original Senate Bill No. 86 and moved the adoption of Senate Substitute for Senate Bill No. 86.

On the question, "Shall Senate Substitute for Senate Bill No. 86 be adopted?"

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

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

NAYS — Messrs. Derrickson, Gooden, Moody, Moore, Sylvester—5.

So the question was decided in the affirmative and Senate Substitute for Senate Bill No. 86 having received the required constitutional majority, was adopted.

On motion of Mr. Abrahams, Senate Substitute for Senate Bill No. 86, entitled:

An Act to amend Chapter 57 of the Revised Code of the State of Delaware (1935) entitled "Department of Elections for the City of Wilmington" by providing for the Establishment of a Department of Elections for New Castle County.

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

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

NAYS — Messrs. Derrickson, Gooden, Moody, Moore, Sylvester—5.

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

Ordered to the House for concurrence.

Mr. Heal, on behalf of the Committee on Passed Bills, reported to the Senate that he had delivered to the Governor the following:

Senate Substitute for Senate Bill No. 224, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, providing for Reorganization of the State Highway Department by increasing the Membership thereof.

Mr. Heal moved that the Senate adjourn until 10 o'clock A. M., March 14, 1939.

Motion prevailed.

FORTY-FOURTH LEGISLATIVE DAY

March 14, 1939, 10 o'clock A. M.

Senate met pursuant to adjournment.

President Pro Tem David W. Steele presiding.

Prayer by the Chaplain, Rev. Frank A. Baker.

Roll called.

Members Present — Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—16.

Secretary 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.

Mr. Poore presented the following communication.

Cheswold, Delaware

March 12, 1939

Mr. Wm. Jennings Poore
Hartly, Delaware

My dear Senator:

As you are Senator from the district in which I reside, I am asking you to support "The Proposed Teachers' Retirement Bill," known as Senate Bill No. 38. I sincerely believe the passage of the bill will be beneficial to the Educational System of Delaware.

Hoping that you will do all you can in your power to have this bill pass the Senate, I am

Yours very truly,

RHODA MASTEN, *Teacher*

Mr. Short presented the following communication:

GEORGETOWN-MILLSBORO ROTARY CLUB
GEORGETOWN, DELAWARE

March 10, 1939

Senator Alden P. Short
Georgetown, Delaware

Dear Senator Alden:

The Georgetown-Millsboro Rotary Club wishes to go on record as opposing House Bill No. 288, An Act to provide for licensing of pin ball machines.

Yours very truly,

GEORGETOWN-MILLSBORO ROTARY CLUB
W. VIRDEN MACKLIN, *Secretary*

Mr. Heal, on behalf of the Committee on Passed Bills, reported as approved by the Governor, the following:

Senate Bill No. 39—Approved March 8, 1939.

Senate Bill No. 26—Approved March 8, 1939.

Senate Bill No. 27—Approved March 8, 1939.

Mr. Heal moved that the Senate recess until the call of the Chair.

Motion prevailed.

Same Day, 11:45 o'clock A. M.

Senate met at the call of the Chair.

Mr. Rinard presented the following communication:

Middletown, Delaware
March 8, 1939

Dear Senator Rinard:

Enclosed is a copy of the resolutions offered by me and adopted 21 to 7, by the Women's Joint Legislative Committee.

Since this morning's paper shows that not one word of mention was made to the public, it is to be hoped that you may feel disposed to have the resolutions read into the Journal of the Senate.

It is no more than I expected of the secretary, Mrs. Manchester and Mrs. Warner, the chairman of program—and it is just as likely that the State Board of Education will not even get a copy of it; so do use it to the best advantage.

The legislation sponsored by me is a bill in skeleton form in the House on "Child Labor" but I can't locate it by number.

Did you see that Mr. Shilling is having a conference with the Delaware City P. T. A. to find out "What mothers want their children taught?"

It looks like the worm is beginning to squirm—and may—with your help—turn.

Very truly,

MARIE T. LOCKWOOD

The following resolutions were adopted by the Women's Joint Legislative Committee on March 7, 1939. (21 to 7.)

—1—

RESOLVED: That the Women's Joint Legislative Committee appreciates the cultural influences that music and art offer to the children of the public schools, and in recognition of such benefits, recommend their continuance.

—2—

AND WHEREAS, There is well founded criticism regarding the fundamental preparation of pupils entering and leaving the High Schools of this State, and

WHEREAS, The citizens of Delaware are earnestly concerned in the maintenance of Content, as well as a System of Education;

THEREFORE, BE IT RESOLVED: That the Women's Joint Legislative Committee recommend that the State Board of Education make such changes and alterations in its teaching methods which will promote more thorough grounding in basic studies, with particular emphasis on Reading, Writing, Spelling, Grammar (English) and Arithmetic.

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

Appointing Directors on the part of the State for the Farmers Bank of the State of Delaware.

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

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered to the House for concurrence.

JOINT SESSION

The Sergeant-at-Arms announced the presence of the Speaker of the House and the Members of the House.

The Speaker and Members of the House were admitted and seated and entered into a Joint Session in pursuance with House Concurrent Resolution No. 10, entitled:

Relating to Joint Session for hearing relative to the proposed Welfare Department.

Mr. Heal moved that President Pro Tem David W. Steele act as President of the Joint Session.

Motion prevailed.

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

Motion prevailed.

Mr. Heal moved that a Committee be appointed to escort His Excellency the Governor to the Joint Session.

Motion prevailed.

The President named Senators Rinard and Poore and Representatives Benson and McGuigan, who proceeded to escort the Governor to the Joint Session.

Mr. Heal requested the privilege of the floor for the following speakers in reference to House Concurrent Resolution No. 10, entitled:

Relating to Joint Session for hearing relative to the proposed Welfare Department.

Mr. Burton P. Fowler
 Mr. George Ehinger
 Miss B. Ethelda Mullen
 Mr. George Grier
 Dr. R. F. Corley
 Dr. M. A. Tarumianz

His Excellency the Governor was escorted from the chambers by the committee of Senators and Representatives.

Mr. Heal moved that the Secretary of the Senate and the Chief Clerk of the House compare their Journals.

Motion prevailed.

The Secretary of the Senate announced that the Secretary of the Senate and the Chief Clerk of the House had compared their Journals and found that they agreed.

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

Motion prevailed.

Same Day, Later

Senate met in regular session.

Mr. Heal moved that the Senate recess until the call of the Chair.

Motion prevailed.

Same Day, Later

Senate met at the call of the Chair.

The President Pro Tem announced he is about to sign:

House Concurrent Resolution No. 12.

Mr. Steele, on behalf of the Committee on Miscellaneous, to whom had been referred, Senate Bill No. 157, entitled:

An Act providing for the mailing of Statements of County and other Taxes by the Receiver of Taxes of each County; Time of Mailing; Failure to Receive Tax Statement not to relieve Taxable from Payment of Taxes due.

Reported the same back to the Senate favorably.

DAVID W. STEELE
J. B. HENDRICKS
J. H. MOORE
BURTON S. HEAL
ALDEN P. SHORT

Mr. Steele, on behalf of the Committee on Miscellaneous, to whom had been referred, House Joint Resolution No. 4, entitled:

Requesting acceptance of Report of Delaware Tercentenary Commission.

Reported the same back to the Senate favorably.

DAVID W. STEELE
J. B. HENDRICKS
J. H. MOORE
BURTON S. HEAL
ALDEN P. SHORT

Mr. Steele, on behalf of the Committee on Miscellaneous, to whom had been referred, House Joint Resolution No. 3, entitled:

Authorizing the Commemoration of the Anniversary of the Swedes upon the Soil of Delaware.

Reported the same back to the Senate favorably.

DAVID W. STEELE
J. B. HENDRICKS
J. H. MOORE
BURTON S. HEAL
ALDEN P. SHORT

Mr. Steele, on behalf of the Committee on Miscellaneous, to whom had been referred, Senate Bill No. 261, entitled:

An Act adopting the "Blue Hen Chicken" as the Official Bird of the State of Delaware.

Reported the same back to the Senate favorably.

DAVID W. STEELE
J. B. HENDRICKS
J. H. MOORE
BURTON S. HEAL
ALDEN P. SHORT

Mr. Steele, on behalf of the Committee on Miscellaneous, to whom had been referred, Senate Bill No. 83, entitled:

An Act to authorize the County Engineer of New Castle County and the Clerk of the Peace of New Castle County to dispose of certain property and records placed in the possession of said officials by the Temporary Emergency Relief Committee for New Castle County.

Reported the same back to the Senate favorably.

DAVID W. STEELE
J. B. HENDRICKS
J. H. MOORE
BURTON S. HEAL
ALDEN P. SHORT

On motion of Mr. Heal, Senate Bill No. 81, entitled:

An Act to amend Chapter 115, Volume 41, Laws of Delaware, relating to the Levy Court of New Castle County and providing that the lien for Sewer Construction shall be fixed as to time and that a public record thereof shall be kept.

