

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred House Bill No. 169, entitled:

An Act to amend Chapter 53 of the Revised Code of Delaware 1935 entitled "Salaries of certain County Officers" in relation to the Salaries of certain County Officers of New Castle County.

Reported the same back to the Senate favorably.

ROBERT H. YERKES
G. P. EDMONDS
HARRY H. JONES
HARRY H. MULHOLLAND

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred House Bill No. 174, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware in relation to Salaries payable to the Members of the Levy Court of New Castle County.

Reported the same back to the Senate favorably.

ROBERT H. YERKES
G. P. EDMONDS
HARRY H. JONES
HARRY H. MULHOLLAND

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Substitute for House Bill No. 139, entitled:

An Act to amend Chapter 44, Revised Code of Delaware, 1935, as amended in Chapter 109, Volume 42, Laws of Delaware, by further defining the Powers and Duties of the Board of Assessment of Kent County in providing for a General Assessment every Four Years and giving the Board of Assessment additional powers to lower or raise the Annual Assessment under certain conditions and within certain limits.

Reported the same back to the Senate favorably.

G. P. EDMONDS
JAS. S. EVANS
J. CARL McGUIGAN
HARRY H. JONES
HARRY H. MULHOLLAND

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred House Substitute for House Bill No. 240, entitled:

An Act to permit Voting by persons not present at the Polling Places, under certain circumstances and conditions.

Reported the same back to the Senate favorably.

ROBERT H. YERKES
JOHN R. HITCHENS
W. DEANE JOHNSTON
GEORGE W. RHODES

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred House Bill No. 251, entitled:

An Act to amend Article 1 of Chapter 60, Revised Code of Delaware, 1935, relating to General Elections, by the repeal of 1824, Section 15, relating to Ballot Boxes and Tally Lists; Duty of the Department of Elections as to; Compensation of Inspector and of Trusty Persons for Delivery of Packages containing Ballots, Etc.,:—and by substituting in lieu thereof a new Section to be known as 1824, Section 15.

Reported the same back to the Senate favorably.

ROBERT H. YERKES
JOHN R. HITCHENS
W. DEANE JOHNSTON
GEORGE W. RHODES

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred House Bill No. 250, entitled:

An Act to amend Chapter 57, Revised Code of Delaware, 1935, relating to the Department of Elections for New Castle County, by the repeal of 1761. Sec. 17.

Reported the same back to the Senate favorably.

ROBERT H. YERKES
JOHN R. HITCHENS
W. DEANE JOHNSTON
GEORGE W. RHODES

The Sergeant-at-Arms announced the Speaker and Members of the House and House Members of Boys' State, who were admitted.

JOINT SESSION

Mr. Yerkes moved that the Senate and House meet in Joint Session.

Motion prevailed.

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

Motion prevailed.

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

Motion prevailed.

Mr. Yerkes moved that the Chair appoint a Committee of two members of the Senate and two members of the House of Representatives, and two members of Boys' State from the Senate and two members of Boys' State from the House of Representatives, to act as an escort to the Governor of the State of Delaware and the Governor of Boys' State.

Motion prevailed.

The Chair appointed the following Committee:

General Assembly—Messrs. Rhodes, McDowell, Lemon and F. A. Lawson.

Boys' State—Messrs. McGovern, Metz, Bunting, Quigley.

The Sergeant-at-Arms announced the Governor of the State of Delaware, Hon. Walter W. Bacon, and the Governor of Boys' State, Raymond Rust, with the escort, who were admitted.

The Joint Session was addressed by the Governor of the State, and the Governor of Boys' State.

Address by President of Senate

ISAAC J. MACCOLLUM

Today the General Assembly of Delaware has representatives of the high schools of our State, who have come here under the sponsorship of the American Legion of Delaware to observe the General Assembly in the making of laws of the State.

Heretofore "Boys' State" has been conducted by the boys themselves with the assistance of members of the Senate, House of Representatives, and American Legion. Because of the War Emergency which now confronts our Country, with the rationing of gas, rubber, etc., it was found impossible to do the same this year.

For the benefit of these boys of the Senate, I shall give a brief outline on the enactment of legislation in our State so that they may be better able to follow the legislative procedure in the Senate.

There are the two branches of the General Assembly of Delaware, the House of Representatives and the Senate, and as you will observe the Majority (Republican) sit to one side of the aisle and the Minority (Democrat) sit to the other side of the aisle. Each group has a floor leader, on the Republican side Senator Yerkes, on the Democratic side Senator McGuigan. The Senate elects a President Pro Tem who presides over the Senate in the absence of the President. The Lieutenant-Governor is, by virtue of his office, President of the Senate. There are many attaches of the Senate. The Attorney, Secretary, Bill Clerks, Sergeants-at-Arms, Messengers, etc.

The House is organized in the same manner except the presiding officer is elected by the House, and is known as the Speaker of the House.

So much for the organization of the General Assembly. Now regarding the different types of legislation and parliamentary procedure.

A Senator must secure recognition from the presiding officer before being allowed to proceed. After being recognized by the Chair he may rise for any one of many things. He may wish to make a motion—a motion after being made is then stated by the presiding officer and put on a viva voice vote.

A Senator may want to introduce a Senate Resolution, which resolution concerns only the affairs of the Senate. A resolution of this kind is read by the Reading Clerk and is usually either adopted or rejected by a viva voice vote, or it may be that the

Senator may wish to introduce a Concurrent Resolution which may be either adopted or rejected by the Senate in the same manner as a simple resolution. If adopted it is then ordered by the presiding officer to the House for its concurrence.

A Senator may wish to introduce a Bill or a Joint Resolution, in which case either is given a first and second reading on the day that it is introduced. The second reading may be by title only. After a Bill or Joint Resolution has had its first and second reading it is then referred to an appropriate committee. This committee, after carefully studying the contents and title of the Bill may, at any time, report it out of committee. This committee does not always report it out favorably, it may report it unfavorable, or it may report it out on its merits, or the committee may introduce one or more amendments or may rewrite a new or Substitute Bill. No Bill (or Joint Resolution) can be acted on the same day that it is introduced or on the same day it is reported out of committee, but may be presented by the presiding officer or called up by any member of the Senate, but not in the absence of the Senator who introduced the Bill, except by his written consent, any time thereafter.

The Senator who introduced the Bill is usually the one who calls the bill up for its third and final reading and to have it placed on passage. The Clerk is then ordered to give the Bill (or Joint Resolution) its third and final reading. After being read the third time the Chair making the announcement, the Bill is then placed on passage. At this time the Bill is open to debate on which any member of the Senate may take part, but no Senator is allowed to debate a Bill more than twice on the same day. The Senator, who introduced the Bill, having the privilege of closing the debate.

A roll call is then ordered by the Chair and the Secretary records the yea and nay votes.

If the Bill has received a constitutional majority and by a constitutional majority is meant that the Constitution of Delaware states that certain Bills require only a majority vote where in others require a $\frac{2}{3}$ vote of all the members of the Senate, and still others require a $\frac{3}{4}$ vote of all the members elected to the Senate, it is then ordered by the presiding officer to be sent to the House for concurrence.

The Bill or Joint Resolution then takes the same course in the House of Representatives.

If it is acted on favorably by the House it is then returned to the Senate. It is then delivered to the Bill Clerk who has it prepared for the signature of the officers of the Senate and House, and after securing their signatures it is then delivered to the

committee on passed bills who deliver it to the Governor for his approval, in which case he signs the Bill and delivers it to the Secretary of State. It then becomes the law of the State. The Governor may not approve the Bill, but return it without his signature. In this case by a 2/3 vote of all the Senators and Representatives a Bill may be passed over the Governor's veto. If this is done the Bill becomes a law without the Governor's signature.

There is much more that I might have said regarding legislative proceedings, for instance the adoption of the rules, the action on amendments and substitute bills, the appointment of committees, a Joint Session, an Executive Session, etc., but time does not permit more than a mere outline which I have tried to give to you in as compact and concise a form as possible.

I did forget to say that the President of the Senate has no vote except in the case of a tie. I have not voted as yet in this session of the Senate.

Address by Governor of Boys' State

RAYMOND RUST

Mr. Governor, President of the Senate, Mr. Speaker of the House, members of the General Assembly, members of the American Legion, distinguished guests, and fellow students, I feel that it is a great privilege and honor to speak to you at this assembly today. I am confident that all of you young men who are representing your schools here today appreciate the opportunity to watch and to have explained to you the way a Democracy functions. We, the present generation, should appreciate these privileges and opportunities given us and we should accept them with gratitude and thanks, especially when we have them during such times as we are now experiencing. We should do our utmost to be of assistance to our nation in any way possible, for it depends on us whether or not we shall be able to keep and to continue this democratic way of government, of the people, by the people, and for the people.

Today we are fighting—offering our lives for the right of our representative government. We are represented in legislative bodies such as this one of the State of Delaware, which is typical of the government of the United States. We, who have the rare privilege to sit with the legislators of the State of Delaware, are learning today in a direct and practical way from these honorable gentlemen, to keep alive the principles of a representative, democratic form of government, which may continue to bring in the years to come the blessings of the American way of life, liberty, and pursuit of happiness.

The democratic principles of the government of the United States are entirely different from the principles used in many countries. We are all represented in the government and each of us has a part to play in the functioning of this government. People have the chance to work with fellowmen and it is up to the individual as to the type of character he wishes to develop for himself. A person may achieve a free education, the satisfaction of working with groups of people, the pleasure of engaging in private business, the right to own property, and many other things that he could not earn if he were not working under a democratic system. We have developed a high standard of living in a democratic way, and by this means we have acquired and are using such things as telephones, the telegraph, automobiles, radios, airplanes, and super highways, which peoples in many countries consider luxuries. We have these conveniences and use them as a matter of course in our daily lives. Our lives have been made easy by our technical development, which has been made possible by our representative government. China is fighting for this way of life; we are fighting to preserve it. The Axis powers are fighting for a way of life that cannot and will not give them representative government through which the people can create an economic system so that they, too, can enjoy the advantages of their skill and labor.

Our type of government provides for the welfare of all who are willing to put forth an effort. The young men and women who are now in high schools all over the country should be thankful for the opportunity to be able to acquire an excellent education at a minimum cost. They should think of the chances of advancement that they can earn if they will use this education to the best advantage. The many schools in the State of Delaware are typical of those found all over the United States. They are run in a democratic way, and the schools in themselves are a sort of government.

The teachers, superintendents, and principals act as a guide for the students. We are grateful for the fact that we have fine teachers who are on their jobs at all times, which cannot be said of many industrial employees. These teachers cooperate with the students and help them in every way possible. The school authorities do an excellent job of operating the schools in the State of Delaware. It is through the cooperation of the teachers that teach us and the legislators who enact legislation which provides us with these teachers, free books for the students, and public buildings for educational purposes, that we have the opportunity to learn how to live in a democratic way.

The pupils of these schools have self-governments that are run in a democratic form. The various organizations of the schools, such as the Student Council, the Athletic Council, the Red Cross Council, and the home rooms, elect their presidents,

vice-presidents, secretaries, treasurers, and representatives to the several councils by voting, in much the same manner as the officials of the United States and of the State of Delaware are elected. By going to schools that are operated in this way we are practicing the principles of democracy. A student, who some day may be a representative in a legislature such as this one here today, learns to take on some of the responsibilities that will be placed on him when he enters his occupation or profession after graduation. He is taught to become a good citizen of the State of Delaware and of the United States.

In this Democracy a person is allowed the right of free speech. An American may express his opinion on any subject he chooses. Everybody has a right to his own way of thinking. If a man's superior in any organization expresses his thoughts and the man doesn't think the same way on the same subject, he can express his thoughts the way he wishes. This freedom, which we have in our everyday lives, is altogether different from the methods used in the Axis countries where the people have very little to say about the way things are run, if they have any say at all.

In the Axis countries when someone commits a crime, or is charged with committing a crime that he may not have had any part in, he is punished without any trial. In these United States of America a person is allowed a fair trial by jury for any criminal offense of which he is accused. He is permitted to produce witnesses for his side of the case, and the verdict as to whether or not a person is guilty or innocent is based on the facts that were presented by both sides during the trial. This is one of our freedoms which shows us how a Democracy functions, and how a person who is innocent of a crime may prove his innocence, and a person who is guilty is proven guilty by a fair trial and punished accordingly.

Also, we have the rights to peaceably assemble and petition the government for redress of grievances, to worship as we like, and to have freedom of the press.

Considering the facts which I have mentioned, I am sure that all of us who have the rare privilege of meeting here with the State Legislature will do our best to help keep us a United Nation with a democratic form of government, in which the people are represented and have the right to give their opinions on all matters. We, the members of Boys' State, wish to commend the Department of Delaware of the American Legion for its far-sighted policy of training young men in our schools in such a practical way as is demonstrated here today. May the worth-whileness of the Boys' State project increase as the years roll by.

I thank you.

Mr. McGuigan requested the privilege of the floor for Mr. Burns, Chef De Guerre of the Forty and Eight, National Organization.

Request granted.

Mr. McGuigan requested the privilege of the floor for Mr. Floyd Jackson, Vice-Commander of the American Legion, Department of Delaware.

Request granted.

Mr. Yerkes suggested one minute of silent prayer for the boys who gave their lives in World War I and World War II.

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

Motion prevailed.

The Secretary of the Senate announced that the Secretaries of the Joint Session have compared their Journals and found them to agree.

Mr. Yerkes moved that the Governor of the State and the Governor of Boys' State be escorted to their chambers.

Motion prevailed.

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

Motion prevailed.

Same Day, Later

The Senate met in regular session following the Joint Session.

The Chair presented House Substitute for Senate Substitute for Senate Bill No. 93, entitled:

An Act to amend Chapter 29 of the Revised Code of Delaware, 1935, in relation to the State Board of Examiners of Graduate Nurses.

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

Mr. Bunting moved that rules be suspended and House Substitute for House Bill No. 181 be placed on final action.

Motion prevailed.

On motion of Mr. Bunting, House Substitute for House Bill No. 181, entitled:

An Act to amend Chapter 41 of the Revised Code of Delaware, 1935, as amended, entitled State Board of Charities, by changing the name of the State Board of Charities to the State Board of Welfare.

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. Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, 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 returned to the House.

On motion for leave, Mr. Pollari, a member of Boys' State, introduced Senate Resolution No. 50, as follows:

SENATE RESOLUTION NO. 50

WHEREAS the members of the Senate of the Boys' State of the State of Delaware have greatly enjoyed their day in Dover with the Members of the General Assembly provided for them through the auspices of the American Legion; and

WHEREAS the members have been greatly interested in the insight they have gained in the Legislative process of the State

NOW, THEREFORE, BE IT RESOLVED by the Senate of the Boys' State that the members of said Senate unanimously join in thanking the General Assembly and the American Legion for the interesting and instructive day which they have had and desire to express their sincere appreciation for the opportunity thus afforded them.

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

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

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

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

Motion prevailed.

Same Day, 4:50 o'clock P. M.

Senate met at expiration of recess.

The Chair presented the following petition:

To the President of the Senate:

We, the undersigned, in accordance with Rule 33 of the Senate Rules, do hereby request that Senate Bill No. 191, be reported to the Senate for a decision as to its further disposal.

ROBERT H. YERKES
W. DEANE JOHNSTON
FRANK ATTIX
GEO. W. MULLIN
GEORGE W. RHODES
WM. B. HUSTON
J. CARL McGUIGAN
G. P. EDMONDS
J. S. EVANS
P. B. MESSICK
WILLIAM H. AYRES
H. B. McDOWELL, JR.
CHAS. LEE SIPPLE
JOHN R. HITCHENS
CLAYTON A. BUNTING
HARRY H. MULHOLLAND
HARRY H. JONES

Mr. Johnston moved that rules be suspended and that Senate Substitute for Senate Bill No. 191 be given its third and final reading, and placed on passage.