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

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

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

YEAS — Messrs. Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moore, Poore, Rinard, Short, Simmons, Mr. President Pro Tem—13.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Heal, Senate Bill No. 82, entitled:

An Act to amend Chapter 45 of the Revised Code of Delaware, 1935, relating to County Treasurers and Collection of Taxes and providing for the amount of the bond required by the Receiver of Taxes and County Treasurer of New Castle County.

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

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

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

YEAS — Messrs. Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moore, Poore, Rinard, Short, Simmons, Mr. President Pro Tem—13.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Heal, Senate Bill No. 84, entitled:

An Act to amend 1176, Section 30, Chapter 43, Revised Code of Delaware, 1935, relating to Authorizing the Levy Court of New Castle County to Borrow upon the Faith and Credit of New Castle County.

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

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

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

YEAS—Messrs. Brown, Clark, Hannam, Heal, Hendricks, Rinard, Short, Simmons, Mr. President Pro Tem—9.

NAYS—Messrs. Derrickson, Gooden, Moore, Poore—4.

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

Ordered to the House for concurrence.

On motion of Mr. Heal, Senate Bill No. 85, entitled:

An Act to amend Chapter 111, Volume 41, Laws of Delaware, relating to the Authority of the Levy Court of New Castle County appropriating Funds for Public Improvements and providing that the said Levy Court may continue such Appropriations from sources other than Road Taxes.

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

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

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

YEAS—Messrs. Brown, Clark, Hannam, Heal, Hendricks, Rinard, Short, Simmons, Mr. President Pro Tem—9.

NAYS—Messrs. Derrickson, Gooden, Moore, Poore—4.

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

Ordered to the House for concurrence.

Mr. Rinard, on behalf of the Committee on Judiciary, to whom had been referred, Senate Bill No. 138, entitled:

An Act to amend Chapter 121 of the Revised Code of Delaware, 1935, relative to Justices' Jurisdiction in Civil Cases for Debt; providing that Lien of a Levy made by virtue of execution shall not continue as against subsequent execution creditors for a longer period than six months.

Reported the same back to the Senate favorably.

PAUL R. RINARD
HAROLD W. T. PURNELL
GEORGE R. CLARK
BENJAMIN F. SIMMONS
W. J. POORE

Mr. Rinard, on behalf of the Committee on Judiciary, to whom had been referred, House Bill No. 316, entitled:

An Act to amend Chapter 147 of the Revised Code of Delaware, 1935, relating to Limitation of Appeals and Exceptions, by adding a new Section thereto, limiting Appeals of the Superior Court from the Register of Wills and the Orphans' Court.

Reported the same back to the Senate favorably.

PAUL R. RINARD
HAROLD W. T. PURNELL
GEORGE R. CLARK
BENJAMIN F. SIMMONS
W. J. POORE

Mr. Rinard, on behalf of the Committee on Judiciary, to whom had been referred, House Bill No. 87, entitled:

An Act to amend Chapter 169 of the Revised Code of Delaware, 1935, in reference to the right of an accused person to elect to be tried by the Court of Common Pleas of New Castle County; duty of the Justice of the Peace and the arresting officer to advise the accused of his right to so elect; effect upon jurisdiction.

Reported the same back to the Senate favorably.

PAUL R. RINARD
HAROLD W. T. PURNELL
GEORGE R. CLARK
BENJAMIN F. SIMMONS
W. J. POORE

Mr. Rinard, on behalf of the Committee on Judiciary, to whom had been referred, Senate Bill No. 139, entitled:

An Act to amend Chapter 133 of the Revised Code of Delaware, 1935, relative to Executions; providing that no Levy upon goods and chattels shall be a Lien for a longer period than six months.

Reported the same back to the Senate favorably.

PAUL R. RINARD
HAROLD W. T. PURNELL
GEORGE R. CLARK
BENJAMIN F. SIMMONS
W. J. POORE

Mr. Rinard, on behalf of the Committee on Judiciary, to whom had been referred, Senate Bill No. 146, entitled:

An Act to amend Chapter 133 of the Revised Code of Delaware, 1935, relative to Executors; providing that the Wages or Salaries of all employees of any Board, Bureau, Commission or Department of the State of Delaware, or any political subdivision thereof, shall be subject to Attachment Process; service of such process shall be made upon the State Treasurer.

Reported the same back to the Senate favorably.

PAUL R. RINARD
HAROLD W. T. PURNELL
GEORGE R. CLARK
BENJAMIN F. SIMMONS
W. J. POORE

Mr. Heal moved that the Senate adjourn until 11 o'clock A. M., March 15, 1939.

Motion prevailed.

FORTY-FIFTH LEGISLATIVE DAY

March 15, 1939, 11 o'clock A. M.

Senate met pursuant to adjournment.

Lieutenant-Governor Edward W. Cooch presiding.

Prayer by the Acting Chaplain, Rev. Howard Davis, Chapter 1, Delaware Infantry, World War.

Roll called.

Members Present—Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—17.

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

Motion prevailed.

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

House Bill No. 225, entitled:

An Act to amend An Act entitled "An Act to amend Chapter 6 of the Revised Code of the State of Delaware of 1935, relating to Occupational Licenses," being Chapter 14, Volume 41, Laws of Delaware, 1937, relating to Licenses for Resident and Non-Resident Contractors.

And presented the same to the Senate.

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

House Bill No. 375, entitled:

An Act to amend 3813 Section 15 of Chapter 98 of the Revised Code of Delaware, 1935, changing the amount of the Bond to be given by an Executor or Administrator.

And presented the same to the Senate.

Mr. Abrahams presented the following communication:

WILMINGTON PUBLIC SCHOOLS

CHARLES B. LORE SCHOOL

WILMINGTON, DELAWARE

March 14, 1939

The Hon. Edward Abrahams
Senate Chamber
Dover, Delaware

Dear Sir:

We go on record as favoring Senate Bill No. 38 and Senate Bill No. 165. We earnestly petition you to give your support to the passage of these bills which are in line with the best thought of the country, both in giving older teachers some sense of security and in giving to others a foundation on which to build.

Very truly yours,

[SIGNED]: Estella R. Steelman, G. A. DeCormier, Elizabeth D. Macadam, Janet McEvilly, Mildred B. Lawrence, Miriam Cameron, Burnice D. Letherbury, Melda M. Dorman, Charletta Wilkins, Mary A. Lynn, James K. Willon, M. Beatrice Grier, Eva Wright, Margaret R. Divine, Marion D. Harrison, R. Elva Vinsinger, Elsie V. Eisenhart, Caroline Teitsworth, Mary E. Doherty, Anne M. Henry, Orpah Wicker, Elizabeth W. Pritchett, Elva M. Dugan, Sara C. Bradley, Cerdwen Samuel, Henrietta C. Buerley, Elsie J. Morrow, Esther V. Lilley, Helen M. Heather, Mary E. O'Neill, Catharine C. Hunt, Christine B. Middleton, Mabel B. Pugh, Hester S. Anderson, Marie G. Ryan, Annie G. Tredd, Virginia Durnall, Mary C. Lynch, Anna E. Staats, Gladys L. Money, Harriet Van Bur-en, Marion Neubauer.

Like communications were also received from John Palmer Jr. School and Public School No. 9, both of Wilmington.

The Chair presented House Bill No. 375, entitled:

An Act to amend 3813 Section 15 of Chapter 98 of the Revised Code of Delaware, 1935, changing the amount of the Bond to be given by an Executor or Administrator.

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

The Chair presented House Bill No. 225, entitled:

An Act to amend An Act entitled "An Act to amend Chapter 6 of the Revised Code of the State of Delaware of 1935, relating to Occupational Licenses," being Chapter 14, Volume 41, Laws of Delaware, 1937, relating to Licenses for Resident and Non-Resident Contractors.

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

On motion of Mr. Purnell, Senate Bill No. 13, entitled:

An Act to amend Paragraph 6118, Section 48, of Chapter 175, Revised Code of Delaware, 1935, relative to Commissioners of the Town of Lewes accepting the provisions of the Delaware Workmen's Compensation Act of 1917.

Was taken up for consideration.

Mr. Purnell requested that action be deferred.

The request was granted.

On motion of Mr. Purnell, Senate Bill No. 155, entitled:

An Act to amend Chapter 82 of the Revised Code of the State of Delaware, 1935, as amended, relating to Weights and Measures, by specifying and defining Solid Fuels covered herein and the Legal Standard Ton of Solid Fuels and the sale of same by weight in this State, and providing for the furnishing of weight or delivery tickets, and the reweighing of same, and for the appointment of licensed weighmasters in connection therewith, and providing for the marking of all vehicles transporting Solid Fuels, and providing for the place of weighing Solid Fuels brought into the State by motor truck, and providing for the issuance and signing of certificates of origin for Solid Fuels brought into the State by motor truck, and providing for the appointment of Deputy Regulators of Weights and Measures for the several Counties and further providing for the enforcement and penalties for violations of this Act relating to the transportation, sale and delivery of Solid Fuels within this State.

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

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

Senator Abrahams presented the following communication:

THE PHILIPS-THOMPSON CO.
WILMINGTON, DELAWARE

March 10, 1939

Hon. Edward Abrahams, Jr.
State House
Dover, Delaware

Dear Sir:

I am writing you in respect to Senate Bill No. 155 which is as I understand it, an act that may or may not control the Bootlegger or Stolen Coal Dealer. I believe that such a law and I have read the copy of the law, is necessary if legitimate business concerns such as my Company are to continue, in business in the City of Wilmington. I know for a fact that many small Dealers all over the State of Delaware have been seriously affected by the unscrupulous competition they have been forced to meet, and about the only thing they have left to do in self defense is to have a restraining law passed and then enforced or go out of business. Mr. Abrahams, I believe you will be doing all the merchants of the State of Delaware a great service if you will use your efforts to secure the passing of Bill No. 155. Trust this Act will pass.

Respectfully,

THE PHILIPS THOMPSON COMPANY
CLAYTON M. LIDDELL, *Pres.*

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Purnell, Senate Bill No. 161, entitled:

An Act to amend An Act entitled, "An Act to amend Chapter 92 of the Revised Code of Delaware, 1935, in reference to the Time for Recording of Deeds," (being Chapter 190, Volume 41, Laws of Delaware), by Eliminating Certain Provisions Concerning Leases.

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

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Purnell, Senate Bill No. 160, entitled:

An Act to amend 1445, Section 105, Revised Code of Delaware, 1935, by providing the procedure to be followed in cases where the Purchaser of Real Estate sold at Tax Sale dies before receiving a Deed therefor.

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

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Purnell, Senate Bill No. 80, entitled:

An Act to amend Chapter 98 of the Revised Code of Delaware, 1935, relative to Settlement of Personal Estates by providing for hearing concerning absence and circumstances thereof of persons presumed to be dead; granting of Letters on Estate of such person to party interested; distribution of estate; revocation of Letters of Administration and vacation of decree upon proof that presumed decedent is alive; costs.

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

Upon request the privilege of the floor was given to Attorney Howard Bramhall who explained Senate Bill No. 80.

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

Mr. Heal moved that the Senate recess until 2 o'clock P. M.

Motion prevailed.

Same Day, 2 o'clock P. M.

Senate met at expiration of recess.

Mr. Rinard, on motion for leave, introduced Senate Substitute for Senate Bill No. 295 previously presented in skeleton form, entitled:

An Act to amend Chapter 150 of the Revised Code of Delaware, 1935, relating to Offenses against Private Property by making Receiving Stolen Goods a Misdemeanor in certain cases; providing penalties; providing for proceedings without Indictment by Grand Jury or trial by Petit Jury in certain cases; vesting jurisdiction in the Municipal Court of the City of Wilmington, the Courts of Common Pleas and the Justices of the Peace in certain cases; providing accused shall not be entitled to acquittal upon trial for Felony by proving offense Misdemeanor but that Jury may render Verdict of Misdemeanor, fixing value of goods; and providing no criminal proceeding commenced prior to the approval of this Act shall be affected hereby.

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

Mr. Rinard, on motion for leave, introduced Senate Substitute for Senate Bill No. 296 previously presented in skeleton form, entitled:

An Act to amend 5296, Section 1 of the Revised Code of the State of Delaware, 1935, relating to Accomplices by conferring upon the Court discretion in the matter of Punishment under said Act.

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

Mr. Heal moved that the Senate recess until the call of the Chair.

Motion prevailed.

Same Day, Later

Senate met at the call of the Chair.

Mr. Purnell requested that Senate Bill No. 3, entitled: "An Act to amend Chapter 116 of the 1935 Revised Code of the State of Delaware as amended relative to the Jurisdiction and Powers of the Juvenile Court of Kent and Sussex Counties," be recommit-
mitted.

The request was granted and Senate Bill No. 3 was recommit-
mitted to the Committee on Judiciary.

On motion for leave, Mr. Heal, introduced Senate Resolution No. 31, entitled:

SENATE RESOLUTION NO. 31

APPROPRIATING CERTAIN MONEY OUT OF THE STATE TREASURY FOR PART PAYMENT OF THE PRINTING EXPENSES CONNECTED WITH THE PRESENT SESSION.

BE IT RESOLVED by the Senate of the One Hundred and Seventh General Assembly, that the following amount be and it is hereby appropriated out of the General Fund of the State for part payment of printing expenses of the Present Session of the Senate, and the State Treasurer is hereby authorized and directed to pay to the claimant hereinafter named, on account, the amount set opposite the name of said claimant, namely:

Milford Chronicle Publishing Co.....\$7,500.00

Upon motion the resolution was taken up for consideration in order to pass the Senate.

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Sylvester, Mr. President Pro Tem—16.

NAYS—None.

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

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

Senate Substitute for Senate Bill No. 86, entitled:

An Act to amend Chapter 57 of the Revised Code of the State of Delaware (1935) entitled "Department of Elections for the City of Wilmington" by providing for the Establishment of a Department of Elections for New Castle County.

And returned the same to the Senate.

Mr. Heal, on behalf of the Committee on Passed Bills, reported as approved by the Governor, the following:

Senate Bill No. 12—Approved March 14, 1939.

On motion of Mr. Heal, House Joint Resolution No. 3, entitled:

Authorizing the Commemoration of the Anniversary of the Swedes upon the Soil of Delaware.

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

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Poore, Purnell, Rinard, Short, Sylvester, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Heal, House Joint Resolution No. 4, entitled:

Requesting acceptance of Report of Delaware Tercentenary Commission.

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

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Sylvester, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered returned to the House.

On motion of Mr. Heal, Senate Bill No. 83, entitled:

An Act to authorize the County Engineer of New Castle County and the Clerk of the Peace of New Castle County to dispose of certain property and records placed in the possession of said officials by the Temporary Emergency Relief Committee for New Castle County.

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

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Sylvester, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

On motion of Mr. Heal, Senate Bill No. 157, entitled:

An Act providing for the mailing of Statements of County and other Taxes by the Receiver of Taxes of each County; Time of Mailing; Failure to Receive Tax Statement not to relieve Taxable from Payment of Taxes due.

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

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Sylvester, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

Mr. Steele, on behalf of the Committee on Miscellaneous, to whom had been referred, House Substitute for House Bill No. 91, entitled:

An Act to regulate and control the construction of water and sewer systems, building and house drainage systems, gas lines and oil burning equipment and air conditioning; the registration of persons engaged in the work and supervision thereof in the several Counties of the State of Delaware outside the City of Wilmington.

Reported the same back to the Senate favorably.

DAVID W. STEELE
BURTON S. HEAL
ALDEN P. SHORT
J. B. HENDRICKS

Mr. Brown, on behalf of the Committee on Municipal Corporations, to whom had been referred, Senate Bill No. 54, entitled:

An Act to amend Chapter 212, Volume 25 of the Laws of Delaware, being entitled "An Act to incorporate the Town of Bethany Beach and give it authority to issue bonds by amending Sections 4 and 12 of the said Chapter.

Reported the same back to the Senate favorably with Senate Substitute for Senate Bill No. 54.

C. E. BROWN
BURTON S. HEAL
H. M. HANNAM
J. B. HENDRICKS

Mr. Brown, on behalf of the Committee on Municipal Corporations, to whom had been referred, Senate Bill No. 55, entitled:

An Act to authorize the Commissioners of the Town of Bethany Beach to borrow Thirty Thousand Dollars (\$30,000.00) to redeem outstanding bonds and to pay for certain improvements in the Town of Bethany Beach.

Reported the same back to the Senate favorably with Senate Substitute for Senate Bill No. 55.

C. E. BROWN
BURTON S. HEAL
H. M. HANNAM
J. B. HENDRICKS

On motion for leave, Mr. Sylvester introduced Senate Resolution No. 32, entitled:

SENATE RESOLUTION NO. 32

REQUESTING REPORT BY PRESIDENT PRO TEMPORE AS TO SENATE ATTACHES.

BE IT RESOLVED by the Senate that the President Pro Tempore of the Senate be and he is hereby instructed to ascertain whether there are any persons working as attaches for the Senate and receiving compensation therefor, who are not daily performing their assigned duties, and whether any such persons are receiving compensation therefor, and further, whether there are any persons performing the duties of an attache for the Senate who have not been duly appointed as an attache by a Resolution of the Senate and who have not taken the oath of office.

BE IT FURTHER RESOLVED that the President Pro Tempore shall make a report to this Senate as soon as possible after making the inquiry as above directed.

Upon motion the resolution was taken up for consideration in order to pass the Senate.