Motion prevailed.

The Chair presented Senate Substitute for Senate Bill No. 191, entitled:

An Act requiring the Board of Game and Fish Commissioners of the State of Delaware to pay a Bounty for Skunks and Groundhogs.

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. Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, 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.

On motion for leave, Mr. Jones introduced Senate Resolution No. 51, entitled:

SENATE RESOLUTION NO. 51

Commending the American Legion of Delaware for interest in promoting Boys' State Activities.

BE IT RESOLVED by the Senate of the 109th General Assembly of the State of Delaware:

That the Senate of the 109th General Assembly of the State of Delaware does hereby commend the American Legion of the State of Delaware for its interest in promoting the Boys' State

for the boys of the State of Delaware, and does congratulate said American Legion of the State of Delaware upon its successful program in behalf of the boys of the State of Delaware over a period of several years in promoting interest in civic matters in the youth and particularly in the boys of the State.

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

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

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

Mr. Bunting moved that the Senate adjourn until 12 o'clock noon, March 22, 1943.

Motion prevailed.

✽FIFTY-SECOND LEGISLATIVE DAY✽

Dover, Delaware, March 22, 1943, 12 o'clock noon

Senate met pursuant to adjournment.

Lieutenant-Governor Isaac J. MacCollum presiding.

Prayer by the Chaplain.

Roll called.

Members Present—Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—17.

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

Motion prevailed.

The Chair presented a number of communications, endorsing the Family Court Bill and a letter from the American Legion, Department of Delaware, thanking the Senate for their interest in Boys' State.

Mr. Jones, on behalf of the Committee on Agriculture, to whom had been referred House Bill No. 41 with House Amendment No. 1, entitled:

An Act appropriating money to the State Board of Agriculture to be used for Anti-Hog Serum.

Reported the same back to the Senate favorably.

HARRY H. JONES
CLAYTON A. BUNTING
G. P. EDMONDS
WILLIAM H. AYRES
GEORGE W. MULLIN

Mr. Edmonds, on behalf of the Committee on Municipal Corporations, to whom had been referred House Substitute for House Bill No. 247, entitled:

An Act to amend An Act entitled "An Act to amend Chapter 169 of the Revised Code of the State of Delaware 1935 in relation to Court of Common Pleas for New Castle County" being Chapter 267, Volume 43, Laws of Delaware, 1941, relating to the Salary of the Clerk of Court of Common Pleas for New Castle County.

Reported the same back to the Senate favorably.

G. P. EDMONDS
J. S. EVANS
HARRY H. JONES
JOHN R. HITCHENS
WILLIAM H. AYRES

Mr. Yerkes, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred House Bill No. 189, entitled:

An Act to amend Chapter 74, Revised Code of Delaware, 1935, relating to Fish, Oysters and Game changing the Closed Season for the Catching of Fish.

Reported the same back to the Senate favorably.

ROBERT H. YERKES
GEORGE W. MULLIN
W. DEANE JOHNSTON
J. S. EVANS
P. B. MESSICK

Mr. Yerkes, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred House Substitute for House Bill No. 201, entitled:

An Act regulating the Trapping and Taking of Muskrats and other Fur Bearing Animals in and adjacent to Broadkilk Creek from the Town of Milton to the Delaware Bay.

Reported the same back to the Senate favorably.

ROBERT H. YERKES
GEORGE W. MULLIN
W. DEANE JOHNSTON
J. S. EVANS
P. B. MESSICK

Mr. Yerkes, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred House Bill No. 190, entitled:

An Act to amend Chapter 74, Revised Code of Delaware, 1935, relating to Fish, Oysters and Game changing the Closed Season for the Catching of Fish.

Reported the same back to the Senate favorably.

ROBERT H. YERKES
GEORGE W. MULLIN
W. DEANE JOHNSTON
J. S. EVANS
P. B. MESSICK

Mr. Yerkes, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred Senate Substitute for Senate Bill No. 125, entitled:

An Act appropriating certain monies to the Board of Fish and Game Commissioners for the purpose of purchasing a Patrol Boat.

Reported the same back to the Senate favorably.

ROBERT H. YERKES
GEORGE W. MULLIN
W. DEANE JOHNSTON
J. S. EVANS
P. B. MESSICK

Mr. Yerkes, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred Senate Substitute for Senate Bill No. 64, entitled:

An Act for the Conservation and Protection of Lobsters.

Reported the same back to the Senate favorably.

ROBERT H. YERKES
GEORGE W. MULLIN
W. DEANE JOHNSTON
J. S. EVANS
P. B. MESSICK

Mr. Bunting, on behalf of the Committee on Miscellaneous, to whom had been referred House Substitute for House Bill No. 299, entitled:

An Act to amend Chapter 43 Revised Code of Delaware 1935, and Chapter 93 Revised Code of Delaware 1935, as amended by Chapter 120, Vol. 43, Laws of Delaware, in relation to Deputies to and Clerical Assistance for County Officers in Kent County; authorizing the Levy Court of Kent County to employ said Deputies and Clerical Assistants, fix their Compensation, and pay the necessary travel expenses of said County Officers, Deputies and Clerical Assistants while in the conduct of County Business.

Reported the same back to the Senate favorably.

CLAYTON A. BUNTING
HARRY H. JONES
GEORGE W. MULLIN
GEORGE W. RHODES
WILLIAM H. AYRES

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

An Act to amend Chapter 29 of the Revised Code of Delaware, 1935, in relation to the State Board of Examiners of Graduate Nurses.

Reported the same back to the Senate favorably.

GEORGE W. RHODES
W. DEANE JOHNSTON
ROBERT H. YERKES
JOHN R. HITCHENS

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred House Bill No. 42 with House Amendment No. 1, entitled:

An Act to amend 5689 Section 151 of Chapter 165 of the Revised Code of Delaware, 1935, as amended by Chapter 259, Volume 43, Laws of Delaware, relating to Traction Engines and Tractors.

Reported the same back to the Senate favorably.

ROBERT H. YERKES
G. P. EDMONDS
HARRY H. JONES
HARRY H. MULHOLLAND

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred House Bill No. 227, entitled:

An Act to amend Chapter 25 of the Revised Code of Delaware, 1935, in reference to the Department of Health.

Reported the same back to the Senate favorably.

ROBERT H. YERKES
G. P. EDMONDS
HARRY H. JONES
HARRY H. MULHOLLAND

On motion for leave, Mr. Mulholland introduced Senate Resolution No. 52, entitled:

SENATE RESOLUTION NO. 52

Appropriating Money to the Diamond State Telephone Company to cover certain Expenses of the 109th General Assembly.

BE IT RESOLVED by the Senate of the 109th General Assembly that the following amount be and the same hereby is appropriated out of any money in the State Treasury, not otherwise appropriated, on account of expenses connected with the present session, viz:

Diamond State Telephone Co.	\$ 32.15
Diamond State Telephone Co.	143.10
	<hr/>
	\$175.25

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

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

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

The Chair presented the Report of the Industrial Accident Board, as follows:

REPORT OF THE
INDUSTRIAL ACCIDENT BOARD
OF THE
STATE OF DELAWARE

FOR THE YEARS OF 1941 AND 1942

To the Honorable Members of the
General Assembly of the State of Delaware
State House

Dover, Delaware

Pursuant to the provisions of 3193 w, Section 116 of "The Delaware Workmen's Compensation Law of 1917," as amended, Article 5, Chapter 90, Revised Code of Delaware, the Industrial Accident Board submits its biennial report for the years of 1941 and 1942.

During the year 1941 there were filed with the Industrial Accident Board twenty-three thousand seven hundred and fifty-nine (23,759) cases of industrial accidents as compared with seventeen thousand six hundred and forty-two (17,642) for the year 1940.

The following tabulation gives the various classification of accidents:

	Arm	Hand	Fingers	Eyes	Legs	Foot	Toe	Back
1941 . .	1,683	3,000	8,248	4,119	1,468	1,253	458	663
1942 . .	1,914	3,456	10,806	4,735	1,667	1,474	623	782

	Head	Hernia	Third Party	Miscellaneous	Fatal	Skin Infec.	Ear	Total
1941 . .	460	140	3	2,150	10	84	20	23,759
1942 . .	551	129	3	2,543	17	126	71	28,897

During the year 1942 there were filed with the Industrial Accident Board twenty-eight thousand eight hundred and ninety-seven (28,897) cases of industrial accidents as compared with twenty-three thousand seven hundred and fifty-nine (23,759) for the year 1941.

Listed below is the number of hearings held by the Industrial Accident Board during the years 1941 and 1942 as well as amount of compensation paid, approximate amount of medical services rendered and approximate total payments.

	Hearings	Compensation Paid	Approximate Medical Services	Approximate Total Payments
1941 . .	53	\$156,649.59	\$78,324.80	\$234,974.39
1942 . .	56	192,238.23	96,619.12	288,857.35

The Industrial Accident Board is glad to report increased revenue to the State and lower costs of operations, although accidents since 1939 have increased and in 1942 were approximately 120% above 1939.

Revenue

	1939	1940	1941	1942
From Self- Insurers . .	\$ 5,524.39	\$ 6,097.37	\$ 8,608.35	\$10,887.91
From Insur- ance Cos. . .	16,241.98	16,231.95	26,388.83	34,813.72

Costs of Operations of Industrial Accident Board

1939-1940	1940-1941	1941-1942	1942-1943
\$17,875.39	\$18,615.64	\$18,127.83	\$18,049.96

The recommendations made by Governor Bacon in his message to the One Hundred and Ninth General Assembly of the State of Delaware covering three changes in the Workmen's Compensation Law have the unanimous approval of the Industrial Accident Board.

Cost of Insurance to Employers

There have been reductions in rates approved by the Industrial Accident Board and costs of Workmen's Compensation compared with neighboring States is as follows:

Delaware	1 517 214	
Pennsylvania	1 989 408	= .763
Delaware	1 487 286	
Maryland	2 937 314	= .506
Delaware	1 440 241	
New Jersey	4 921 091	= .293
Delaware	1 456 594	
New York	5 522 430	= .264

You will note that the rates of Delaware are approximately three-quarters of Pennsylvania rates, one-half of Maryland rates, one-third of New Jersey rates, one-quarter of New York rates.

Further, the compensation or benefits under our law compare favorably with other States.

The Industrial Accident Board wishes to express its appreciation of the cooperation extended by Labor and Industry and Insurance Companies carrying compensation insurance which has resulted largely in elimination of disagreements and prolonged and expensive litigation.

Respectfully submitted,

INDUSTRIAL ACCIDENT BOARD

SMILEY KING, *President*

D. D. WHARTON, *Member*

JOHN L. BARR, *Member*

ATTEST:

FRANCIS D. BUCK, *Secretary*

The Chair presented the following message received from the Governor of Maryland:

TELEGRAM

Annapolis, Md., March 20, 1943

Hon. Isaac J. MacCollum
President of the Senate
State Capitol

Dover, Delaware

Am very happy to tell you arrangements made for Mr. Anthony Eden, British Secretary State for Foreign Affairs, to speak to all State Legislatures in session throughout country. This is major speech foreign secretary plans to make in this country on March 26th, nine P. M. Eastern War Time. He will personally address Joint Session House and Senate here in Annapolis, Maryland, and arrangements call for broadcast to all State Legislatures now meeting and to entire country. If this meets with your approval, I hope you will make necessary arrangements in your Legislature to receive broadcast speech.

HERBERT R. O'CONOR

President Council of State Governments

Mr. Bunting moved that the Senate recess until 2:30 o'clock P. M.

Motion prevailed.

Same Day, 3:40 o'clock P. M.

Senate met at expiration of recess.

Mr. Evans, on behalf of the Committee on Accounts, to whom had been referred House Substitute for House Bill No. 112 with House Amendment No. 1, entitled:

An Act to require Employers to furnish Employees with a Statement of Payroll Deductions and Total Pay due.

Reported the same back to the Senate favorably.

JAMES S. EVANS
G. P. EDMONDS
W. DEANE JOHNSTON
HARRY H. MULHOLLAND
CHAS. LEE SIPPLE

On request of Mr. Bunting the privilege of the floor was extended to Mr. Harry Cannon of Bridgeville, Delaware, to explain House Substitute for House Bill No. 128.

The President announced he is about to sign:

House Bill No. 81.

House Bill No. 82.

House Substitute for House Bill No. 181.

On motion for leave, Mr. Mullin introduced Senate Resolution No. 53, entitled:

SENATE RESOLUTION NO. 53

In respect to the Payment for certain Printing.

BE IT RESOLVED by the Senate of the 109th General Assembly that the following amount be and the same hereby is appropriated out of any money in the State Treasury not otherwise appropriated, on account of printing expenses connected with the present session, viz:

Milford Chronicle Publishing Co., Inc.	\$1,852.40
Printing for 47th Legislative Day.....	\$ 439.30
Printing for 48th Legislative Day.....	439.30
Printing for 49th Legislative Day.....	439.30
Printing for 50th Legislative Day.....	439.30
Printing for 51st Legislative Day.....	95.20
Total.....	<u>\$1,852.40</u>

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

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

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

On motion of Mr. Evans, Senate Bill No. 77, entitled:

An Act to declare Valid and Legal the Creation, Establishment and Organization of Housing Authorities, and to declare Valid and Legal and to Approve all Bonds, Notes, Agreements, Payments to Public Bodies in the State and undertakings of such Housing Authorities, and all Proceedings, Acts and Things undertaken or done with reference thereto.

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 Mr. Richards.

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

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

YEAS—Messrs. Attix, Edmonds, Evans, Hitchens, Huston, Johnston, Janes, McDowell, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Ayres, McGuigan—2.

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. Evans, Senate Bill No. 78, entitled:

An Act to provide that Bonds and other Obligations issued by any Public Housing Authority or Agency in the United States, when secured by a Pledge of Annual Contributions to be paid by the United States Government, shall be Security for all Public Deposits and Negotiable and Legal Investments for the State and Public Officers, Municipal Corporations, Political Sub-divisions, and Public Bodies, all Banks, Bankers, Trust Companies, Savings Banks and Institutions, Building and Loan Associations, Savings and Loan Associations, Investment Companies and other persons carrying on a Banking Business, all Insurance Companies, Insurance Associations and other persons carrying on an Insurance Business, and all Executors, Administrators, Guardians, Trustees and other Fiduciaries.

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 Mr. Richards.

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

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

YEAS—Messrs. Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. McGuigan—1.

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.

The Chair presented House Bill No. 80, entitled:

An Act to amend Article 4 of Chapter 66 of the Revised Code of Delaware, 1935, relative to "Banks, Savings Societies and Trust Companies," pertaining to the Assessment and Taxation of Shares of Capital Stock of Banks and Trust Companies having Capital Stock.

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

Upon request the privilege of the floor was given to Mr. Richards.

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

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

YEAS—Messrs. Attix, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Ayres, McGuigan—2.

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.

On motion of Mr. Mulholland, House Substitute for House Bill No. 44, entitled:

An Act to amend Chapter 66 of the Revised Code of Delaware, 1935, relating to "Banks, Savings Societies and Trust Companies," in reference to Reserves.

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 Mr. Lynch, State Bank Commissioner.

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

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

YEAS—Messrs. Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Jones, McDowell, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Johnston, McGuigan—2.

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.

On motion of Mr. Yerkes, Senate Substitute for Senate Bill No. 228, entitled:

An Act to regulate and control Work and Labor in Delaware during the War Emergency Period; to define Necessary and Essential Work; to Regulate Non-Essential Work and Employment, and to Promote Work in Essential Employment.