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

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

YEAS—Messrs. Derrickson, Gooden, Moody, Moore, Poore, Sylvester—6.

NAYS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Mr. President Pro Tem—10.

So the question was decided in the negative and the resolution not having received the required constitutional majority, was lost.

Mr. Steele, on behalf of the Committee on Miscellaneous, to whom had been referred, Senate Bill No. 213, entitled:

An Act to amend Chapter 45 of the Revised Code of Delaware, 1935, relative to County Treasurer and Collection of Taxes in Sussex County, providing that purchaser of property at Tax Sale in Sussex County shall receive a Title Free and Clear of all Liens and Encumbrances.

Reported the same back to the Senate favorably with Senate Substitue for Senate Bill No. 213.

DAVID W. STEELE
BURTON S. HEAL
ALDEN P. SHORT
J. B. HENDRICKS
J. H. MOORE

Mr. Brown, on behalf of the Committee on Elections, to whom had been referred, Senate Bill No. 109, entitled:

An Act to amend Article 1 of Chapter 60 of the Revised Code of Delaware, 1935, relative to General Elections, by providing for the Number of Official Ballots and Envelopes to be prepared and the distribution thereof.

Reported the same back to the Senate favorably.

C. E. BROWN
BURTON S. HEAL
BENJAMIN F. SIMMONS
H. M. HANNAM
G. LESLIE GOODEN

Mr. Heal moved that the Senate adjourn until 11 o'clock A. M., March 16, 1939.

Motion prevailed.

FORTY-SIXTH LEGISLATIVE DAY

March 16, 1939, 11 o'clock A. M.

Senate met pursuant to adjournment.

President Pro Tem David W. Steele presiding.

Prayer by the Chaplain, Rev. Frank A. Baker.

Roll called.

Members Present — Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—17.

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

Motion prevailed.

The President Pro Tem announced he is about to sign:

Senate Substitute for Senate Bill No. 86.

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

House Bill No. 232, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, relating to Estate Tax.

And presented the same to the Senate.

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

House Bill No. 233, entitled:

An Act providing Reciprocal Relations in respect to Death Taxes upon Estates of Non-Resident Decedents.

And presented the same to the Senate.

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

House Bill No. 407, entitled:

An Act to amend Chapter 128 of the Revised Code of Delaware, 1935, relating to pleading and practice in civil actions by requiring notice to be given to the defendant by the Prothonotary in cases where an affidavit of demand is used.

And presented the same to the Senate.

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

House Bill No. 278, entitled:

An Act making it unlawful to sell swine at a Public Bazaar within the State of Delaware unless same shall be certified to have been vaccinated for Hog Cholera at least ten days before said swine are offered for sale.

And presented the same to the Senate.

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

House Bill No. 149, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, entitled, "State Highway Department," by providing for the establishment of a Public Highway Drainage System; authorizing the State Highway Department to construct ditches and drains and to take over existing ditches and drains affecting Public Highways, and to maintain, regulate and control the same; and by providing for the punishment of persons wilfully or negligently injuring ditches and drains; and by providing the power of eminent domain.

And presented the same to the Senate.

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

House Bill No. 227, entitled:

An Act relative to the Valuation, Levy, Assessment and Collection of Tax upon Personal Property.

And presented the same to the Senate.

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

House Bill No. 230, entitled:

An Act to amend An Act entitled "An Act to amend Chapter 6 of the Revised Code of the State of Delaware of 1935, relating to Inheritance Tax" being Chapter 8, Volume 41, Laws of Delaware, 1937.

And presented the same to the Senate.

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

House Bill No. 231, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, as amended, relating to Inheritance Tax.

And presented the same to the Senate.

Mr. Abrahams presented the following communications:

WILMINGTON PUBLIC SCHOOLS

WILMINGTON, DELAWARE

PUBLIC SCHOOL NO. 9

March 13, 1939

The Hon. Edward Abrahams
Senate Chamber
Dover, Delaware

Dear Mr. Abrahams:

We go on record as favoring Senate Bill No. 38 and Senate Bill No. 165. We earnestly petition you to give your support to the passage of these bills which are in line with the best thought

of the country, both in giving older teachers some sense of security and in giving to others a foundation on which to build.

Very truly yours,

[SIGNED]: Edith F. Brown, Marguerite J. Taggart, Clementine D. Husbands, Grace H. S. Walsh, Edith G. Megonigal, Elizabeth Sellers, Kathryn K. Monigle, Marianna R. Fisher, Margaret E. Jameson, Reba M. Gallion.

WILMINGTON PUBLIC SCHOOLS

WILMINGTON, DELAWARE

JOHN PALMER, JR. SCHOOL

March 14, 1939

The Honorable Edward Abrahams
Senate Chamber
Dover, Delaware

Dear Sir:

We go on record as favoring Senate Bill No. 38 and Senate Bill No. 165. We earnestly petition you to give your support to the passage of these bills which are in line with the best thought of the country, both in giving older teachers some sense of security and in giving to others a foundation on which to build.

Very truly yours,

[SIGNED]: Martha C. Shaw, Edith M. Neeson, Frances W. Morgan, Dorothy H. Shuster, Marion E. Springer, Lola P. Sapp, Ethel M. Register, Hazel P. Toman, Helen C. Kelley.

The Chair presented House Bill No. 149, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, entitled, "State Highway Department," by providing for the establishment of a Public Highway Drainage System; authorizing the State Highway Department to construct ditches and drains and to take over existing ditches and drains affecting Public Highways, and to maintain, regulate and control the same; and by providing for the punishment of persons wilfully or negligently injuring ditches and drains; and by providing the power of eminent domain.

Mr. Heal moved that so much be considered the first reading of House Bill No. 149.

Motion prevailed.

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

Lieutenant-Governor Edward W. Cooch now presiding.

The Chair presented House Bill No. 227, entitled:

An Act relative to the Valuation, Levy, Assessment and Collection of Tax upon Personal Property.

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

The Chair presented House Bill No. 230, entitled:

An Act to amend An Act entitled "An Act to amend Chapter 6 of the Revised Code of the State of Delaware of 1935, relating to Inheritance Tax" being Chapter 8, Volume 41, Laws of Delaware, 1937.

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

The Chair presented House Bill No. 231, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, as amended, relating to Inheritance Tax.

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

The President announced he is about to sign:

House Joint Resolution No. 4.

House Joint Resolution No. 3.

The Chair presented House Bill No. 232, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, relating to Estate Tax.

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

The Chair presented House Bill No. 278, entitled:

An Act making it unlawful to sell swine at a Public Bazaar within the State of Delaware unless same shall be certified to have been vaccinated for Hog Cholera at least ten days before said swine are offered for sale.

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

The Chair presented House Bill No. 233, entitled:

An Act providing Reciprocal Relations in respect to Death Taxes upon Estates of Non-Resident Decedents.

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

The Chair presented House Bill No. 407, entitled:

An Act to amend Chapter 128 of the Revised Code of Delaware, 1935, relating to pleading and practice in civil actions by requiring notice to be given to the defendant by the Prothonotary in cases where an affidavit of demand is used.

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

Mr. Sylvester presented the following communications:

Harrington, Delaware
March 15, 1939

Mr. Earl Sylvester, Senator
Member of the Senate Committee on Education
Dover, Delaware

Dear Sir:

As chairman of the Legislative Committee of the Delaware State Education Association, I want to assure you of the ardent interest and concern of the teachers of the State of Delaware in the legislation pending before the House and Senate relating to the welfare of the schools of the State and of those who are actively carrying on. Consequently, may I solicit your sincere support to the Senate Bills Nos. 38 and 165 as well as House Bill No. 46 and the General School Appropriations Bill.

Thanking you for your interest, I am

Sincerely yours,

J. C. MESSNER, *Chairman*
D. S. E. A. Legislative Committee—1939

Also communications from Miss Edith E. Smith, Miss Oda Baker and Mrs. Mary L. Brown urging passage of Senate Bills Nos. 38 and 165. And a communication from the Kennard-Pyle Company of Wilmington, Del., protesting against House Bill No. 159.

Mr. Heal, on behalf of the Committee on Passed Bills, reported to the Senate that he had delivered to the Governor the following:

Senate Substitute for Senate Bill No. 86, entitled:

An Act to amend Chapter 57 of the Revised Code of the State of Delaware (1935) entitled "Department of Elections for the City of Wilmington" by providing for the Establishment of a Department of Elections for New Castle County.

Mr. Heal moved that the Senate recess until 2 o'clock P. M.

Motion prevailed.

Same Day, 2 o'clock P. M.

Senate met at expiration of recess.

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

House Substitute for House Bill No. 1, entitled:

An Act making appropriation for the expenses of the State Government for each of the two fiscal years ending June 30, 1940 and June 30, 1941.

And presented the same to the Senate.

The Chair presented House Substitute for House Bill No. 1, entitled:

An Act making appropriation for the expenses of the State Government for each of the two fiscal years ending June 30, 1940 and June 30, 1941.

Mr. Poore moved that so much be considered the first reading of House Substitute for House Bill No. 1 and that each Senator be furnished with a copy.

Motion prevailed.

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

Mr. Abrahams introduced former Senator Joseph Green, who spoke briefly on his pleasure of again being on the Senate floor.

Mr. Heal moved that the Senate recess until the call of the Chair.

Motion prevailed.

Same Day, 5:45 o'clock P. M.

Senate met at the call of the Chair.

Mr. Heal moved that the Senate adjourn until 11 o'clock A. M., March 17, 1939.

Motion prevailed.

FORTY-SEVENTH LEGISLATIVE DAY

March 17, 1939, 11 o'clock A. M.

Senate met pursuant to adjournment.

Lieutenant-Governor Edward W. Cooch presiding.

Prayer by the Chaplain, Rev. Frank A. Baker.

Roll called.

Members Present — Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—17.

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

Motion prevailed.

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

Senate Bill No. 95, entitled:

An Act to authorize a Highway Crossing at grade in Seaford Hundred, Sussex County, over the Cambridge Division of the Pennsylvania Railroad.

And returned the same to the Senate.

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

House Bill No. 129, entitled:

An Act relating to the State Board of Agriculture and relating to the Grading, Marketing and Selling of Dropped Apples packed in closed packages.

And presented the same to the Senate.

Mr. Moore presented communications from the following persons and organizations expressing disapproval of House Bill No. 91, viz:

Blyman and Springer
W. T. Strucker
Sky-Temp, Inc.
Charles Topkis
H. W. Sheward
Brandywine Oil Company
Diamond Burner Company

Mr. Steele presented communications from the following parties:

Brandywine Oil Company, Wilmington
H. W. Sheward, Wilmington
W. D. Bradford, Wilmington
Blyman and Springer, Elsmere
Charles Topkis, Wilmington
E. W. Eager, Wilmington
W. T. Stucker, Wilmington
John W. Morris, Wilmington
General Sales Company, Wilmington

The Chair presented a communication from School No. 13 in Wilmington, in reference to Senate Bill No. 38 and Senate Bill No. 165.

The Chair presented the following communication:

DAUGHTERS OF THE AMERICAN REVOLUTION

WILMINGTON, DELAWARE

March 15, 1939

Hon. Edward W. Cooch
President of the Senate
State House
Dover, Delaware

Dear Sir:

On February 22, 1939, the Delaware State Society of the Daughters of the American Revolution, in conference assembled, passed a resolution endorsing the "Blue Hen" as the bird to be designated as Delaware's State Bird.

It is our sincere wish that a bill naming the "Blue Hen" as Delaware's State Bird will be passed by the Legislature.

Respectfully,

(Mrs. J. E.) ANNIE W. J. FULLER

*Corresponding Secretary
Delaware State Society D. A. R.*

The Chair presented House Bill No. 129, entitled:

An Act relating to the State Board of Agriculture and relating to the Grading, Marketing and Selling of Dropped Apples packed in closed packages.

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

Mr. Heal moved that the Senate recess until the call of the Chair.

Motion prevailed.

Same Day, 12:15 o'clock P. M.

Senate met at the call of the Chair.

Mr. Hannam, on behalf of the Committee on Finance, to whom had been referred, House Substitute for House Bill No. 1, entitled:

An Act making appropriation for the expenses of the State Government for each of the two fiscal years ending June 30, 1940 and June 30, 1941.

Reported the same back to the Senate favorably.

H. M. HANNAM
J. H. MOORE
PAUL R. RINARD
BENJAMIN F. SIMMONS
HAROLD W. T. PURNELL

The President announced he is about to sign:

Senate Bill No. 95.

Mr. Heal moved that all rules be suspended and that such suspension permit action on House Substitute for House Bill No. 1, entitled:

An Act making appropriation for the expenses of the State Government for each of the two fiscal years ending June 30, 1940 and June 30, 1941.

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—16.

NAYS—None.

So the question was decided in the affirmative and the motion having received the required constitutional majority, was adopted.

On motion of Mr. Heal, House Substitute for House Bill No. 1, entitled:

An Act making appropriation for the expenses of the State Government for each of the two fiscal years ending June 30, 1940 and June 30, 1941.

Was taken up for consideration.

Mr. Heal moved that the reading of the title be considered the third reading of House Substitute for House Bill No. 1.

Motion prevailed.

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmon, Mr. President Pro Tem—11.

NAYS — Messrs. Derrickson, Gooden, Moody, Poore, Sylvester—5.

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

Ordered returned to the House.

Mr. Heal moved that the Senate recess until 2 o'clock P. M.

Motion prevailed.

Same Day, 2 o'clock P. M.

Senate met at expiration of recess.

On motion for leave, Mr. Heal introduced Senate Resolution No. 33, entitled:

SENATE RESOLUTION NO. 33

RELATIVE TO BIRTHDAY ANNIVERSARY OF HONORABLE FRANK MOODY.

BE IT RESOLVED, by the Senate of the State of Delaware of the One Hundred and Seventh General Assembly that this body extends to the Honorable Frank Moody felicitations and best wishes on this the occasion of his birthday anniversary.

Upon motion the resolution was taken up for consideration in order to pass the Senate.

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—17.

NAYS—None.

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

Mr. Rinard, on behalf of the Committee on Judiciary, to whom had been referred, Senate Substitute for Senate Bill No. 295, entitled:

An Act to amend Chapter 150 of the Revised Code of Delaware, 1935, relating to offenses against Private Property by making Receiving Stolen Goods a Misdemeanor in certain cases; providing penalties; providing for proceedings without Indictment by Grand Jury or Trial by Petit Jury in certain cases; vesting jurisdiction in the Municipal Court of the City of Wilmington, the Courts of Common Pleas and the Justices of the Peace in certain cases; providing accused shall not be entitled to acquittal upon trial for Felony by proving offense Misdemeanor but that Jury may render verdict of Misdemeanor, fixing value of goods; and providing no Criminal proceeding commenced prior to the approval of this Act shall be affected hereby.

Reported the same back to the Senate favorably.

PAUL R. RINARD
HAROLD W. T. PURNELL
GEORGE R. CLARK
BENJAMIN F. SIMMONS

Mr. Rinard, on behalf of the Committee on Banking and Insurance, to whom had been referred, Senate Bill No. 35, entitled:

An Act to amend Chapter 20, Revised Code of Delaware, 1935, as amended by Chapter 79, Volume 41, Laws of Delaware, 1937, relative to Insurance Department and providing additional requirements for Certificate of Authority.

Reported the same back to the Senate favorably.

PAUL R. RINARD
HAROLD W. T. PURNELL
GEORGE R. CLARK
J. B. HENDRICKS

Mr. Rinard, on behalf of the Committee on Judiciary, to whom had been referred, Senate Substitute for Senate Bill No. 296, entitled:

An Act to amend 5296, Section 1 of the Revised Code of the State of Delaware, 1935, relating to Accomplices by conferring upon the Court discretion in the matter of Punishment under said Act.

Reported the same back to the Senate favorably.

PAUL R. RINARD
HAROLD W. T. PURNELL
GEORGE R. CLARK
BENJAMIN F. SIMMONS

On motion for leave, Mr. Heal introduced Senate Resolution No. 34, entitled:

SENATE RESOLUTION NO. 34

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

That the State Librarian be and she is hereby directed to deliver to the Document Clerk postage stamps in an amount up to and including One Hundred Dollars (\$100.00).

Upon motion the resolution was taken up for consideration in order to pass the Senate.

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Purnell, Short, Simmons, Sylvester, Mr. President Pro Tem—15.

NAYS—None.

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

The President announced he is about to sign:

House Substitute for House Bill No. 1.

On motion of Mr. Steele, Senate Substitute for Senate Bill No. 213, entitled:

An Act to amend Chapter 45 of the Revised Code of Delaware, 1935, relative to County Treasurer and Collection of Taxes in Sussex County, providing that purchaser of property at Tax Sale in Sussex County shall receive a Title Free and Clear of all Liens and Encumbrances.

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

Upon request the privilege of the floor was given to Attorney Howard W. Bramhall.

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

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

YEAS — Messrs. Abrahams, Clark, Derrickson, Gooden, Hannam, Heal, Moore, Purnell, Short, Simmons, Sylvester, Mr. President Pro Tem—12.

NAYS—None.

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

Ordered to the House for concurrence.

Mr. Hannam, on behalf of the Committee on Finance, to whom had been referred, House Bill No. 57, entitled:

An Act to amend Chapter 71 of the Revised Code of Delaware, 1935, relating to Bonds for School Building programs for Free Public Schools by providing for the amount of Bonds, Text of Bonds, Maturity of Bonds.

Reported the same back to the Senate favorably.