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. Attix, Ayres, Hitchens, Huston, Johnston, Jones, McDowell, Messick, Mulholland, Sipple, Yerkes, Mr. President Pro Tem—12.

NAYS—Messrs. Edmonds, Evans, Mullin, Rhodes—4.

ABSENT—Mr. McGuigan—1.

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. Mulholland, House Bill No. 83, entitled:

An Act to amend Article 5 of Chapter 66 of the Revised Code of Delaware, 1935, relative to "Banks, Savings Societies and Trust Companies," pertaining to the Assessment and Taxation of Savings Banks and Savings Societies not having Capital Stock.

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. Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Attix, McGuigan—2.

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.

On motion of Mr. Mulholland, House Bill No. 84, entitled:

An Act to amend Article 4 of Chapter 66 of the Revised Code of Delaware, 1935, relative to "Banks, Savings Societies and Trust Companies," pertaining to the Assessment and Taxation of Shares of Capital Stock of Banks and Trust Companies having Capital Stock.

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 Mr. Lynch, State Bank Commissioner.

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

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

YEAS—Messrs. Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Attix, McGuigan—2.

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.

On motion of Mr. Mulholland, House Bill No. 85, entitled:

An Act to amend Article 4 of Chapter 6 of the Revised Code of Delaware, 1935, relative to "State Revenue," pertaining to the Assessment and Taxation of Shares of Capital Stock of Banks and Trust Companies having Capital Stock.

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. Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Attix, McGuigan—2.

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.

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

Authorizing the Appointment of a Commission to Recommend a Revision of the Banking Laws of the State of Delaware and appropriating money for its Expenses.

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 Mr. Lynch.

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

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

YEAS—Messrs. Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Attix, McGuigan—2.

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 of Mr. Mulholland, House Bill No. 118, entitled:

An Act to amend Chapter 20 of the Revised Code of Delaware, 1935, entitled "Insurance Department," in reference to Valuation and Non-Forfeiture Benefits of Life Insurance Policies.

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

Mr. Yerkes moved to defer action for 24 hours.

Motion prevailed.

On motion of Mr. Yerkes, House Substitute for House Bill No. 187, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, relating to Income Tax.

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. Ayres, McDowell, Messick, Sipple, Yerkes—5.

NAYS — Messrs. Edmonds, Evans, Hitchens, Jones, Mulholland, Mullin, Rhodes, Mr. President Pro Tem—8.

ABSENT—Messrs. Attix, Huston, Johnston, McGuigan—4.

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

On motion of Mr. Yerkes, House Substitute for House Bill No. 139, entitled:

An Act to amend Chapter 44, Revised Code of Delaware, 1935, as amended in Chapter 109, Volume 42, Laws of Delaware, by further defining the Powers and Duties of the Board of Assessment of Kent County in providing for a General Assessment every Four Years and giving the Board of Assessment additional Powers to Lower or Raise the Annual Assessment under certain conditions and within certain limits.

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

Mr. Yerkes moved the bill be the first order of business tomorrow morning.

Motion prevailed.

Mr. Yerkes moved that the Senate recess for 5 minutes.

Motion prevailed.

Same Day, 5:40 o'clock P. M.

Senate met at expiration of recess.

Mr. Yerkes moved that House Substitute for House Bill No. 187 be restored to the Calendar.

Motion prevailed.

On motion of Mr. Yerkes, House Bill No. 250, entitled:

An Act to amend Chapter 57, Revised Code of Delaware, 1935, relating to the Department of Elections for New Castle County, by the repeal of 1761. Sec. 17.

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 Mr. Richards.

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

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

YEAS—Messrs. Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Attix, McGuigan—2.

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.

On motion of Mr. Yerkes, House Bill No. 251, entitled:

An Act to amend Article 1 of Chapter 60, Revised Code of Delaware, 1935, relating to General Elections, by the repeal of 1824, Section 15, relating to Ballot Boxes and Tally Lists; Duty of the Department of Elections as to; Compensation of Inspector and of Trusty Persons for Delivery of Packages containing Ballots, Etc.,:—and by substituting in lieu thereof a new Section to be known as 1824, Section 15.

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 Mr. Richards.

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

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

YEAS—Messrs. Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Attix, McGuigan—2.

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.

On motion for leave, Mr. Yerkes introduced Senate Resolution No. 54, entitled:

SENATE RESOLUTION NO. 54

Authorizing Payment on Account to Attaches and Employees of the Senate.

BE IT RESOLVED by the Senate of the 109th General Assembly that the State Treasurer be and he hereby is authorized and directed to pay to any attache or employee, 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 of Fifty-five Dollars (\$55.00) to any one person, any such sums so paid shall be charged against the salary of the individual attache or employee to whom such sum or sums are paid, and shall be a part of the expenses of this session of the Senate.

BE IT FURTHER RESOLVED that the State Treasurer be and he hereby is authorized to deduct from any such payments on account any sum or sums which may be due to the United States of America by reason of the "Victory Tax" or by reason

of any other law of the United States of America, and to deduct from any such payments any sum or sums which may be due to the State of Delaware by reason of the War Emergency Tax.

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

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

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

Mr. Mullin, on motion for leave, introduced Senate Substitute for Senate Bill No. 124, entitled:

An Act to amend Section 14 of Chapter 123 of the Revised Code of Delaware, 1935, relating to Justices' Jurisdiction in Forcible Entry, Detainer and Holder Over.

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

Mr. Mullin, on motion for leave, introduced Senate Substitute for Senate Bill No. 159, entitled:

An Act to amend Chapter 122 of the Revised Code of Delaware, 1935, relative to Justices' Jurisdiction in Trespass, Replevy and Detinue Cases, providing for Filing of Affidavit by Defendant denying Agency of Operator.

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

Mr. Mullin, on motion for leave, introduced Senate Substitute for Senate Bill No. 160, entitled:

An Act to amend Chapter 128 of the Revised Code of Delaware, 1935, relative to Pleadings and Practice in Civil Actions providing in all Actions for Damage arising out of the Operation of any Vehicle Affidavit must be filed by Defendant denying Agency of Operator.

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

Mr. Mullin, on motion for leave, introduced Senate Substitute for Senate Bill No. 161, entitled:

An Act to amend Chapter 141 of the Revised Code of Delaware, 1935, relating to the Action of Ejectment.

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

Mr. Bunting moved that the Senate adjourn until 11:30 o'clock A. M., March 23, 1943.

Motion prevailed.

«FIFTY-THIRD LEGISLATIVE DAY»

Dover, Delaware, March 23, 1943, 12 o'clock noon

Senate met pursuant to adjournment.

Lieutenant-Governor Isaac J. MacCollum presiding.

Prayer by the Chaplain.

Roll called.

Members Present — Ayres, Edmonds, Evans, Hitchens, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Yerkes, Mr. President Pro Tem—14.

Members Absent—Attix, Huston, Sipple—3.

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

Motion prevailed.

The Chair presented communications favoring the passage of the Family Court Bill and the Bill providing teachers for handicapped children.

Mr. Jones, on behalf of the Committee on Agriculture, to whom had been referred House Bill No. 92, entitled:

An Act to amend Chapter 21 of the Revised Code of Delaware 1935 relating to the State Board of Agriculture in reference to the Sale of Agricultural Seeds.

Reported the same back to the Senate favorably.

HARRY H. JONES
GEORGE W. MULLIN
CLAYTON A. BUNTING
G. P. EDMONDS
WILLIAM H. AYRES

Mr. Bunting moved that the Senate recess until 3:00 o'clock P. M.

Motion prevailed.

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

Senate met at expiration of recess.

Mr. Jones requested the privilege of the floor for Mr. Worri-
low to explain House Bill No. 54.

Request granted.

The Sergeant-at-Arms announced a messenger from the Governor.

The Secretary of State, William J. Storey, being admitted, presented the following Report of the Permanent Budget Commission:

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

Dover, March 19, 1943

To the Honorable the
Senate of the State of Delaware,
Dover, Delaware.

Gentlemen:

Pursuant to the provisions of Chapter 204 Volume 42, Laws of Delaware, I am transmitting to you herewith report and recommendations of the Permanent Budget Commission, covering the period from January 1, 1941 to January 5, 1943.

Respectfully submitted,

PERMANENT BUDGET COMMISSION

By WALTER W. BACON, *Chairman*

REPORT OF THE
PERMANENT BUDGET COMMISSION
TO THE
ONE HUNDRED AND NINTH GENERAL ASSEMBLY
OF THE
STATE OF DELAWARE

To the Honorable Members of the
109th General Assembly of the State of Delaware

Gentlemen:

Pursuant to Chapter 204, Volume 42 of the Laws of Delaware 1939, a report is submitted herewith pertaining to the functions and activities of the State Budget Commission for the period from January 1, 1941 to date, together with the recommendations of said commission.

The Budget Commission composed of the Governor, the Secretary of State, Tax Commissioner, Auditor of Accounts and State Treasurer has met at least once each month since January 1, 1941 for the purpose of reviewing the fiscal affairs of the agencies of this State, whose support of maintenance in whole or in part is provided for in the State budget.

Fiscal reports, statements of balances on hand, estimates of receipts and other information pertinent to the fiscal affairs of the State were received from the various agencies, and numerous audits and examinations were made by accountants for the commission in order to assist in the intelligent presentation of the budget data to the Governor and General Assembly.

Presented herewith is an index to the various comments on the functions and recommendations of the commission.

Respectfully submitted,

PERMANENT BUDGET COMMISSION

By: WALTER W. BACON, *Chairman*
JAMES P. TRUSS, *Secretary*
DESMOND A. LYONS
C. P. A., Budget Accountant

January 5, 1943.

COMMENTS

General State Accounting System

The efficiency with which the affairs of a governmental unit are administered is dependent upon the character of the provision that is made for the handling of this factor, and the successful conduct of any unit of State government is closely related to the character and form of its financial organization.

The work of the Budget Commission necessitates close contact with all State agencies; but more particularly the financial agencies such as the office of Auditor of Accounts, and the State Treasurer. During the period under review the Budget Commission received complete cooperation from these officers. However, the office of Auditor of Accounts at the present time is functioning as a mere centralized bookkeeping department with very little effort concentrated on actual auditing duties. Practically no field audits are made of the individual agencies' records and actually no post auditing is performed.

Chapter 16 of the revised code of Delaware, 1935, gives the Auditor's office broad powers both as to general accounting procedure, and the pre-audit and the post audit functions of this department. These powers, however, have never been fully utilized, and as a result it has been necessary for accountants of the Budget Commission to do a considerable amount of auditing, the detail of which is discussed in a subsequent section of this report.

The office of Auditor of Accounts, under the present law should maintain a system of accounting which would produce information showing the financial condition, and result of operation of State funds, and to furnish the Governor and other State officials with periodical information relative to revenues, appropriations, encumbrances and expenditures. The present practice is to submit a monthly statement which includes merely fund balances, and the general ledger trial balance. No information is submitted showing the source or amount of individual revenues, appropriations, and the nature of expenditures. No periodic balance sheet is presented showing the actual financial condition of the State, other than at the close of each fiscal year.

According to the present statute, the annual report of the Auditor of Accounts should be presented to the Governor not later than sixty days after the close of the fiscal year. Because of the lack of monthly summarization of figures, and detailed analysis of accounts necessary for presentation of the annual

report, this phase of the accounting is usually postponed until the close of the fiscal year. At the end of the year twelve months' analyses and assembling of data is necessary, which results in the practical impossibility of preparing the report, having same printed and presented to the Governor within the sixty-day period.

Various surveys of the accounting systems of the individual State agencies revealed no uniformity or consistency in the manner of keeping records of account. Some agencies kept their records on the accrual or encumbrance basis, others maintained them on a cash basis, while others kept no records, but rather depended upon the State Auditor's accounts to determine the status of their appropriations, or unexpended balance.

Analysis of records of individual agencies revealed a lack of consistency in the distribution of various elements of costs. The majority of agencies recorded all charges for salaries and wages against an account designated as "Salaries," in accordance with the classification of accounts as outlined by the State Auditor. However, there were some agencies who distributed salaries to the operation account, repairs and replacement account, and in some instances regular salaries were found to have been charged to capital outlay. Further analysis of the various costs entering into the operations of individual agencies showed that in a considerable number of instances, extraordinary replacements of the nature of capital outlay, were treated as items of current expense, and recorded as such in the accounts of individual agencies.

THE NEED OF A COST ACCOUNTING IN OUR STATE FINANCIAL PROGRAM

Leaders in the field of public administration recognize the importance of cost accounting as a major development in all branches of State government. Cost accounting in our State government could be justified primarily by its use as an aid to efficient administration, but it is valuable not only to the administrator, but to other groups as well.

Surveys made of the records of account of individual State agencies revealed, that with few exceptions no cost records were maintained which would be of any substantial help to the individual agency in planning the operation of its budget allotment, nor of any appreciable help to the members of the Budget Commission in their determination of the necessity of certain budget appropriation requests.

In the absence of adequate cost records, accountants for the Budget Commission found it necessary to prepare considerable cost analyses, in order that the members of the commission might be in a position to intelligently review appropriation requests. Formerly our State budget procedures relied to a great extent on past expenditures as one of the principal means of establishing a new budget. This placed a premium upon spending ability which might tend to cause inclusion of "hidden surpluses" in the budget requests of some departments.

Expenditure figures, unless related to work performance, lose much of their importance. Good judgment as to budgets and appropriations, and adequate control over expenditures cannot be properly effected unless finances are related to a work program, and continuously scrutinized in terms of units of work and performance accomplished.

The need for unit costs is necessary not only in the preparation of the budget, but also in the legislative scrutiny of the budget in connection with appropriations.

A further use of unit costs in our State budgeting can be found in the suggestion that "grant-in-aid" appropriations be based upon cost data. In 1942 these grants totaled \$321,500.00 with little or no State control over the expenditure after the grant was made by the Legislature. Such "grants-in-aid" could be based upon the established standard cost of performing the activity for which the grant is made, allowing for variances in cost which might occur because of the difference in costs of living, the program of work, and the scale of operations.

Other possibilities for using cost accounting to the extent of aiding both the members of the Legislature and the heads of the various State agencies are numerous. The department executives and the Legislature alike are faced regularly with the necessity of making choices between several courses of action. Where a choice involves financial considerations, cost accounting can be of considerable aid in the determination of policy. Recorded experience indicates that cost data has been used to advantage in many choices between alternative processes, alternative agencies of performance, and alternative equipment.

The executive head of an individual agency may find that cost summaries for equipment repair shops for example, will show whether it is less expensive to have repair work done by the State or by private concerns. Cost statements will also help

to determine at what point it is best to stop repairing old equipment and replace it with new. Cost accounts may be used when there is a possible choice between the use of State equipment or hired equipment on a job, and if State equipment is to be used, the choice as to what type of equipment should be bought. In such a decision, original cost may not be the only determining

factor. Other cost figures may indicate that a certain type truck allowing the lowest original outlay will require the greatest expenditure for operation and maintenance. Still other figures may indicate a difference in the capacity for work which would greatly affect the worth of the truck.

There are numerous examples of how cost accounting could improve the efficient operation, at the least expense, of various State agencies. However, the one thing that appears obvious at the present time is that a lack of cost records makes it exceedingly difficult to obtain accurate data that will serve as a protection against loss and waste; that will aid in determination of policy; in fixing charges; in personnel management; in budgeting and in reporting to the general public.