H. M. HANNAM
PAUL R. RINARD
HAROLD W. T. PURNELL
BENJAMIN F. SIMMONS
J. H. MOORE

Mr. Hannam, on behalf of the Committee on Finance, to whom had been referred, House Bill No. 169, entitled:

An Act to amend Chapter 158 of the Revised Code of Delaware, 1935, entitled "Board of Budget Directors" relating to the allotment of appropriations and approval thereof.

Reported the same back to the Senate favorably.

H. M. HANNAM
PAUL R. RINARD
HAROLD W. T. PURNELL
BENJAMIN F. SIMMONS
J. H. MOORE

Mr. Hendricks, on behalf of the Committee on Revised Statutes, to whom had been referred, House Bill No. 65, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, in relation to State Revenue by providing for Occupational Licenses for Transient or Itinerant Photographers.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
PAUL R. RINARD
EDWARD ABRAHAMS, JR.
C. E. BROWN

Mr. Hendricks, on behalf of the Committee on Revised Statutes, to whom had been referred, Senate Bill No. 170, entitled:

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258 of the Laws of Delaware, 1937, by changing the method of determining the contribution rates of certain employers for each year after December 31, 1941.

Reported the same back to the Senate favorably.

J. B. HENDRICKS
PAUL R. RINARD
C. E. BROWN
EDWARD ABRAHAMS, JR.

Mr. Hannam, on motion for leave, introduced Senate Substitute for Senate Bill No. 220, entitled:

An Act directing the State Highway Department to take over and maintain and have jurisdiction over a Street known as "Grier Avenue" in the Unincorporated Town or Development of "Idella."

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

On motion for leave, Mr. Heal introduced Senate Resolution No. 35, entitled:

SENATE RESOLUTION NO. 35

IN REFERENCE TO SENATE OFFICERS.

BE IT RESOLVED by the Senate of the One Hundred Seventh General Assembly of the State of Delaware by annual session met:

That the following persons named be and they are hereby elected to serve during this session, in the respective offices, named in lieu of persons heretofore named:

Stenographer—Kathryn L. Montague—in lieu of Lillian Wallace.

Doorkeeper—Joseph Griffin—in lieu of Walter Carney.

Assistant Bill Clerk—Richard A. Patterson—in lieu of William B. Macklin.

Janitor—William A. Hovington—in lieu of Marshall Bell.

Telephone Messenger—James Prattis—in lieu of Matthew Powell.

Upon motion the resolution was taken up for consideration in order to pass the Senate.

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

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

YEAS — Messrs. Abrahams, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moore, Purnell, Short, Simmons, Sylvester, Mr. President Pro Tem—13.

NAYS—None.

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

The President proceeded to administer the following oaths:

STATE OF DELAWARE,

KENT COUNTY,

} ss.

Dover, Delaware

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

JAMES D. PRATTIS

Sworn to and subscribed before me this 17th day of March,
A. D. 1939.

EDWARD W. COOCH

President of the Senate

STATE OF DELAWARE,

KENT COUNTY,

} ss.

Dover, Delaware

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

WILLIAM A. HOVINGTON

Sworn to and subscribed before me this 17th day of March,
A. D. 1939.

EDWARD W. COOCH

President of the Senate

STATE OF DELAWARE,

KENT COUNTY,

} ss.

Dover, Delaware

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

KATHRYN L. MONTAGUE

Sworn to and subscribed before me this 17th day of March,
A. D. 1939.

EDWARD W. COOCH

President of the Senate

STATE OF DELAWARE,

KENT COUNTY,

} ss.

Dover, Delaware

I, Richard A. Patterson, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of Assistant Bill Clerk for the Senate in the General Assembly of the State of Delaware according to the best of my ability.

RICHARD A. PATTERSON

Sworn to and subscribed before me this 17th day of March,
A. D. 1939.

EDWARD W. COOCH

President of the Senate

STATE OF DELAWARE,

KENT COUNTY,

} ss.

Dover, Delaware

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

JOSEPH GRIFFIN

Sworn to and subscribed before me this 17th day of March,
A. D. 1939.

EDWARD W. COOCH

President of the Senate

Mr. Heal, on behalf of the Committee on Passed Bills, reported to the Senate that he had delivered to the Governor the following:

Senate Bill No. 95, entitled:

An Act to authorize a Highway Crossing at grade in Seaford Hundred, Sussex County, over the Cambridge Division of the Pennsylvania Railroad.

Mr. Purnell, on behalf of the Committee on Labor, to whom had been referred, Senate Bill No. 73, entitled:

An Act to amend An Act entitled "An Act to establish a System of Unemployment Compensation for the unemployed citizens of the State of Delaware, without liability on the part of the State of Delaware, to be administered by a Commission

and its newly created agencies, requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls, to provide moneys for the payments of compensation to certain unemployed persons, providing procedure and administrative details for the determination, payment and collection of such contributions, and the payment of such compensation providing for cooperation with the Federal Government and its Agencies, creating certain special funds in the custody of the State Treasurer and prescribing penalties for the violation of the provisions of this Act," said Act being Chapter 258 of Volume 41, Laws of Delaware, 1937.

Reported the same back to the Senate favorably.

HAROLD W. T. PURNELL
ALDEN P. SHORT
C. E. BROWN
H. M. HANNAM
EARL SYLVESTER

Mr. Purnell, on behalf of the Committee on Labor, to whom had been referred, Senate Bill No. 74, entitled:

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258 of the Laws of Delaware, 1937, by providing that in certain cases of disqualification for benefits the unemployment must be due directly to a stoppage of work because of a labor dispute.

Reported the same back to the Senate favorably.

HAROLD W. T. PURNELL
ALDEN P. SHORT
C. E. BROWN
H. M. HANNAM
EARL SYLVESTER

Mr. Purnell, on behalf of the Committee on Labor, to whom had been referred, Senate Bill No. 75, entitled:

An Act to relieve certain employers engaged in Interstate Commerce from liability to pay contributions with respect to wages payable for employment occurring after June 30, 1939, pursuant to the provisions of the Unemployment Compensation Law of this State, to exclude individuals employed by such employers from the system of Unemployment Compensation established by the Unemployment Compensation Law of this State with respect to unemployment occurring after June 30, 1939,

to provide for the transfer of certain funds from the Unemployment Trust Fund Account of this State in the Unemployment Trust Fund established and maintained pursuant to Section 904 of the Social Security Act of the Congress of the United States of America, as amended, to the Railroad Unemployment Insurance Account established and maintained pursuant to Section 10 of the Railroad Unemployment Insurance Act of the Congress of the United States of America in said Unemployment Trust Fund and for other purposes.

Reported the same back to the Senate favorably.

HAROLD W. T. PURNELL
ALDEN P. SHORT
C. E. BROWN
H. M. HANNAM
EARL SYLVESTER

Mr. Purnell, on behalf of the Committee on Labor, to whom had been referred, Senate Bill No. 76, entitled:

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258 of the Laws of Delaware, 1937, by changing the definition of "Base Period," changing the definition of "Benefit Year," exempting part-time officers of certain organizations, changing the definition of "Unemployment," defining "Wages" with reference to jobs, making subject to this Act any employing unit which is an employer under Title IX of the Federal Social Security Act, requiring contributions from certain Fraternal Benefit Societies, giving a new definition of "Weekly Benefit Amount," giving a new definition of the "Duration of Benefits," restating the conditions by which unemployed individual become eligible for benefits, reducing and making uniform the periods of disqualification for certain causes, providing that no individual may receive duplicate benefits under a State or Federal Unemployment Compensation Law, and by increasing the period within which refunds may be claimed.

Reported the same back to the Senate favorably.

HAROLD W. T. PURNELL
ALDEN P. SHORT
C. E. BROWN
H. M. HANNAM
EARL SYLVESTER

Mr. Purnell, on behalf of the Committee on Education, to whom had been referred, Senate Bill No. 251, entitled:

An Act requiring the State Board of Education to provide for Commercial Courses in the High School of Delaware City.

Reported the same back to the Senate favorably.

HAROLD W. T. PURNELL
PAUL R. RINARD
J. B. HENDRICKS
BURTON S. HEAL

Mr. Purnell, on behalf of the Committee on Education, to whom had been referred, Senate Bill No. 190, entitled:

An Act to provide for Commercial Courses in the Delaware City High School and to appropriate Funds therefor.

Reported the same back to the Senate favorably.

HAROLD W. T. PURNELL
PAUL R. RINARD
J. B. HENDRICKS
BURTON S. HEAL

Mr. Clark, on motion for leave, introduced Senate Substitute for Senate Bill No. 232, entitled:

An Act to amend Article 4 of Chapter 166 of the Revised Code of Delaware, 1935, relating to the Salaries of State Police.

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

Mr. Clark, on behalf of the Committee on Public Health, to whom had been referred, House Bill No. 204, entitled:

An Act to amend 2611, Section 113 of Chapter 70 of the Revised Code of Delaware, 1935, relating to commitments to the Commission for the Feeble-Minded from other Institutions, and stating the requirements therefor.

Reported the same back to the Senate favorably.

GEORGE R. CLARK
HAROLD W. T. PURNELL
EDWARD ABRAHAM, JR.
BENJAMIN F. SIMMONS
FRANK MOODY

Mr. Clark, on behalf of the Committee on Public Health, to whom had been referred, House Bill No. 143 with House Amendment No. 1, entitled:

An Act regulating the Sale and Possession of Barbital and other Hypnotic Drugs.

Reported the same back to the Senate favorably.

GEORGE R. CLARK
HAROLD W. T. PURNELL
EDWARD ABRAHAM, JR.
BENJAMIN F. SIMMONS
FRANK MOODY

Mr. Clark, on behalf of the Committee on Buildings and Highways, to whom had been referred, House Bill No. 60 with House Amendment No. 1, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, relating to the State Highway Department with reference to the installation and maintenance for suitable lighting in all rural and suburban communities.

Reported the same back to the Senate favorably.

GEORGE R. CLARK
HAROLD PURNELL
C. E. BROWN
BURTON S. HEAL

Mr. Clark, on behalf of the Committee on Buildings and Highways, to whom had been referred, House Bill No. 41, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, in reference to Motor Vehicles: number plates to be furnished by the Department; special number plates to be furnished by the Department; providing date of registration; renewal of registration; registration by manufacturers and dealers; registration by non-residents; suspension of registration upon notice of theft or embezzlement.

Reported the same back to the Senate favorably.

GEORGE R. CLARK
HAROLD W. T. PURNELL
FRANK MOODY
C. E. BROWN
BURTON S. HEAL

Mr. Heal moved that the Senate adjourn until 11 o'clock A. M., March 20, 1939.

Motion prevailed.

FORTY-EIGHTH LEGISLATIVE DAY

March 20, 1939, 11 o'clock A. M.

Senate met pursuant to adjournment.

President Pro Tem David W. Steele presiding.

Prayer by the Chaplain, Rev. Frank A. Baker.

Roll called.

Members Present — Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—16.

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

Motion prevailed.

The President Pro Tem presented communications from the following in reference to House Substitute for House Bill No. 91:

Howell Company, Wilmington, Delaware.

Chamber of Commerce, Wilmington, Delaware.

Delaware Highway Users Conference, Wilmington, Del.

C. F. Stanley, Wilmington, Delaware.

Mr. Rinard presented a communication from the Howell Company, of Wilmington, Delaware, in reference to House Substitute for House Bill No. 91.

Mr. Abrahams presented the following communications:

In reference to Senate Bill No. 38 and Senate Bill No. 165, from the following schools: Pierre S. du Pont High School, Wilmington, signed by sixty-one teachers; Wilmington High School, Wilmington, Delaware, signed by fifty-five teachers; Bayard School, Wilmington, Delaware, signed by 40 teachers; William P. Bancroft School, Wilmington, Delaware, signed by thirty-

seven teachers; Howard High School, Wilmington, Delaware, signed by thirty-five teachers; No. 5 School, Wilmington, Delaware, signed by nine teachers; S. G. Elbert School, Wilmington, Delaware, signed by nine teachers.

Mr. Moore presented communications from the following:

From the Seaford Special School District, Seaford, Delaware, signed by Thirty teachers, in reference to Senate Bill No. 38.

From R. J. McCormick, Wilmington, Delaware, in reference to House Bill No. 60.

From C. F. Stanley, Wilmington, Delaware, in reference to House Substitute for House Bill No. 91.

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

House Bill No. 298, entitled:

An Act to amend Chapter 164 of the Revised Code of Delaware, 1935, relating to the State Athletic Commission by providing additional conditions for the Bonds required to be given by licensees to the Commission and for the deposit and disbursement of moneys collected and realized by the Commission under the provisions of said Chapter.

And presented the same to the Senate.

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

House Bill No. 373, entitled:

An Act to amend Chapter 117 of the Revised Code of Delaware, 1935, as amended by Chapter 206 of the Laws of Delaware, 1937, relating to settlement of Personal Estate, by adding a new Section to be known as Section 35A of Chapter 117 Revised Code of Delaware, 1935, defining the term "Principal" in accounting and distribution of Trust Funds.

And presented the same to the Senate.

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

House Bill No. 150, entitled:

An Act naming and designating the Park created at "The Rocks" on the Christina River in the City of Wilmington as Fort Christina State Park" in order to mark perpetually the first Settlement of the Colony of New Sweden.

And presented the same to the Senate.

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

House Substitute for House Bill No. 39, entitled:

An Act authorizing and empowering any person, partnership, association or corporation, domestic and/or foreign, to make loans on oyster beds or grounds in the Delaware Bay and to hold a mortgage against or an assignment of said beds or grounds as security for said loans.

And presented the same to the Senate.

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

House Bill No. 38, entitled:

An Act to amend Chapter 176 of the Revised Code of the State of Delaware, 1935, in relation to alcoholic liquors, wines and beer by extending the time during which a holder of a license for the sale of "Spirits or Wines" in a store, may sell or deliver the same.

And presented the same to the Senate.

The Chair presented House Bill No. 38, entitled:

An Act to amend Chapter 176 of the Revised Code of the State of Delaware, 1935, in relation to alcoholic liquors, wines and beer by extending the time during which a holder of a license for the sale of "Spirits or Wines" in a store, may sell or deliver the same.

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

The Chair presented House Substitute for House Bill No. 150, entitled:

An Act authorizing and empowering any person, partnership, association or corporation, domestic and/or foreign, to make loans on oyster beds or grounds in the Delaware Bay and to hold a mortgage against or an assignment of said beds or grounds as security for said loans.

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

The Chair presented House Bill No. 150, entitled:

An Act naming and designating the Park created at "The Rocks" on the Christina River in the City of Wilmington as Fort Christina State Park" in order to mark perpetually the first Settlement of the Colony of New Sweden.

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

The Chair presented House Bill No. 298, entitled:

An Act to amend Chapter 164 of the Revised Code of Delaware, 1935, relating to the State Athletic Commission by providing additional conditions for the Bonds required to be given by licensees to the Commission and for the deposit and disbursement of moneys collected and realized by the Commission under the provisions of said Chapter.

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

The Chair presented House Bill No. 373, entitled:

An Act to amend Chapter 117 of the Revised Code of Delaware, 1935, as amended by Chapter 206 of the Laws of Delaware, 1937, relating to settlement of Personal Estate, by adding a new Section to be known as Section 35A of Chapter 117 Revised Code of Delaware, 1935, defining the term "Principal" in accounting and distribution of Trust Funds.

Mr. Heal moved that so much be considered the first reading of House Bill No. 373.

Motion prevailed.

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

Mr. Heal moved that the Senate recess until 1:30 o'clock P. M.

Motion prevailed.

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

Senate met at expiration of recess.

On motion for leave, Mr. Heal for Mr. Steele introduced Senate Concurrent Resolution No. 14, entitled:

SENATE CONCURRENT RESOLUTION NO. 14

IN RESPECT TO THE DEATH OF W. VERNON STEENE, A FORMER MEMBER OF THE SENATE OF THE GENERAL ASSEMBLY.

WHEREAS, the citizens of the State of Delaware have learned with deep regret of the death of the Honorable W. Vernon Steene, a former member of the Senate of the General Assembly of this State; and

WHEREAS, it is fitting that this General Assembly give public expression of the loss of its former member and offer its sympathy to the family of the late Honorable W. Vernon Steene in their bereavement.

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

That this General Assembly, for itself and on behalf of the citizens of the State of Delaware, does hereby express its sincere sympathy in their loss and sorrow and extends its sincere expressions of sympathy to his family in their bereavement, and directs that a copy of this Resolution be spread upon the Journals, a copy delivered to the Press, and a copy sent to the family of the deceased.

Was taken up for consideration and read in order to pass the Senate.

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—16.

NAYS—None.

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

Ordered to the House for concurrence.

Mr. Heal moved that the Senate recess until the call of the Chair.

Motion prevailed.

Same Day, Later

Senate met at the call of the Chair.

On motion for leave, Mr. Heal for Mr. Steele introduced Senate Resolution No. 36, entitled:

SENATE RESOLUTION NO. 36

IN RESPECT TO THE DEATH OF PAUL E. LONG.

WHEREAS, the Senate of the General Assembly learns with deep regret of the untimely death of Paul E. Long of Frankford, in whose death the State has lost one of its outstanding citizens.

NOW, THEREFORE, BE IT RESOLVED by the Senate of the General Assembly of the State of Delaware, in its behalf and in behalf of all the citizens of the State of Delaware that it does hereby express its deep regret of the death of Paul E. Long and directs that a copy of this Resolution be sent to his family, and a copy thereof be delivered to the Press.