Accounting and Budgetary Procedure (Schools)

In the report of the Budget Commission to the 108th General Assembly, reference was made to the difficulty of obtaining sufficient accounting information for budgetary purposes. Through the mutual cooperation of the State Board of Education and the Budget Commission this condition has to a great extent been corrected. New budget request forms conforming to certain recommendations of the U. S. Office of Education were designed by the Budget Commission, and put into operation by the State Board of Education. A uniform system of account keeping for special school funds was jointly recommended by the business manager of the State Board of Education and the accountant for the Budget Commission. This system has been installed in the majority of school districts, but there is still room for improvement in the method of accounting for miscellaneous revenues in some districts. Further reference to this condition is made in a subsequent section of this report, captioned "Auditing Functions."

Section 2, Paragraph (I) of the act making appropriations for the public schools of the State for the biennium ending June 30, 1943 provided \$95,000.00 for maintaining the principal of salary increments for 1942, and Section 2, Paragraph (j) provided \$95,000.00 for the purpose of continuing the increments during the fiscal year ended June 30, 1943. These sums were allotted by the State Board of Education to the Board of Public Education in Wilmington, to each of the Boards of Education

of the Special School Districts, and to the State Board of Education on the basis of their respective net enrollments as defined in the appropriation bill, as follows:

	1941-1942 Increments	1942-1943 Increments
State Board of Education and State Board Units	\$30,013.01	\$26,880.19
Wilmington	36,458.56	35,544.37
Alexis I. duPont	1,625.66	1,636.67
Claymont	1,878.47	1,935.12
Newark	3,012.98	3,079.73
New Castle	1,795.57	1,865.10
Smyrna	1,895.86	1,940.64
Dover	3,179.13	3,389.17
Caesar Rodney	1,844.27	1,777.58
Harrington	1,589.97	1,534.03
Milford	2,610.32	2,647.93
Georgetown	1,963.02	2,005.03
Lewes	1,413.71	1,450.76
Seaford	2,494.73	2,436.40
Laurel	2,616.63	2,523.18
Rehoboth	608.11	602.43
Unallocated	3,751.67
Total.....	\$95,000.00	\$95,000.00

Section 12 of the act making appropriations for the public schools of the State for the biennium ending June 30, 1943 further provided for the distribution of \$17,500.00 for each year of the biennium. This amount was provided to take care of any abnormal increase in enrollment in any school district as a result of increasing defense activities, industrial expansion, transfer of school children, or other similar reason, which would require the employment of additional teachers. The following allotment of said sums was approved by the Budget Commission, after recommendation by the State Board of Education:

	1942	1943
Seaford (Special District)	\$ 6,131.50	\$ 4,831.50
Dover (Special District)	2,050.00	3,250.00
Alexis I. duPont (Special District) ..	1,600.00	1,600.00
Middletown	1,350.00
Mt. Pleasant, No. 2	1,450.00	2,600.00
Alfred I. duPont	1,300.00
Georgetown (Special District)	1,200.00	1,300.00
New Castle (Special District)*	2,400.00	3,600.00
Unallocated	18.50	318.50
Total.....	\$17,500.00	\$17,500.00

* \$1,254.00 of this amount was unexpended and reverted to State Treasury.

BUDGETARY CONTROL

The act creating the Permanent Budget Commission states among other things: That said commission be empowered and directed to audit, inspect and examined the accounts of and the records of any agency of the State at such time as it deems expedient for the supervision of the budget.

The commission is also directed to require such fiscal reports, statements of balances on hand, estimates of receipts, and information in any manner pertinent to the fiscal affairs of the State.

Accordingly quarterly estimates of revenue and expenditures for the ensuing quarter, and actual revenue and expenditures for the prior quarter were requested of and received from the individual agencies. After reconciliation to the figures shown on the records of the Auditor of Accounts, a detailed report was prepared and submitted to the members of the Budget Commission. This report showed the revised estimates of revenues and the appropriations at the beginning of the fiscal year, the actual receipts and expenditures during the quarter, the unrealized revenue and unexpended appropriations at the end of the quarter, together with estimates of revenue and expenditures for the following quarter. A comparative statement of realized revenue was also submitted at the end of each quarter.

These reports enabled the members of the Budget Commission to determine the trend in revenue receipts on a comparative basis with the same quarter of the prior year, and also showed the amount actually expended by agencies, together with the unexpended appropriation balance.

Requests for Transfer of Appropriation Allotments

During the period from July 1, 1941 to December 31, 1942, the Budget Commission considered requests for transfers between allotments of individual agencies totaling 193. 176 such requests were approved, while 17 were rejected. In all instances where the request was not approved, a representative of the agency submitting the application was granted a hearing at which time ways and means of accomplishing the desired result of the proposed transfer, through a medium other than actual transfer, were discussed.

The appropriation bill for expenses of the Public Schools of the State provided that transfers of appropriation not in excess of 20% of the total appropriation made to the respective Boards of School Trustees, State Board of Education and Board

of Public Education in Wilmington, exclusive of salaries, could be made without approval of the Budget Commission. Accordingly 420 such requests were recorded.

In all instances when there appeared to be insufficient information for the members of the Budget Commission to arrive at a decision, the request would be referred to the budget accountant. Auditors for the commission would then visit the individual agency and would examine records and data in support of the request, and would present such information as was available to the members of the Budget Commission as an aid in arriving at a decision.

The revised budgetary and accounting procedure resulting from the enactment of the "One General Fund" law went into effect on July 1, 1941. It is interesting to note that at the end of the first year of operating under the new system (June 30, 1942) the amount of \$208,695.15, representing unexpended appropriation balances, reverted to the State Treasury. During the five year period immediately preceding the enactment of the "One General Fund" law the largest amount of reversions in any year totaled but \$61,408.00, shown as follows:

1937	\$ 59,090.00
1938	48,913.82
1939	61,019.00
1940	61,408.00
1941	46,573.08
1942	208,695.15

Several reasons can be advanced for this substantial increase in the amount of reversion. In the first place the Highway Department and each individual School District received a specified appropriation, which was distributed into separate allotments, for salaries; office expense; travel; operations; equipment, etc. In the case of schools the appropriation was distributed into allotments for administrative control; instructional service; operation of plant; maintenance; fixed charges; capital outlay, etc. With the exception that the schools were allowed to transfer up to 20% of their total appropriation, exclusive of salaries, all transfers from one allotment to another were made only when approved by the Budget Commission. Close scrutiny of the operation of individual agency allotments and careful investigation of all requests for transfers, enabled the Budget Commission to hold the number of transfers to a minimum, resulting in unexpended balances, which could not be transferred, reverting to the State Treasury.

Another very important contributing factor to the amount of increased reversions was the close contact between the executive head of the State and the executives of the individual departments and agencies. From time to time meetings were held and individual agency executives were made aware of the financial condition of the State, and the potential losses in future revenue due to war conditions.

Department and agency administrators offered suggestions as to where economies might be effected in the operation of their current budget and unquestionably the complete cooperation between the Governor and spending agencies was a major factor in the increase in reversions, and increase in the cash balance of the State as at June 30, 1942.

Budget Hearings

All agencies receiving or asking financial aid from the State were furnished official estimate forms on August 1, 1942. These forms were furnished the agencies in contemplation of the preparation of the Governor's Budget for the biennium ending June 30, 1945. Information was requested pertaining to the amount of money considered necessary for the proper maintenance, extension, or improvement of the reporting department during each of the two fiscal years; and the actual revenues and expenditures for the last two prior fiscal years, and the amount by which each of the two fiscal years of the succeeding biennial period were larger or smaller than the corresponding items of expenditures for each of the two prior years.

These estimate forms were returned to the Budget Commission not later than September 1, 1942, and the information contained thereon was analyzed and summarized by accountants for the commission. Budget hearings started on September 21 and ended on October 23, during which time representatives of 85 agencies personally appeared before the Budget Commission. Agency officials were asked various questions pertaining to aid received from sources other than the State appropriation; items included in the budget request that were formerly paid from funds other than the State appropriation; whether increases in request for salaries were basic increases, due to the cost of living, or for additional employees. Officials were also asked to submit evidence in support of increased requests in appropriations for food, material and supplies. Various other information was requested where it was deemed to be pertinent to the fiscal affairs of the State, and to the preparation of the Governor's Budget recommendations.

State Insurance

At the present time the Insurance Commissioner does not exercise control over all insurance on State-owned property, the exceptions being: Buildings and equipment of the Highway Department, and buildings and equipment of the State Board of Education. As a result it was impossible to obtain a complete list of State-owned buildings and equipment, together with their insurable values from the records of the Insurance Commissioner, and the Budget Commission recommended that a complete list of all State-owned buildings be prepared and the insurance value of each determined. With the approval of the Insurance Commissioner and the Attorney General, a survey for valuation purposes was made by engineers of a reputable insurance company at no cost to the State of Delaware. This survey was completed and a report submitted to the Budget Commission on April 15, 1941. The purpose of this report was two-fold. The first, to formulate a comprehensive list of the various buildings owned by the State. The second, to furnish a guide for use in determining the amount of insurance which should be carried for proper indemnification in case of loss. The report submitted by the engineers contained a picture, detailed description, and insurable value of 643 individual buildings owned by the State of Delaware or Special School Districts, with a total valuation of \$25,968,000.00.

Several conferences were held with representatives of the rating bureau, and some reduction in rates were subsequently effected, but due to the inconsistent supervision of insurance on State-owned property no definite conclusion was reached in the negotiations with the rating bureau.

The Attorney General has ruled that the Insurance Commissioner has the power to exercise control over the insurance placed upon all real or personal property whenever the title to such property shall be acquired in the name of the State, and in further reference to insurance on State property quoted Chapter 466, Section 5, of the Revised Code of Delaware as follows:

"The Governor of the State of Delaware, the State Auditor, and the Insurance Commissioner shall, from time to time, determine the amount of fire or other insurance to be effected and to be carried upon the property of the State, and it shall be the duty of the said Insurance Commissioner to have insured and to keep insured, all State property in such manner as shall have been determined aforesaid."

EXPENDITURES FROM STATE EMERGENCY FUND

Pursuant to Section 5, Chapter 32, of Volume 43, 1941 Laws of the State of Delaware, a detailed statement of expenditures made from the State Emergency Fund for the period from July 1, 1941 to December 31, 1942 is presented herewith.

The expenditures shown on this statement were approved by the Permanent Budget Commission only after an emergency was deemed to exist, and after proof of said emergency was presented to the commission. Such proof included examination of such evidence and testimony as was warranted by each individual case, and in all instances an affidavit was provided by a duly authorized representative of the agency making the application, setting forth the facts supporting the claim.

The detailed accounts pertaining to each individual expenditure were maintained by the office of Auditor of Accounts, and all invoices in support of expenditures are on file in said office.

JULY 1, 1941 TO JUNE 30, 1942

AUDITOR OF ACCOUNTS (EQUIPMENT).....	\$	750.70	
DIRECT RELIEF IN EXCESS OF			
GENERAL APPROPRIATION:			
New Castle County	\$24,494.69		
Kent County	4,114.54		
Sussex County	3,301.45	31,910.68	
POLICE AND FIREMEN TRAINING (DEFENSE)		1,034.08	
TRANSPORTATION OF SCHOOL CHILDREN IN EXCESS			
OF REGULAR APPROPRIATION		3,000.00	
CUSTODIAN (REPAIRS)		415.27	
DOVER ARMORY (BOILER)		1,660.00	
SCHOOL REPAIRS:			
Rose Hill-Minquadale	\$253.85		
Bridgeville	287.15		
Millsboro	302.00		
Roxana	361.80		
Delmar	486.70		
Fork Branch-Colored	28.20		
Bethel	56.43		
Marshallton	360.00		
Hockessin	150.00		
Commodore MacDonough	224.10		
Caesar Rodney	300.00		
Alfred I. duPont	200.00		
Newark	300.00		
Felton	693.75	4,003.98	

DELAWARE STATE GUARD:

SALARIES AND WAGES

Watchman—Wilmington Armory	\$348.50		
Janitor—Milford Armory	128.00		
Survey	25.00		
Labor—Rifle Range	12.00		
Labor—Repairs	15.00		
Labor—Upkeep of Grounds	32.00	560.50	

OFFICE EXPENSE

Freight	29.14		
Postage	29.50		
Stationery and Supplies	55.20		
Printing	132.85		
Telephone	18.79		
Bond—Property Officer	60.00	325.48	

TRAVEL

Office Expense	13.60		
Bus Rental	357.10	370.70	

OPERATION

Heat	1,023.61		
Gas and Electric	186.96		
Water Rent	111.31		
Sewer Rent—Georgetown	20.00		
Janitor Supplies	80.19		
Truck Rental	13.80		
Supplies	33.44		
Packing and Crating Overcoats	140.57		
Sheet Music	64.75		
Repairs	198.31		
Ammunition	60.68		
Medical Supplies	31.93		
Targets	32.75		
Guidons	6.88		
Garden Supplies	19.70		
Fertilizer—Georgetown Armories ...	36.70		
Gasoline	3.95	2,065.53	

EQUIPMENT

Gas Masks	386.25		
Uniforms	10,178.96		
Rifles and Side Arms	620.06		
Typewriters (2)	100.00	11,285.27	14,607.48

TOTAL JULY 1, 1941 TO JUNE 30, 1942 \$57,382.19

JULY 1, 1942 TO DECEMBER 31, 1942

DELAWARE STATE GUARD:

SALARIES AND WAGES

Watchman—Wilmington Armory ...	\$292.50	
Janitor—Milford Armory	40.00	
Extra Help—Recording and Distributing Shot Guns	45.00	
Cutting Grass—Georgetown Armory.	10.00	
Extra Help—Checking and Storing Equipment	48.50	\$436.00

OFFICE EXPENSE

Freight on Equipment	19.38	
Postage	1.80	
Printing	2.50	
Telephone	17.22	
Typewriter Repairs	4.80	45.70

TRAVEL

Officers Travel	146.39	
Bus Rental	7.50	153.89

OPERATION

Fuel—Armories	875.87	
Water and Electric—Armories	189.13	
Soap, Cleaners, Etc.	18.99	
Food (Mess for Officers School)	389.75	
Laundry	30.26	
Supplies	57.84	
Ammunition	144.00	1,705.84

EQUIPMENT

Uniforms	1,582.00	\$3,923.43
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POLICE AND FIREMEN TRAINING (DEFENSE) 465.92

REPAIRS JHOCKESSIN SCHOOL NO. 29 50.00

TOTAL—JULY 1, 1942 TO DECEMBER 31, 1942..... \$4,439.35

AUDITING FUNCTIONS

Section 4 of the act creating the Budget Commission provides that it shall be empowered and directed to:

“Audit, inspect, and examine the accounts and the affairs of and the records of any agency of this State at such times as it deems expedient for the supervision of the budget and shall require all agencies to submit estimates showing the amounts and purposes of all anticipated expenditures

to be made at the time, or period in which such expenditures are to be made by an agency. Estimates of anticipated expenditures shall be submitted in such form as the Budget Commission may prescribe."

During the period from July 1, 1941 to December 31, 1942, audits, examinations, or special investigations were made of some of the records of account of the following State agencies:

Audit of Petty Cash Funds

Highway Department
State Tax Department
Mothers' Pension Commission
State Board of Charities
Delaware Racing Commission
State Board of Health
Brandywine Sanatorium
College for Colored Students

Audit of Special and Miscellaneous Funds

Board of Public Education—Wilmington
Claymont Special School District
Milford Special School District
Rehoboth Special School District
Seaford Special School District
Georgetown Special School District
Laurel Special School District
Lewes Special School District
Frederica School District
Oak Grove School District
Townsend School District
Commodore MacDonough School District
Marshallton School District
John M. Clayton School District
Middletown School District
Felton School District
Clayton School District
Greenwood School District
Bridgeville School District
Delmar School District
Lord Baltimore School District
Milton School District

Millsboro School District
 Selbyville School District
 Delaware City School District
 Richardson Park School District
 Henry C. Conrad School District
 Alfred I. duPont School District
 Stanton School District

Special Examinations and Investigations

Ferris Industrial School
 Game and Fish Commission
 Delaware Colony for Feeble-Minded
 State College for Colored Students
 Delaware State Hospital
 Industrial School for Colored Girls
 State Insurance Commissioner
 State Board of Agriculture (Poultry Licensing Fees)
 Delaware Real Estate Commission
 Old Age Welfare Commission—Relief Department
 Unemployment Compensation Commission—Benefit Account
 Delaware Liquor Commission
 Board of Public Education—Wilmington

The Budget Commission is required by law to report to the General Assembly and Attorney General in writing any irregular, illegal or improper financial administration or transaction.

While the detailed comments included in the various audit reports are too great in volume to be submitted herewith, a copy of each individual report is on file and available in the office of the Budget Commission. Your attention is specifically called to the following:

Audit of Petty Cash Funds

In general, expenditures from petty cash funds were found to be properly supported by vouchers. However, examination into the operation of these funds indicated that no uniform or consistent method was employed by the various agencies.

Revenue receipts from miscellaneous sales were found in some instances to be co-mingled with petty cash funds; a considerable number of payroll items were included on standard invoice forms, rather than payroll forms; and in some instances petty cash vouchers were not approved by responsible officials.

As a result of the examination of petty cash funds the following recommendations were made by the Budget Commission, were approved by the Auditor of Accounts and made effective March 1, 1942.

- (1) Standard form of petty cash voucher shall be provided each agency, and all such vouchers be approved by a responsible official of each agency. The said voucher to also serve as a receipt from the payee when actual cash is paid out. If a checking system is used, this procedure will not be necessary. The voucher should contain the following minimum information: Date, Name of Payee, Description of Expenditure, Amount, Approval of Agency Official, and Signature of Payee.
- (2) That all disbursements for salaries be recorded on a separate standard invoice, or payroll form, and not be included on the same invoice with other petty cash expenditures.
- (3) "Advice of Employment Cards" be furnished the State Auditor for all employees, both temporary and permanent.
- (4) All expenditures from traveling be accompanied by a sworn statement, showing in detail the nature of expenditures.
- (5) Reimbursement of petty cash expenditures be made on a monthly basis, rather than at irregular intervals.
- (6) That no personal loans be made to any employee or official from "State Funds."
- (7) That no miscellaneous cash receipts be deposited or commingled with petty cash funds. Receipts should consist only of the reimbursement by the State Treasurer.

Audit Report (Board of Public Education, Wilmington)

On October 20, 1941 the Budget Commission advised the office of Attorney General of an alleged misappropriation of miscellaneous funds of the Wilmington Board of Education. Subsequently public accountants rendered a report to the Board of Public Education in Wilmington, dated January 6, 1942, revealing that during the period from July 1, 1939 to October 9, 1941, the amount of \$28,956.41 of miscellaneous funds was not deposited or otherwise accounted for. Subsequent events led to the conviction of two employees of the Board of Education in Wilmington for embezzlement.

Supplementary to the examination made of these miscellaneous funds by certified public accountants, auditors for the Budget Commission examined and analyzed the payrolls of the Wilmington Board of Education, including those paid from city funds as well as State funds. This analysis showed that some employees were receiving salaries from both the city and State appropriations during the period from October 1939 to September 1941. While the persons so paid from both city and State funds may have held two or more positions, this system makes it practically impossible for the City Auditor or State Auditor, to properly check or audit these items, for the State Auditor has no knowledge of what is being paid by the City Auditor. During the period from October 1939 to September 1940, fourteen individuals received a total of \$31,847.88 of which \$6,237.34 was paid by the State, and \$25,610.54 was paid by the city. The period between October 1940 and September 1941, showed seventeen individuals receiving a total of \$37,153.37, of which \$11,394.56 was from State funds, and \$25,758.81 from city funds.

The analysis of the payroll records further revealed that salary refunds were made to the Board of Education in Wilmington by seventeen individual teachers. These refunds were applicable to salaries paid from the State appropriation, but which were deposited in the "student activities fund" of the Wilmington Board of Education, rather than to the credit of the State Treasurer. When these items were called to the attention of the Wilmington Board of Education, they reimbursed the State of Delaware in the amount of \$259.52.

Examinations of the records of 21 State Board Unit Schools revealed that approximately \$100,000.00 per year was the combined average total of special revenue from cafeterias, student activities and miscellaneous funds. The lack of control or supervision of these funds by the State Board of Education, State Auditor or State Treasurer is evidenced by the following type of improper financial transactions and procedure, which the Budget Commission, by reason of the law found necessary to report to the Attorney General.

In some instances revenue received from the rental of school buildings was not deposited with the State Treasurer, but rather was used for various school operations. Revenue received from telephone rservice was not in all instances deposited with the State Treasurer. Miscellaneous school funds were co-mingled and deposited in the same bank account with personal funds of the Chairman of the Board of Trustees, for one school district. Another school district received rentals from a house located on school property. A small percentage of the rentals received were distributed to the members of the Board of Trustees and

Principal of this school district, representing a commission for the collection of said rental. Examination of the records of one school district covering a period of six months revealed that the nature of revenue amounting to \$353.47 could not be determined. In several instances it was found that student activity funds were co-mingled and deposited with miscellaneous school funds. (The Attorney General has ruled that student activity funds are trust funds which should be segregated from miscellaneous revenue.) Expenditures from miscellaneous funds were actually made by check on the signature of the principal only, with no indicated approval or counter-signature of a representative of the Board of Trustees. In one school district transfer of funds between student activity accounts and miscellaneous accounts were not indicated as approved by Board of Trustees, but rather at discretion of the principal.

Special Examinations and Investigations

The following type of financial transactions were reported to the office of the Attorney General, as a result of special examinations:

Revenue from the sale of farm produce was not properly accounted for by an official of a State agency. The said official was found guilty of larceny in court and dismissed from his official position. Revenue received from insurance, resulting from fire loss was used for purposes other than the restoration or rebuilding of property destroyed. Revenue from the sale of farm products was not remitted to the State Treasurer, but rather in some instances, was used for bartering or in exchange for other food products. Revenue from the sale of junk and capital equipment, in one instant, was not deposited with the State Treasurer. In several instances bonds required by law on agents of the State, could not be presented for examination. Disbursements of special revenue funds of a State agency amounting to \$871.51, were made direct from cash receipts which were not deposited in bank. A complete record of these disbursements was not maintained and it was impossible to determine the nature of the expenditure. The amount of \$1,932.53, representing returned premiums on cancelled insurance was not remitted to the State Treasurer, but rather was deposited in a special bank account. From this amount \$1,927.20 was subsequently used for the purchase of insurance, however the State Treasurer had no knowledge of the receipt of the returned premium proceeds at the time the money was received, and the expenditures from the special fund were not vouched through the Auditor's office in accordance with the law.

During the period under review the amount of \$1,000.00 was recovered on a former magistrate's bond and deposited with the State Treasurer.

At the request of the Attorney General a check amounting to \$593.92 was submitted to the State Treasurer by a State agency. This amount represented an accumulated balance resulting from fees collected in prior years, and not reported to the State Treasurer.

In every instance where there was sufficient evidence to indicate the possibility of an improper financial transaction, the situation was corrected through the cooperation of the Attorney General.

CONCLUSION AND RECOMMENDATIONS

The present accounting system of State government is very much limited in scope. The accounting procedures now being used stress the control of cash transactions and balances, but entirely neglect the control of inventories of material and supplies, equipment, automobiles, buildings and contents. Lack of cost records seriously retards budgetary control over expenditures.

It would appear that the first step necessary to bring about a more efficient operation in the general state accounting system, would be the complete revision of the system of accounts in the State Auditor's office. While it is fully realized that it is impossible to obtain bookkeeping machines at this time, careful consideration should be given to the possibility of revision of the system of accounts as a post-war measure.

The present system does not provide for machine posting of the general ledger or subsidiary revenue accounts, and no provision is made for the recording of encumbrances. The installation of a modern machine posting system would eliminate to a great extent the delay in receiving financial statements pertaining to the operations of the State government which was referred to in a prior section of this report.

It is recommended that cost accounting be encouraged to the extent that the finances of the individual agencies are related to a work program which can be continually scrutinized in terms of units of work and performance accomplished. Without having these facts properly presented to them, there can be no efficient administering of the agencies' financial program. The budgetary control over the expenditures after the appropriation has been made, is the instrument which enables the State financial administrators to use the facts and figures presented to them by a sound accounting system to the best advantage. The general accounting system, unit costs, and the system of budgetary control are indispensable to each other.

Attention of the members of the Legislature is again called to the large number of continuing appropriations contained in the statutes. Because of the fact that these items are not subject to budgetary procedure they tend to retard the control of expenditures. There are 27 individual items of this nature known to the Budget Commission, and it is recommended that a study be made of all continuing appropriations with the purpose in mind of eliminating these wherever possible.

The centralization and placing of all insurance purchased on behalf of State agencies, in the office of Insurance Commissioner is recommended by the Budget Commission as outlined by the present laws. This change would result in an increase in the premium appropriation for the Insurance Commissioner, with a corresponding decrease in the appropriation for this purpose in the Highway Department and State Board of Education.

The various auditing functions of the Budget Commission reveal a lack of proper supervision or control over special fund revenue of schools and other State agencies, said revenue not being deposited with the State Treasurer at the present time. It would appear that where a State-owned building, through the medium of the agency occupying same, operates a cafeteria or commissary and uses equipment purchased from State funds, then the revenue should be deposited with the State Treasurer and the expenditures vouched through the Auditor of Accounts. Sufficient petty cash funds could be provided for daily expenditures required for perishable foods. Until such time as all State expenditures are vouched through the State Auditor's office, no overall picture of the operation of State finances can be presented.

Numerous recommendations, resulting from various audits of the Budget Commission have been placed into operation by various individual agencies. However, it is felt that the results of auditing procedure of the commission have only "scratched the surface" insofar as potential savings, economies and efficient operation is concerned. It is therefore the intention of the commission to extend its scope of auditing and cost analysis procedure during the next two years.

During the period under review the Budget Commission has found it necessary to obtain numerous opinions from the office of the Attorney General. We wish to express our appreciation for the cooperation and assistance rendered by this office, as well as to the various State agencies and departments contacted during the course of our studies.

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

Senate Substitute for Senate Bill No. 108, entitled:

An Act to amend Chapter 45 of the Revised Code of Delaware, 1935, entitled "County Treasurers and Collection of Taxes," in relation to the Salary of Deputy and Clerical Assistance.

And returned the same to the Senate.

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

Senate Bill No. 36 with Senate Amendments Nos. 1, and 2, entitled:

An Act to regulate the Manufacture, Sale, Distribution, Use and Possession of Explosives.

And returned the same to the Senate.

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

Senate Concurrent Resolution No. 13, entitled:

Providing for a Joint Session of the Senate and House of Representatives to hear the Message of the Governor of the State of Delaware and of the Governor of the Boys' State.

And returned the same to the Senate.

Mr. Lynn, 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 Senate Substitute for Senate Bill No. 98, entitled:

An Act to amend Chapter 44 of the Revised Code of Delaware, 1935, entitled "Valuation and Assessment of Property" relating to Clerks and Clerical Help in the Board of Assessment of Sussex County.

And returned the same to the Senate for concurrence.

Mr. Lynn, Clerk of the House, being admitted, informed the Senate that the House had not concurred in the following:

Senate Bill No. 49, entitled:

An Act in respect to the Immunizing of School Children and other Persons against certain Diseases.

And returned the same to the Senate.

Mr. Lynn, 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. 8, entitled:

In respect to the death of the Honorable Frank Hainsworth, a former Member of the House of Representatives.

And presented the same to the Senate.

Mr. Lynn, 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. 172, entitled:

An Act to amend Chapter 45 of the Revised Code of Delaware, 1935, entitled "County Treasurer and Collection of Taxes" in relation to the Salaries of the Deputies, Clerks, Delinquent Tax Investigators, Bookkeepers and Stenographer of the Receiver of Taxes and County Treasurer for New Castle County.

And presented the same to the Senate.

Mr. Lynn, 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. 173, entitled:

An Act to amend Chapter 156 of the Revised Code of Delaware in relation to Fees to be charged for Services rendered by the Recorder of Deeds of New Castle County.

And presented the same to the Senate.

Mr. Lynn, 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. 180 with House Amendment No. 1, entitled:

An Act to amend Chapter 41 of the Revised Code of Delaware, 1935, as amended, entitled State Board of Charities, by providing for the Licensing of Homes and Agencies caring for Children.

And presented the same to the Senate.

Mr. Lynn, 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. 70, entitled:

Providing for Payment of a Claim to M. A. Hartnett, Inc., a Corporation of the State of Delaware, for Materials furnished in the Repair and Alteration of the Armory at Dover, Delaware.

And presented the same to the Senate.

Mr. Lynn, 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. 304, entitled:

An Act to amend Chapter 119, Volume 28, Laws of Delaware, 1915, by fixing the Salaries of the Collectors of Taxes for the City of Wilmington.

And presented the same to the Senate.

Mr. Lynn, 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. 106, entitled:

An Act appropriating certain Moneys out of the State Treasury to pay Certain Claims against the Dover Special School District, relating to Expenses incurred in connection with Equipment.

And presented the same to the Senate.

Mr. Lynn, 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. 66, entitled:

An Act relating to the Licensing and Regulation of the Practice of Optical Dispensing.

And presented the same to the Senate.

Mr. Lynn, 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. 155, entitled:

An Act to authorize the Housing Authorities to Manage and Administer as Agent for the Federal Government Projects to provide Housing for persons engaged in War Industries or activities and to cooperate with the Federal Government in making Housing available for such persons.

And presented the same to the Senate.

The Chair presented House Substitute for House Bill No. 106, entitled:

An Act appropriating certain moneys out of the State Treasury to pay certain Claims against the Dover Special School District, relating to Expenses incurred in connection with Equipment.

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

The Chair presented House Substitute for House Bill No. 304, entitled:

An Act to amend Chapter 119, Volume 28, Laws of Delaware, 1915, by fixing the Salaries of the Collectors of Taxes for the City of Wilmington.

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

The Chair presented House Substitute for House Bill No. 70, entitled:

Providing for Payment of a Claim to M. A. Hartnett, Inc., a Corporation of the State of Delaware, for Materials furnished in the Repair and Alteration of the Armory at Dover, Delaware.

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

The Chair presented House Substitute for House Bill No. 180 with House Amendment No. 1, entitled:

An Act to amend Chapter 41 of the Revised Code of Delaware, 1935, as amended, entitled State Board of Charities, by providing for the Licensing of Homes and Agencies caring for Children.

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

The Chair presented House Substitute for House Bill No. 173, entitled:

An Act to amend Chapter 156 of the Revised Code of Delaware in relation to Fees to be Charged for Services rendered by the Recorder of Deeds of New Castle County.

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. 172, entitled:

An Act to amend Chapter 45 of the Revised Code of Delaware 1935 entitled "County Treasurers and Collection of Taxes" in relation to the Salaries of the Deputies, Clerks, Delinquent Tax Investigators, Bookkeepers and Stenographer of the Receiver of Taxes and County Treasurer for New Castle County.