Upon motion the resolution was taken up for consideration in order to pass the Senate.

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—15.

NAYS—None.

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

On motion of Mr. Heal, Senate Bill No. 109, entitled:

An Act to amend Article 1 of Chapter 60 of the Revised Code of Delaware, 1935, relative to General Elections, by providing for the Number of Official Ballots and Envelopes to be prepared and the distribution thereof.

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

Upon request the privilege of the floor was given to Attorney P. W. Green.

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered to the House for concurrence.

On motion for leave, Mr. Heal introduced Senate Resolution No. 37, entitled:

SENATE RESOLUTION NO. 37

AUTHORIZING PAYMENTS ON ACCOUNT TO MEMBERS OF SENATE AND ATTACHES AND EMPLOYEES OF THE SENATE.

BE IT RESOLVED by the Senate that the State Treasurer be and he is hereby authorized to pay to any member of the Senate and any attache or employee of the Senate, who has been duly appointed by Resolution of the Senate, upon the order of the President Pro Tem of the Senate, sums on account from time to time, not to exceed the total sum of Four Hundred and Fifty Dollars (\$450.00) to any person, any such sums so paid shall be charged against the salaries of the respective persons to whom paid, and shall be a part of the expenses of the Senate at this session.

Upon motion the resolution was taken up for consideration in order to pass the Senate.

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Moody, Moore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—14.

NAYS—None.

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

On motion for leave, Mr. Heal introduced Senate Concurrent Resolution No. 15, entitled:

SENATE CONCURRENT RESOLUTION NO. 15

MODIFYING AND CHANGING SENATE CONCURRENT RESOLUTION NO. 11 IN REFERENCE TO INTRODUCTION OF NEW BILLS.

BE IT RESOLVED by the Senate, the House of Representatives concurring therein, that Senate Concurrent Resolution No. 11 be and the same is modified and changed so as to permit the introduction and consideration of the following:

An Act making an Appropriation to the Delaware State Employment Bureau for Expenses of said Bureau.

Was taken up for consideration and read in order to pass the Senate.

Mr. Heal moved that all rules be suspended and that action proceed on Senate Concurrent Resolution No. 15.

Motion prevailed.

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

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

YEAS — Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—15.

NAYS—None.

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

Ordered to the House for concurrence.

On motion for leave, Mr. Heal introduced Senate Resolution No. 38, entitled

SENATE RESOLUTION NO. 38

WHEREAS, Chapter 49 of 41 Delaware Laws, page 135, authorized an appropriation "not exceeding" Ten Thousand Dollars (\$10,000.00) per year for the fiscal year ending June 30th, 1938, and a like sum of Ten Thousand Dollars (\$10,000.00) for the fiscal year ending June 30th, 1939; and

WHEREAS, the State Auditor's report for the fiscal year 1937-8, at page 199, shows that there was spent for the car inspection campaign the sum of Twenty-two Thousand Five Hundred Seventy Dollars and Forty-eight Cents (\$22,570.48); and

WHEREAS, it is currently reported that the sum spent for the present fiscal year for the car inspection campaign already exceeds the appropriated sum of Ten Thousand Dollars (\$10,000.00); and

WHEREAS, it is reported that the appropriation to the Motor Vehicle Department of Ninety-seven Thousand Six Hundred Dollars (\$97,600.00) for the current fiscal year is now about expended and there will not be sufficient funds to carry on the work of the Department for the balance of the current fiscal year.

NOW, THEREFORE, BE IT RESOLVED by the Senate, that the Motor Vehicle Commissioner, or in his absence the Deputy Motor Vehicle Commissioner, shall report in writing to this Senate by noon of Thursday, March 23rd, next, the exact sum of money expended by the Motor Vehicle Department for the car inspection campaign during the fiscal year ending June 30th, 1938, and if said sum exceeds the appropriated sum of Ten Thousand Dollars (\$10,000.00) from what source and under what circumstances any excess over the appropriated sum was obtained and what Department or persons gave approval thereto. Further, that the said report shall contain a statement of the amount expended during the present fiscal year for the car inspection campaign, and likewise if said sum exceeds the appropriated sum of Ten Thousand Dollars (\$10,000.00) from what fund said excess was obtained and the Department or persons who gave approval thereto. Further, that said report shall contain a statement of the amounts expended for the current fiscal year to date by the Motor Vehicle Department and what balance there is on hand of the appropriated sum of Ninety-seven Thousand Six Hundred Dollars (\$97,600.00) for the balance of the current fiscal year.

AND BE IT FURTHER RESOLVED, That the Motor Vehicle Commissioner, or in his absence the Deputy Motor Vehicle Commissioner, report to this Senate a list of all State owned cars, including the make and model thereof, and by what Department, Bureau or officers the cars are owned.

Upon motion the resolution was taken up for consideration in order to pass the Senate.

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Hannam, Heal, Hendricks, Purnell, Rinard, Short, Simmons, Mr. President Pro Tem—11.

NAYS—Messrs. Derrickson, Gooden, Moody, Moore—4.

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

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

Senate Concurrent Resolution No. 14, entitled:

In respect to the Death of W. Vernon Steene, a former member of the Senate of the General Assembly.

And returned the same to the Senate.

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

House Bill No. 385, entitled:

An Act requiring the Board of School Trustees of the Claymont Special School District to provide for commercial courses.

And presented the same to the Senate.

The Chair presented House Bill No. 385, entitled:

An Act requiring the Board of School Trustees of the Claymont Special School District to provide for commercial courses.

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

Mr. Heal moved that the Senate adjourn until 11 o'clock A. M., March 21, 1939.

Motion prevailed.

FORTY-NINTH LEGISLATIVE DAY

March 21, 1939, 11 o'clock A. M.

Senate met pursuant to adjournment.

President Pro Tem David W. Steele presiding.

Prayer by the Chaplain, Rev. Frank A. Baker.

Roll called.

Members Present — Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—17.

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

Motion prevailed.

Mr. Steele presented communications from the following, protesting against Senate Bill No. 152:

Stanton Epworth League of near Wilmington, Delaware.

Madley Epworth League of Wilmington, Delaware.

Mr. Steele presented communications from the following, protesting against House Bill No. 38:

Silverbrook W. C. T. U. of Wilmington, Delaware.

Foster W. C. T. U. of Wilmington, Delaware.

St. Paul's Methodist Episcopal Church of Wilmington, Delaware.

The Church School Board of St. Paul's Methodist Episcopal Church, Wilmington, Delaware.

McCabe Memorial W. C. T. U. of Wilmington, Delaware.

West Presbyterian Church of Wilmington, Delaware.

Mr. Abrahams presented communications from the following, favoring Senate Bill No. 38 and Senate Bill No. 165:

Teachers of No. 19 School, Wilmington, Delaware.

Teachers of No. 13 School, Wilmington, Delaware.

Teachers of No. 30 School, Wilmington, Delaware.

Teachers of Mary C. I. Williams School of Wilmington, Delaware.

Teachers of Warner School of Wilmington, Delaware.

The President Pro Tem announced he is about to sign:

Senate Concurrent Resolution No. 14.

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

Senate Concurrent Resolution No. 15, entitled:

Modifying and changing Senate Concurrent Resolution No. 11 in reference to introduction of new bills.

And returned the same to the Senate.

Mr. Purnell, on motion for leave, on request, introduced Senate Substitute for Senate Bill No. 257, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, relative to Levy Courts providing for the Relief and Care of the Indigent Sick of Sussex County.

Mr. Heal moved that so much be considered the first reading of Senate Substitute for Senate Bill No. 257.

Motion prevailed.

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

Mr. Hannam, on motion for leave, in accordance with Senate Concurrent Resolution No. 15, entitled, "Modifying and changing Senate Concurrent Resolution No. 11 in reference to introduction of new bills," introduced Senate Bill No. 304, entitled:

An Act making an appropriation to the Delaware State Employment Bureau for the Expenses of said Bureau.

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

Mr. Hannam moved that all rules be suspended and that Senate Bill No. 304, entitled:

An Act making an appropriation to the Delaware State Employment Bureau for the Expenses of said Bureau.

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

Motion prevailed.

Upon request the privilege of the floor was given to Attorney Percy W. Green.

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

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

YEAS—Messrs. Abrahams, Brown, Clark, Derrickson, Gooden, Hannam, Heal, Hendricks, Moody, Moore, Poore, Purnell, Rinard, Short, Simmons, Sylvester, Mr. President Pro Tem—17.

NAYS—None.

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

Ordered to the House for concurrence.

Mr. Rinard, on motion for leave, introduced Senate Substitute for Senate Bill No. 268, entitled:

An Act to amend Chapter 150 of the Revised Code of Delaware, 1935, relating to offenses against Private Property by making it a Felony to break and enter with intent to commit any Crime or Misdemeanor; and providing no Criminal Proceeding commenced prior to the approval of this Act shall be affected hereby.

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