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

The Chair presented House Substitute for House Bill No. 155, entitled:

An Act to authorize Housing Authorities to Manage and Administer as Agent for the Federal Government projects to provide Housing for persons engaged in War Industries or Activities and to cooperate with the Federal Government in making Housing available for such persons.

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

The Chair presented House Substitute for House Bill No. 66, entitled:

An Act relating to the Licensing and Regulation of the Practice of Optical Dispensing.

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

The Chair presented House Substitute for Senate Substitute for Senate Bill No. 98, entitled:

An Act to amend Chapter 44 of the Revised Code of Delaware, 1935, entitled "Valuation and Assessment of Property" relating to Clerks and Clerical Help in the Board of Assessment of Sussex County.

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

The Chair presented House Concurrent Resolution No. 8, entitled:

In respect to the death of the Honorable Frank Hainsworth, a former Member of the House of Representatives.

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

Mr. Yerkes moved the adoption of House Concurrent Resolution No. 8.

Motion prevailed.

Ordered returned to the House.

Mr. Rhodes requested the privilege of the floor for Mr. Jones and Mr. Miller to explain Senate Substitute for Senate Bill No. 75.

Request granted.

On motion of Mr. Yerkes, House Bill No. 118, entitled:

An Act to amend Chapter 20 of the Revised Code of Delaware, 1935, entitled "Insurance Department," in reference to Valuation and Non-Forfeiture Benefits of Life Insurance Policies.

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. Attix, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—Mr. Ayres—1.

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.

On motion of Mr. Yerkes, House Substitute for House Bill No. 299, entitled:

An Act to amend Chapter 43 Revised Code of Delaware 1935, and Chapter 93 Revised Code of Delaware 1935, as amended by Chapter 120, Vol. 43, Laws of Delaware, in relation to Deputies to and Clerical Assistance for County Officers in Kent County; authorizing the Levy Court of Kent County to employ said Deputies and Clerical Assistants, fix their Compensation, and pay the necessary travel expenses of said County Officers, Deputies and Clerical Assistants while in the conduct of County Business.

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. Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, 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 returned to the House.

On motion of Mr. Yerkes, House Substitute for House Bill 187, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, relating to Income Tax.

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. Attix, Edmonds, Evans, Hitchens, Johnston, Jones, McDowell, McGuigan, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—14.

NAYS—Messrs. Ayres, Messick—2.

ABSENT—Mr. Huston—1.

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.

On motion of Mr. Yerkes, House Bill No. 227 with Senate Amendment No. 1, entitled:

An Act to amend Chapter 25 of the Revised Code of Delaware, 1935, in reference to the Department of Health.

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

Mr. Yerkes moved the adoption of Senate Amendment No. 1 to House Bill No. 227.

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

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

YEAS—Messrs. Attix, Ayres, Edmonds, Evans, Hitchens, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Huston—1.

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

On the question, "Shall House Bill No. 227, as amended, pass the Senate?"

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

YEAS—Messrs. Attix, Ayres, Edmonds, Evans, Hitchens, Johnston, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Huston, Jones, McDowell—3.

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 for concurrence.

On motion of Mr. Yerkes, House Bill No. 41 with House Amendment No. 1, entitled:

An Act appropriating money to the State Board of Agriculture to be used for Anti-Hog Serum.

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

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

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

YEAS—Messrs. Ayres, Edmonds, Evans, Hitchens, Johnston, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Attix, Huston, Jones—3.

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.

On motion of Mr. Yerkes, House Substitute for House Bill No. 247, entitled:

An Act to amend An Act entitled "An Act to amend Chapter 169 of the Revised Code of the State of Delaware 1935 in relation to Court of Common Pleas for New Castle County" being Chapter 267, Volume 43, Laws of Delaware, 1941, relating to the Salary of the Clerk of Court of Common Pleas 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. Edmonds, Evans, Hitchens, Johnston, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—13.

NAYS—None.

ABSENT—Messrs. Attix, Ayres, Huston, Jones—4.

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. Yerkes moved that the Senate adjourn until 12 o'clock noon, March 24, 1943.

Motion prevailed.

«FIFTY-FOURTH LEGISLATIVE DAY»

Dover, Delaware, March 24, 1943, 12 o'clock noon

Senate met pursuant to adjournment.

Lieutenant-Governor Isaac J. MacCollum presiding.

Prayer by the Chaplain.

Roll called.

Members Present — Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

Member Absent—Attix—1.

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

Motion prevailed.

The Chair presented a number of communications.

Mr. Mulholland, on behalf of the Committee on Claims, to whom had been referred House Substitute for House Bill No. 70, entitled:

Providing for Payment of a Claim to M. A. Hartnett, Inc., a Corporation of the State of Delaware, for Materials furnished in the Repair and Alteration of the Armory at Dover, Delaware.

Reported the same back to the Senate favorably.

HARRY H. MULHOLLAND
J. S. EVANS
GEORGE W. RHODES
ROBERT H. YERKES
P. B. MESSICK

Mr. Mulholland, on behalf of the Committee on Claims, to whom had been referred House Substitute for House Bill No. 106, entitled:

An Act appropriating certain moneys out of the State Treasury to pay certain Claims against the Dover Special School District, relating to Expenses incurred in connection with Equipment.

Reported the same back to the Senate favorably.

HARRY H. MULHOLLAND
JAS. S. EVANS
GEORGE W. RHODES
ROBERT H. YERKES
P. B. MESSICK

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred House Substitute for House Bill No. 265, entitled:

An Act to amend Chapter 56, Revised Code of Delaware, 1935, relating to Registration of Voters, by the repeal of 1718. Sec. 13, and by substituting in lieu thereof a new Section to be known as 1718. Sec. 13.

Reported the same back to the Senate favorably.

ROBERT H. YERKES
W. DEANE JOHNSTON
GEORGE W. RHODES
JOHN R. HITCHENS

Mr. Mullin, on behalf of the Committee on Judiciary, to whom had been referred Senate Substitute for Senate Bill No. 75, entitled:

An Act creating a Family Court in and for New Castle County.

Reported the same back to the Senate favorably.

GEORGE W. MULLIN
HARRY H. JONES
JOHN R. HITCHENS
JAS. S. EVANS
H. B. McDOWELL, JR.

Mr. Mullin, on behalf of the Committee on Judiciary, to whom had been referred Senate Substitute for Senate Bill No. 161, entitled:

An Act to amend Chapter 141 of the Revised Code of Delaware, 1935, relating to the Action of Ejectment.

Reported the same back to the Senate favorably.

GEORGE W. MULLIN
HARRY H. JONES
JOHN R. HITCHENS
JAS. S. EVANS
H. B. McDOWELL, JR.

Mr. Mullin, on behalf of the Committee on Judiciary, to whom had been referred Senate Substitute for Senate Bill No. 124, entitled:

An Act to amend Section 14 of Chapter 123 of the Revised Code of Delaware, 1935, relating to Justices' Jurisdiction in Forcible Entry, Detainer and Holder Over.

Reported the same back to the Senate favorably.

GEORGE W. MULLIN
HARRY H. JONES
JOHN R. HITCHENS
JAS. S. EVANS
H. B. McDOWELL, JR.

Mr. Mullin, on behalf of the Committee on Judiciary, to whom had been referred Senate Substitute for Senate Bill No. 159, entitled:

An Act to amend Chapter 122 of the Revised Code of Delaware, 1935, relative to Justices' Jurisdiction in Trespass, Replevy and Detinue Cases, providing for Filing of Affidavit by Defendant Denying Agency of Operator.

Reported the same back to the Senate favorably.

GEORGE W. MULLIN
HARRY H. JONES
JOHN R. HITCHENS
JAS. S. EVANS
H. B. McDOWELL, JR.

Mr. Mullin, on behalf of the Committee on Judiciary, to whom had been referred Senate Substitute for Senate Bill No. 160, entitled:

An Act to amend Chapter 128 of the Revised Code of Delaware, 1935, relative to Pleadings and Practice in Civil Actions providing in all Actions for Damage arising out of the Operation of any Vehicle Affidavit must be filed by Defendant Denying Agency of Operator.

Reported the same back to the Senate favorably.

GEORGE W. MULLIN
HARRY H. JONES
JOHN R. HITCHENS
JAS. S. EVANS
H. B. McDOWELL, JR.

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

Senate Concurrent Resolution No. 10—Approved March 16, 1943.

Senate Substitute for Senate Bill No. 19—Approved March 15, 1943.

Senate Bill No. 30 with House Amendment No. 1—Approved March 16, 1943.

Senate Bill No. 45—Approved March 16, 1943.

Senate Substitute for Senate Bill No. 46—Approved March 16, 1943.

Senate Bill No. 47—Approved March 16, 1943.

Senate Bill No. 91—Approved March 16, 1943.

Senate Bill No. 92—Approved March 16, 1943.

Senate Substitute for Senate Bill No. 97 with House Amendment No. 1—Approved March 16, 1943.

Mr. Johnston, 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. 173, entitled:

An Act to authorize and direct the State Treasurer to transfer to the Current Fund of the Milton School District, No. 8, a certain sum of money appearing in the State Treasury as Debt Service Account to the credit of said School District, No. 8.

Senate Concurrent Resolution No. 9, entitled:

In respect to the Payment of Expenses of the Present Session.

W. DEANE JOHNSTON
HARRY H. MULHOLLAND
WM. B. HUSTON

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

House Substitute for Senate Bill No. 44, entitled:

An Act to amend Article 3 of Chapter 66 of the Revised Code of Delaware, 1935, relative to "Banks, Savings Societies and Trust Companies" by providing Restrictions on the Borrowing of Money by Banks on Collateral.

Senate Bill No. 105, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, relating to Motor Vehicles, in reference to Blinker Lights, and requiring Motor Vehicles to Stop at certain Highways.

Senate Bill No. 26, entitled:

An Act to amend Chapter 8 of the Revised Code of Delaware, 1935, by empowering the Adjutant General to lease State Armories, Arsenalns and Military Reservations under certain conditions.

Senate Bill No. 32, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, as amended, providing for the addition of Dealers in Feed Bags to the Classes of Dealers who are exempted from the Tax Provisions of the aforesaid Chapter as amended.

Senate Substitute for Senate Bill No. 61, entitled:

An Act to amend Chapter 74 of the Revised Code of the State of Delaware, prohibiting the taking of Striped Bass or Rock Fish from the Nanticoke River of the State of Delaware, by means of Nets.

Senate Bill No. 68, entitled:

An Act amending 3670 Section 13 of Chapter 92 of the Revised Code of Delaware, 1935, in reference to the Acknowledgments of Deeds and other Instruments.

Senate Concurrent Resolution No. 11, entitled:

Providing for Adjournment of the Senate and House of Representatives until Monday, April 5, 1943.

Senate Concurrent Resolution No. 12, entitled:

In reference to Adjournment Sine Die.

W. DEANE JOHNSTON
HARRY H. MULHOLLAND
WM. B. HUSTON

Mr. Bunting, on behalf of the Committee on Miscellaneous, to whom had been referred House Substitute for House Bill No. 304, entitled:

An Act to amend Chapter 119, Volume 28, Laws of Delaware, 1915, by fixing the Salaries of the Collectors of Taxes for the City of Wilmington.

Reported the same back to the Senate favorably.

CLAYTON A. BUNTING
GEORGE W. MULLIN
HARRY H. JONES
GEORGE W. RHODES
WILLIAM H. AYRES

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred House Bill No. 122, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, as amended, relating to the Cancellation or Suspension of License for the Sale of Alcoholic Liquor, Wines and Beer, and the disposition of Alcoholic Liquors, Wines and Beer by the Commission.

Reported the same back to the Senate favorably.

ROBERT H. YERKES
G. P. EDMONDS
HARRY H. JONES
HARRY H. MULHOLLAND

Mr. Johnston, on motion for leave, introduced Senate Substitute for Senate Bill No. 82, entitled:

An Act to appropriate Two Thousand Five Hundred Dollars (\$2,500.00) to the Custodian of the State House to be used for Salaries, and for Maintenance and Repairs to State Buildings.

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

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred House Substitute for House Bill No. 286, entitled:

An Act to amend Chapter 56, Revised Code of Delaware, 1935, relating to Registration of Voters, by the repeal of 1717. Sec. 12, and by substituting in lieu thereof a new Section to be known as 1717. Sec. 12.

Reported the same back to the Senate favorably.

ROBERT H. YERKES
JOHN R. HITCHENS
W. DEANE JOHNSTON
GEORGE W. RHODES

Mr. Bunting, on motion for leave, introduced Senate Substitute for Senate Bill No. 142, entitled:

An Act authorizing and directing the Levy Court of Sussex County to appoint Regulators of Weights and Measures for Sussex County; prescribing their Qualifications and Duties.

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

Mr. Bunting moved that the Senate recess until 2:30 o'clock P. M.

Motion prevailed.

Same Day, 4:15 o'clock P. M.

Senate met at expiration of recess.

On motion of Mr. Edmonds, Senate Substitute for Senate Bill No. 60, entitled:

An Act for the Conservation and Protection of Striped Bass or Rock Fish.

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

Mr. Edmonds moved the adoption of the substitute in lieu of the original bill.

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. Edmonds, Evans, Huston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple—11.

NAYS—Messrs. Ayres, Hitchens, Yerkes, Mr. President Pro Tem—4.

ABSENT—Messrs. Attix, Johnston—2.

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.

The President announced he is about to sign:

House Bill No. 251.

House Bill No. 250.

House Bill No. 85.

House Bill No. 84.

House Bill No. 83.

House Substitute for House Bill No. 44.

On motion of Mr. Edmonds, Senate Substitute for Senate Bill No. 64, entitled:

An Act for the Conservation and Protection of Lobsters.

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

Mr. Edmonds moved the adoption of the substitute in lieu of the original bill.

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. Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Attix—1.

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. Jones, on behalf of the Committee on Agriculture, to whom had been referred House Substitute for House Bill No. 128, entitled:

An Act regulating the Purchase and Sale in this State of Lima Beans, Peas or other Vegetables for Canning or Processing or any other kindred purpose whatever.

Reported the same back to the Senate favorably.

HARRY H. JONES
GEORGE W. MULLIN
WILLIAM H. AYRES

On motion of Mr. Johnston, Senate Substitute for Senate Bill No. 72, entitled:

An Act to amend Article 2, Chapter 25, of the Revised Code of Delaware, 1935, relating to the State Board of Health.

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

Mr. Johnston moved the substitute be adopted in lieu of the original bill.

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. Ayres, Edmonds, Evans, Hitchens, Huston, Johnson, Jones, McDowell, McGuigan, Messick, Mulholland, Sipple, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Attix, Rhodes—2.

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. Messick, Senate Substitute for Senate Bill No. 125, entitled:

An Act appropriating certain monies to the Board of Fish and Game Commission for the purpose of purchasing a Patrol Boat.

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

Mr. Messick moved the adoption of the substitute in lieu of the original bill.

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. Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Attix—1.

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.

The Chair recognized a delegation from the Booker T. Washington School.

Mr. Edmonds moved the adoption of Senate Amendment No. 1 to House Bill No. 42.

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

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

YEAS—None.

NAYS—Messrs. Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

ABSENT—Mr. Attix—1.

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

Mr. Edmonds moved the adoption of Senate Amendment No. 2 to House Bill No. 42.

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

The question was decided in the affirmative and the amendment having received the required constitutional majority, was adopted.

On motion of Mr. Yerkes, House Bill No. 42 with House Amendment No. 1 and Senate Amendment No. 2, entitled:

An Act to amend 5689 Section 151 of Chapter 165 of the Revised Code of Delaware, 1935, as amended by Chapter 259, Volume 43, Laws of Delaware, relating to Traction Engines and Tractors.

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

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

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

YEAS—Messrs. Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Attix—1.

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

Ordered returned to the House for concurrence.

On motion of Mr. Yerkes, House Substitute for House Bill No. 112 with House Amendment No. 1, entitled:

An Act to require Employers to furnish Employees with a statement of Payroll Deductions and Total Pay Due.

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

Mr. Evans introduced Senate Amendment No. 1 to House Substitute for House Bill No. 112 with House Amendment No. 1.

Mr. Evans moved the adoption of the amendment.

Motion prevailed.

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

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

YEAS—Messrs. Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Attix—1.

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

Ordered returned to the House for concurrence.

On motion for leave, Mr. Johnston introduced Senate Resolution No. 55, entitled:

SENATE RESOLUTION NO. 55

In respect to the Death of Mrs. Maude Webster.

WHEREAS, the Senate of the 109th General Assembly of the State of Delaware has learned with deepest regret of the death on March 22, 1943, of Mrs. Maude Webster, sister-in-law of James N. Bell, one of the attaches of the Senate;

NOW, THEREFORE, BE IT RESOLVED by the Senate of the 109th General Assembly that this Senate desires to express its deepest sympathy to the family of Mrs. Maude Webster and its sincere regret on her death.

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

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

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

On motion of Mr. Yerkes, House Substitute for House Bill No. 139, entitled:

An Act to amend Chapter 44, Revised Code of the Delaware, 1935, as amended in Chapter 109, Volume 42, Laws of Delaware, by further defining the Powers and Duties of the Board of Assessment of Kent County in providing for a General Assessment every Four Years and giving the Board of Assessment additional Powers to Lower or Raise the Annual Assessment under certain conditions and within certain limits.

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 Mr. James F. Allee.

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

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

YEAS—Messrs. Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Attix—1.

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.

On motion of Mr. Mullin, House Bill No. 169, entitled:

An Act to amend Chapter 53 of the Revised Code of Delaware 1935 entitled "Salaries of Certain County Officers" in relation to the Salaries of Certain County Officers 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. Edmonds, Evans, Hitchens, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Attix, Ayres, Huston—3.

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

Senate Substitute for Senate Bill No. 18, entitled:

An Act providing for the Establishment of a Tenth Grade in the Milford Colored Junior High School.

And returned the same to the Senate.

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

Senate Substitute for Senate Bill No. 187, entitled:

An Act to increase the Salary of the Custodian of the State House.

And returned the same to the Senate.

On motion of Mr. Evans, House Substitute for Senate Substitute for Senate Bill No. 93, entitled:

An Act to amend Chapter 29 of the Revised Code of Delaware, 1935, in relation to the State Board of Examiners of Graduate Nurses.

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. Edmonds, Evans, Hitchens, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Attix, Ayres, Huston—3.

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

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

An Act to enact in the State of Delaware what is known as the "Uniform Stock Transfer Act."

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

Mr. McGuigan moved that action be deferred for 24 hours.

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

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

YEAS—Messrs. McDowell, McGuigan, Messick, Sipple—4.

NAYS — Messrs. Edmonds, Evans, Hitchens, Johnston, Jones, Mulholland, Mullin, Rhodes, Yerkes, Mr. President Pro Tem—10.

ABSENT—Messrs. Attix, Ayres, Huston—3.

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

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

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

YEAS — Messrs. Edmonds, Evans, Hitchens, Johnston, Jones, Mulholland, Mullin, Rhodes, Yerkes, Mr. President Pro Tem—10.

NAYS—Messrs. McDowell, McGuigan, Messick, Sipple—4.

ABSENT—Messrs. Attix, Ayres, Huston—3.

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

On motion of Mr. Bunting, Senate Substitute for Senate Bill No. 141, entitled:

An Act to authorize "The Mayor and Council of the Town of Selbyville" to have full Power and Authority over all Trees planted and to be planted in any of the Streets, Highways, Lanes and Alleys of the said Town, and to cause the Removal of Trees Dangerous to Public Travel on said Streets or Injurious to Sidewalks, Curbs, Sewers or Drains at the Expense of the Property Owner thereof.

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

Mr. Bunting moved the adoption of the substitute in lieu of the original bill.

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. Edmonds, Evans, Hitchens, Johnston, Jones, Mulholland, Mullin, Rhodes, Yerkes, Mr. President Pro Tem—10.

NAYS—Messrs. McDowell, McGuigan, Messick, Sipple—4.

ABSENT—Messrs. Attix, Ayres, Huston—3.

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

Mr. Bunting moved that the Senate recess for 5 minutes.

Motion prevailed.

Same Day, 6:10 o'clock P. M.

Senate met at expiration of recess.

Mr. Lynn, 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. 116, entitled:

An Act to appropriate \$149.78 to Selbyville School District No. 32 to pay for certain Necessary Repairs.

And presented the same to the Senate.

Mr. Lynn, 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. 170, entitled:

An Act to Reincorporate the Town of Delaware City.

And presented the same to the Senate.

Mr. Lynn, 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. 182, entitled:

An Act to amend Chapter 41 of the Revised Code of Delaware, 1935, as amended, entitled State Board of Charities, providing for Visitation and Inspection by the State Board of Charities.

And presented the same to the Senate.

Mr. Lynn, 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 Senate Substitute for Senate Bill No. 187, entitled:

An Act to increase the Salary of the Custodian of the State House.

And returned the same to the Senate for concurrence.

Mr. Lynn, 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. 252, entitled:

An Act to amend Article 1 of Chapter 60, Revised Code of Delaware, 1935, relating to General Elections, by the repeal of 1831, Section 22, and by substituting in lieu thereof a new Section to be known as 1831, Section 22.

And presented the same to the Senate.

Mr. Lynn, 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. 257, entitled:

An Act to amend Chapter 58, Revised Code of Delaware, 1935, relating to Primary Elections, by the repeal of 1776, Sec. 8, relating to Voting Books of Qualified Voters for Primary Elections; How Prepared; Supplementary or Duplicate Books:— and by substituting in lieu thereof a new section to be known as 1776, Sec. 8.

And presented the same to the Senate.

Mr. Lynn, 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. 267, entitled:

An Act to amend Chapter 56, Revised Code of Delaware relating to Registration Officers; Meeting; Duties; Entries made in Books by Repeal of 1714 Sec. 9, and by substituting in lieu thereof a new Section to be known as Section 1714 Sec. 9.

And presented the same to the Senate.

Mr. Lynn, 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. 275, entitled:

An Act changing the Boundaries of certain Special School Districts.

And presented the same to the Senate.

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred Senate Substitute for Senate Bill No. 82, entitled:

An Act to appropriate Two Thousand Five Hundred Dollars (\$2,500.00) to the Custodian of the State House to be used for Salaries, and for Maintenance and Repairs to State Buildings.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS
G. P. EDMONDS
J. S. EVANS
J. CARL McGUIGAN
W. DEANE JOHNSTON

On motion of Mr. Bunting, Senate Substitute for Senate Bill No. 57, entitled:

An Act to amend Chapter 65 of the Revised Code of the State of Delaware of 1935 relating to Corporations.

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

Mr. Bunting moved the adoption of the substitute in lieu of the original bill.

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. Edmonds, Evans, Hitchens, Johnston, Jones, Mulholland, Mullin, Rhodes, Yerkes, Mr. President Pro Tem—10.

NAYS—Messrs. McDowell, McGuigan, Messick, Sipple—4.

ABSENT—Messrs. Attix, Ayres, Huston—3.

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

On motion of Mr. Bunting, Senate Bill No. 143, entitled:

An Act to repeal Chapter 212, Volume 25, Laws of Delaware, as amended, entitled "An Act to Incorporate the Town of Bethany Beach and giving it Authority to issue Bonds.

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. Edmonds, Evans, Hitchens, Johnston, Jones, Mulholland, Mullin, Rhodes, Yerkes, Mr. President Pro Tem—10.

NAYS—Messrs. McDowell, McGuigan, Messick, Sipple—4.

ABSENT—Messrs. Attix, Ayres, Huston—3.

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

On motion of Mr. Mullin, House Bill No. 174, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware in relation to Salaries Payable to the Members of the Levy Court 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. Edmonds, Evans, Hitchens, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Attix, Ayres, Huston—3.

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.

On motion of Mr. Yerkes, House Substitute for House Bill No. 201, entitled:

An Act regulating the Trapping and Taking of Muskrats and other Fur Bearing Animals in and adjacent to Broadkilm Creek from the Town of Milton to the Delaware Bay.

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 Mr. Millman.

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

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

YEAS — Messrs. Edmonds, Evans, Hitchens, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Attix, Ayres, Huston—3.

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.

The Chair presented House Bill No. 170, entitled:

An Act to Reincorporate the Town of Delaware City.

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

The Chair presented House Bill No. 116, entitled:

An Act to appropriate \$149.78 to Selbyville School District No. 32 to pay for certain Necessary Repairs.

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

The Chair presented House Substitute for House Bill No. 182, entitled:

An Act to amend Chapter 41 of the Revised Code of Delaware, 1935, as amended, entitled State Board of Charities, providing for Visitation and Inspection by the State Board of Charities.

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

The Chair presented House Substitute for Senate Substitute for Senate Bill No. 187, entitled:

An Act to increase the Salary of the Custodian of the State House.

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. 252, entitled:

An Act to amend Article 1 of Chapter 60, Revised Code of Delaware, 1935, relating to General Elections, by the repeal of 1831, Section 22, and by substituting in lieu thereof a new Section to be known as 1831, Section 22.

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

The Chair presented House Substitute for House Bill No. 257, entitled:

An Act to amend Chapter 58, Revised Code of Delaware, 1935, relating to Primary Elections, by the repeal of 1776, Sec. 8, relating to Voting Books of Qualified Voters for Primary Elections; How Prepared; Supplementary or Duplicate Books:— and by substituting in lieu thereof a new section to be known as 1776, Sec. 8.

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

The Chair presented House Substitute for House Bill No. 267, entitled:

An Act to amend Chapter 56, Revised Code of Delaware relating to Registration Officers; Meeting; Duties; Entries made in Books by Repeal of 1714 Sec. 9, and by substituting in lieu thereof a new Section to be known as Section 1714 Sec. 9.

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

The Chair presented House Substitute for House Bill No. 275, entitled:

An Act changing the Boundaries of certain Special School Districts.

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

Mr. Bunting moved that the Senate adjourn until 12 o'clock noon, March 25, 1943.

Motion prevailed.

«FIFTY-FIFTH LEGISLATIVE DAY»

Dover, Delaware, March 25, 1943, 12 o'clock noon

Senate met pursuant to adjournment.

Lieutenant-Governor Isaac J. MacCollum presiding.

Prayer by the Chaplain.

Roll called.

Members Present—Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—17.

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

Motion prevailed.

Mr. Edmonds, on behalf of the Committee on Municipal Corporations, to whom had been referred House Bill No. 170, entitled:

An Act to Reincorporate the Town of Delaware City.

Reported the same back to the Senate favorably.

G. P. EDMONDS
J. S. EVANS
HARRY H. JONES
JOHN R. HITCHENS
WILLIAM H. AYRES

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Substitute for Senate Substitute for Senate Bill No. 187, entitled:

An Act to increase the Salary of the Custodian of the State House.

Reported the same back to the Senate favorably.

G. P. EDMONDS
J. S. EVANS
HARRY H. JONES
HARRY H. MULHOLLAND

Mr. Bunting, on behalf of the Committee on Miscellaneous, to whom had been referred Senate Substitute for Senate Bill No. 142, entitled:

An Act authorizing and directing the Levy Court of Sussex County to appoint Regulators of Weights and Measures for Sussex County; prescribing their Qualifications and Duties.

Reported the same back to the Senate favorably.

CLAYTON A. BUNTING
GEORGE W. MULLIN
HARRY H. JONES
GEORGE W. RHODES
WILLIAM H. AYRES

Mr. Bunting, on behalf of the Committee on Miscellaneous, to whom had been referred House Substitute for House Bill No. 182, entitled:

An Act to amend Chapter 41 of the Revised Code of Delaware, 1935, as amended, entitled State Board of Charities, providing for Visitation and Inspection by the State Board of Charities.

Reported the same back to the Senate favorably.

CLAYTON A. BUNTING
GEORGE W. MULLIN
HARRY H. JONES
GEORGE W. RHODES
WILLIAM H. AYRES

Mr. Bunting, on behalf of the Committee on Miscellaneous, to whom had been referred House Substitute for House Bill No. 155, entitled:

An Act to authorize Housing Authorities to Manage and Administer as Agent for the Federal Government projects to provide Housing for persons engaged in War Industries or Activities and to cooperate with the Federal Government in making Housing available for such persons.

Reported the same back to the Senate favorably.

CLAYTON A. BUNTING
GEORGE W. MULLIN
GEORGE W. RHODES
HARRY H. JONES
WILLIAM H. AYRES

Mr. Bunting, on behalf of the Committee on Miscellaneous, to whom had been referred House Substitute for House Bill No. 66, entitled:

An Act relating to the Licensing and Regulation of the Practice of Optical Dispensing.

Reported the same back to the Senate favorably.

CLAYTON A. BUNTING
GEORGE W. MULLIN
HARRY H. JONES
GEORGE W. RHODES
WILLIAM H. AYRES

Mr. Rhodes, on behalf of the Committee on Temperance, to whom had been referred House Bill No. 269, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to Alcoholic Liquor, Wines and Beer, as amended, by providing that certain Quantities of Spirits and Wine or Spirits and Beer may be sold and/or purchased.

Reported the same back to the Senate favorably.

GEORGE W. RHODES
HARRY H. JONES
J. S. EVANS
HARRY H. MULHOLLAND

The President announced he is about to sign:

Senate Substitute for Senate Bill No. 108.

Senate Substitute for Senate Bill No. 18.

House Substitute for Senate Substitute for Senate Bill No. 93.

Senate Concurrent Resolution No. 13.

Mr. Bunting moved that the Senate recess until 2:30 o'clock P. M.

Motion prevailed.

Same Day, 3:50 o'clock P. M.

Senate met at expiration of recess.

The President announced he is about to sign:

House Bill No. 41 as amended.

House Bill No. 118.

House Substitute for House Bill No. 139.

House Bill No. 169.

House Bill No. 174.

House Substitute for House Bill No. 187.

House Substitute for House Bill No. 201.

House Bill No. 227 with Senate Amendment No. 1.

House Substitute for House Bill No. 247.

House Substitute for House Bill No. 299.

Senate Substitute for House Bill No. 125.

House Concurrent Resolution No. 8.

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred House Substitute for House Bill No. 257, entitled:

An Act to amend Chapter 58, Revised Code of Delaware, 1935, relating to Primary Elections, by the repeal of 1776, Sec. 8, relating to Voting Books of Qualified Voters for Primary Elections; How Prepared; Supplementary or Duplicate Books:— and by substituting in lieu thereof a new section to be known as 1776, Sec. 8.

Reported the same back to the Senate favorably.

ROBERT H. YERKES
JOHN R. HITCHENS
W. DEANNE JOHNSTON
GEORGE W. RHODES

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred House Substitute for House Bill No. 267, entitled:

An Act to amend Chapter 56, Revised Code of Delaware relating to Registration Officers; Meeting; Duties; Entries made in Books by Repeal of 1714 Sec. 9, and by substituting in lieu thereof a new Section to be known as Section 1714 Sec. 9.

Reported the same back to the Senate favorably.

ROBERT H. YERKES
JOHN R. HITCHENS
W. DEANE JOHNSTON
GEORGE W. RHODES

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred House Bill No. 252, entitled:

An Act to amend Article 1 of Chapter 60, Revised Code of Delaware, 1935, relating to General Elections, by the repeal of 1831, Section 22, and by substituting in lieu thereof a new Section to be known as 1831, Section 22.

Reported the same back to the Senate favorably.

ROBERT H. YERKES
JOHN R. HITCHENS
W. DEANE JOHNSTON
GEORGE W. RHODES

On motion for leave, Mr. Hitchens introduced Senate Concurrent Resolution No. 14, entitled:

SENATE CONCURRENT RESOLUTION NO. 14

In respect to a proposed Amendment to the Federal Social Security Laws.

WHEREAS, at the present time the employees of the State of Delaware and of the various Departments and Agencies of our State Government do not and cannot come under the provisions of the Federal Social Security Laws and, by consequence, are not entitled to participate in any of the privileges accorded to employees under such laws; and

WHEREAS, it is the belief of the 109th General Assembly of the State of Delaware that it would be to the best interests of the State and beneficial to the State employees if the Federal Social Security Laws should be amended so as to permit any State to obtain for its employees these benefits by voluntarily accepting coverage under these Laws;

NOW, THEREFORE, BE IT RESOLVED, by the Senate of the 109th General Assembly, the House of Representatives concurring therein, that the Representatives of the State of Delaware in the Congress of the United States of America, the Honorable James M. Tunnell, the Honorable C. Douglass Buck, and the Honorable Earle D. Willey, be and they hereby are asked, on behalf of the State of Delaware, to propose measures in the Congress of the United States which would permit any State voluntarily to accept coverage under the Social Security Laws of the State of Delaware to the end that the employees of such State would be entitled to participate in the benefits now obtainable by the employees of private industries.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the Honorable James M. Tunnell, senior Senator from Delaware; the Honorable C. Douglass Buck, junior Senator from Delaware, and the Honorable Earle D. Willey, Representative from the State of Delaware in the Congress of the United States.

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

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

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. Lynn, 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. 4, entitled:

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

And presented the same to the Senate.

Mr. Lynn, 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. 7, entitled:

An Act appropriating moneys to certain Hospitals in the State of Delaware.

And presented the same to the Senate.

Mr. Lynn, 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. 13, entitled:

An Act appropriating certain money to Palmer Home, Incorporated.

And presented the same to the Senate.

Mr. Lynn, 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. 14, entitled:

An Act appropriating money to the Delaware Society for the Prevention of Cruelty to Animals.

And presented the same to the Senate.

Mr. Lynn, 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. 17, entitled:

An Act appropriating money to the G. A. R. Department of Delaware.

And presented the same to the Senate.

Mr. Lynn, 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. 18, entitled:

An Act appropriating money to the Veterans of Foreign Wars, Department of Delaware.

And presented the same to the Senate.

Mr. Lynn, 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. 19, entitled:

An Act appropriating money to the United Spanish War Veterans, Department of Delaware.

And presented the same to the Senate.

Mr. Lynn, 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. 24, entitled:

An Act appropriating money to the Delaware Industrial School for Girls.

And presented the same to the Senate.

Mr. Lynn, 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. 28, entitled:

An Act appropriating money to The American Legion, Department of Delaware.

And presented the same to the Senate.

Mr. Lynn, 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. 29, entitled:

An Act appropriating certain monies for the Support and Maintenance of the District Library Commissions of the State of Delaware.

And presented the same to the Senate.

Mr. Lynn, 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. 39, entitled:

An Act to provide for the Instruction of the Inmates of the Children's Beach House, and appropriating money therefor.

And presented the same to the Senate.

Mr. Lynn, 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. 266, entitled:

An Act to amend Chapter 56, Revised Code of Delaware, 1935, relating to Registration of Voters, by the repeal of 1744, Sec. 39.

And presented the same to the Senate.

Mr. Lynn, 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 requiring the Disposal of Cutting of Forest Growth on Rights-of-Way and Boundary Lines or within Fifty (50) Feet thereof within Thirty (30) Days after Cutting prescribing the manner of disposal; prohibiting the depositing or leaving of cutting of Forest Growth on adjacent property without the consent of the owner thereof; making it the duty of the State Forestry Department to notify the party responsible for the cutting of the provisions before; authorizing the State Forestry Department on failure of the responsible party to dispose of such cutting, render statement and collect expenses thereof, and providing penalties for violation.

And presented the same to the Senate.

Mr. Yerkes moved that the Senate recess for 5 minutes.

Motion prevailed.

Same Day, 4:10 o'clock P. M.

Senate met at expiration of recess.

On motion of Mr. Yerkes, House Substitute for House Bill No. 304, entitled:

An Act to amend Chapter 119, Volume 28, Laws of Delaware, 1915, by fixing the Salaries of the Collectors of Taxes for the City of Wilmington.

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

Mr. McGuigan moved to defer action on House Substitute for House Bill No. 304 until Monday, April 5.

Motion prevailed.

On motion of Mr. Johnston, House Substitute for House Bill No. 70, entitled:

Providing for Payment of a Claim to M. A. Hartnett, Inc., a Corporation of the State of Delaware, for Materials furnished in the Repair and Alteration of the Armory at Dover, Delaware.

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. Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, 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 returned to the House.

On motion of Mr. Yerkes, House Bill No. 122, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, as amended, relating to the Cancellation or Suspension of License for the Sale of Alcoholic Liquor, Wines and Beer, and the disposition of Alcoholic Liquors, Wines and Beer by the Commission.

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. Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McQuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, 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 returned to the House.

On motion of Mr. Jones, House Bill No. 92, entitled:

An Act to amend Chapter 21 of the Revised Code of Delaware 1935 relating to the State Board of Agriculture in reference to the Sale of Agricultural Seeds.

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

Mr. Jones moved to suspend rules and so much be considered the reading of the bill.

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. Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Johnston—1.

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.

The Chair presented House Bill No. 4, entitled:

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

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

The Chair presented House Bill No. 7, entitled:

An Act appropriating moneys to certain Hospitals in the State of Delaware.

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

The Chair presented House Bill No. 13, entitled:

An Act appropriating certain money to Palmer Home, Incorporated.

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

The Chair presented House Bill No. 14, entitled:

An Act appropriating money to the Delaware Society for the Prevention of Cruelty to Animals.

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. 17, entitled:

An Act appropriating money to the G. A. R. Department of Delaware.

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. 18, entitled:

An Act appropriating money to the Veterans of Foreign Wars, Department of Delaware.

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. 19, entitled:

An Act appropriating money to the United Spanish War Veterans, Department of Delaware.

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. 24, entitled:

An Act appropriating money to the Delaware Industrial School for Girls.

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. 28, entitled:

An Act appropriating money to The American Legion, Department of Delaware.

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. 29, entitled:

An Act appropriating certain monies for the Support and Maintenance of the District Library Commissions of the State of Delaware.

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. 39, entitled:

An Act to provide for the Instruction of the Inmates of the Children's Beach House, and appropriating money therefor.

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. 266, entitled:

An Act to amend Chapter 56, Revised Code of Delaware, 1935, relating to Registration of Voters, by the repeal of 1744, Sec. 39.

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

The Chair presented House Bill No. 298, entitled:

An Act requiring the Disposal of Cutting of Forest Growth on Rights-of-Way and Boundary Lines or within Fifty (50) Feet thereof within Thirty (30) Days after Cutting prescribing the manner of disposal; prohibiting the depositing or leaving of cutting of Forest Growth on adjacent property without the consent of the owner thereof; making it the duty of the State Forestry Department to notify the party responsible for the cutting of the provisions before; authorizing the State Forestry Department on failure of the responsible party to dispose of such cutting, render statement and collect expenses thereof, and providing penalties for violation.

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

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

Motion prevailed.

Same Day, 5:25 o'clock P. M.

Senate met at expiration of recess.

The President announced he is about to sign:

Senate Bill No. 36 with Senate Amendments Nos. 1 and 2.

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Bill No. 4, entitled:

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

Reported the same back to the Senate favorably.

G. P. EDMONDS
J. S. EVANS
HARRY H. JONES
J. CARL McGUIGAN
HARRY H. MULHOLLAND

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

An Act appropriating moneys to certain Hospitals in the State of Delaware.

Reported the same back to the Senate favorably.

G. P. EDMONDS
J. S. EVANS
HARRY H. JONES
J. CARL McGUIGAN
HARRY H. MULHOLLAND

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Bill No. 13, entitled:

An Act appropriating certain money to Palmer Home, Incorporated.

Reported the same back to the Senate favorably.

G. P. EDMONDS
J. S. EVANS
HARRY H. JONES
J. CARL McGUIGAN
HARRY H. MULHOLLAND

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Bill No. 14, entitled:

An Act appropriating money to the Delaware Society for the Prevention of Cruelty to Animals.

Reported the same back to the Senate favorably.

G. P. EDMONDS
J. S. EVANS
HARRY H. JONES
J. CARL McGUIGAN
HARRY H. MULHOLLAND

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Bill No. 17, entitled:

An Act appropriating money to the G. A. R. Department of Delaware.

Reported the same back to the Senate favorably.

G. P. EDMONDS
J. S. EVANS
HARRY H. JONES
J. CARL McGUIGAN
HARRY H. MULHOLLAND

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Bill No. 18, entitled:

An Act appropriating money to the Veterans of Foreign Wars, Department of Delaware.

Reported the same back to the Senate favorably.

G. P. EDMONDS
J. S. EVANS
HARRY H. JONES
J. CARL McGUIGAN
HARRY H. MULHOLLAND

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Bill No. 19, entitled:

An Act appropriating money to the United Spanish War Veterans, Department of Delaware.

Reported the same back to the Senate favorably.

G. P. EDMONDS
J. S. EVANS
HARRY H. JONES
J. CARL McGUIGAN
HARRY H. MULHOLLAND

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Bill No. 24, entitled:

An Act appropriating money to the Delaware Industrial School for Girls.

Reported the same back to the Senate favorably.

G. P. EDMONDS
J. S. EVANS
HARRY H. JONES
J. CARL McGUIGAN
HARRY H. MULHOLLAND

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Bill No. 28, entitled:

An Act appropriating money to The American Legion, Department of Delaware.

Reported the same back to the Senate favorably.

G. P. EDMONDS
J. S. EVANS
HARRY H. JONES
J. CARL McGUIGAN
HARRY H. MULHOLLAND

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Bill No. 29, entitled:

An Act appropriating certain monies for the Support and Maintenance of the District Library Commissions of the State of Delaware.

Reported the same back to the Senate favorably.

G. P. EDMONDS
J. S. EVANS
HARRY H. JONES
J. CARL McGUIGAN
HARRY H. MULHOLLAND

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred House Bill No. 39, entitled:

An Act to provide for the Instruction of the Inmates of the Children's Beach House, and appropriating money therefor.

Reported the same back to the Senate favorably.

G. P. EDMONDS
J. S. EVANS
HARRY H. JONES
J. CARL McGUIGAN
HARRY H. MULHOLLAND

Mr. Johnston, on behalf of the Committee on Education, to whom had been referred House Bill No. 114, entitled:

An Act to authorize and direct the Treasurer of the State of Delaware to Invest in Interest Bearing Securities the Sum of Ninety-four Thousand Dollars (\$94,000.00) belonging to the State School Fund and now in the General Fund of the State.

Reported the same back to the Senate on its merits.

W. DEANE JOHNSTON
CLAYTON A. BUNTING
HARRY H. MULHOLLAND
GEORGE W. MULLIN
FRANK ATTIX

Mr. Johnston, on behalf of the Committee on Education, to whom had been referred House Substitute for House Bill No. 275, entitled:

An Act changing the Boundaries of certain Special School Districts.

Reported the same back to the Senate favorably.

W. DEANE JOHNSTON
GEORGE W. MULLIN
HARRY H. MULHOLLAND
CLAYTON A. BUNTING
FRANK ATTIX

Mr. Johnston, on behalf of the Committee on Education, to whom had been referred House Bill No. 77, entitled:

An Act to provide for certain Transfers of Appropriations to Boards of School Trustees.

Reported the same back to the Senate favorably.

W. DEANE JOHNSTON
CLAYTON A. BUNTING
HARRY H. MULHOLLAND
GEORGE W. MULLIN
FRANK ATTIX

Mr. Johnston, on behalf of the Committee on Education, to whom had been referred House Substitute for House Bill No. 160, entitled:

An Act authorizing the Rosehill-Minquadale School District No. 47 New Castle County to borrow Money and issue Bonds therefor for the Construction of Additional Facilities at the Minquadale School.

Reported the same back to the Senate favorably.

W. DEANE JOHNSTON
CLAYTON A. BUNTING
HARRY H. MULHOLLAND
GEORGE W. MULLIN
FRANK ATTIX

Mr. Johnston, on behalf of the Committee on Education, to whom had been referred Senate Substitute for Senate Bill No. 135, entitled:

An Act to appropriate certain monies to the State Board of Education for the Education of Handicapped Children.

Reported the same back to the Senate favorably.

W. DEANE JOHNSTON
CLAYTON A. BUNTING
HARRY H. MULHOLLAND
GEORGE W. MULLIN
FRANK ATTIX

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred House Bill No. 138, entitled:

An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, relative to General Elections, by dividing the Fourth Representative District of Sussex County into the First Election District of the Fourth Representative District and the Second Election District of the Fourth Representative District and defining the Boundaries thereof.

Reported the same back to the Senate favorably.

ROBERT H. YERKES
JOHN R. HITCHENS
W. DEANE JOHNSTON
GEORGE W. RHODES
WM. B. HUSTON

Mr. Lynn, 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. 175, entitled:

An Act to amend Chapter 46 of the Revised Code of Delaware 1935 entitled "County Comptrollers" in relation to the Comptroller and Deputy Comptroller of New Castle County.

And presented the same to the Senate.

The Chair presented House Bill No. 175, entitled:

An Act to amend Chapter 46 of the Revised Code of Delaware 1935 entitled "County Comptrollers" in relation to the Comptroller and Deputy Comptroller of New Castle County.

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

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

Senate Concurrent Resolution No. 9—Approved March 19, 1943.

Senate Bill No. 173—Approved March 19, 1943.

Senate Concurrent Resolution No. 11—Approved March 23, 1943.

Senate Concurrent Resolution No. 12—Approved March 23, 1943.

Senate Bill No. 26—Approved March 23, 1943.

Senate Bill No. 32—Approved March 23, 1943.

Senate Bill No. 44—Approved March 23, 1943.

Senate Bill No. 61—Approved March 23, 1943.

Senate Bill No. 68—Approved March 23, 1943.

Senate Bill No. 105—Approved March 23, 1943.

Mr. Attix, on motion for leave, introduced Senate Substitute for Senate Bill No. 168, entitled:

An Act to amend Chapter 71 of the Revised Code of Delaware, 1935, entitled "Free Public Schools," in relation to School Attendance.

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

Mr. McGuigan moved that rules be suspended and that the Senate operate under suspension of rules for the balance of the day.

Motion prevailed.

On motion of Mr. Edmonds, House Bill No. 4, entitled:

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

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. Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McQuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, 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 returned to the House.

On motion of Mr. Edmonds, House Bill No. 7, entitled:

An Act appropriating moneys to certain Hospitals in 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 Bill pass the Senate?"

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

YEAS—Messrs. Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McQuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, 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 returned to the House.

The President announced he is about to sign:

House Bill No. 122.

House Bill No. 92.

On motion of Mr. Edmonds, House Bill No. 13, entitled:

An Act appropriating certain money to Palmer Home, Incorporated.

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. Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, 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 returned to the House.

On motion of Mr. Edmonds, House Bill No. 14, entitled:

An Act appropriating money to the Delaware Society for the Prevention of Cruelty to Animals.

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. Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, 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 returned to the House.

On motion of Mr. Edmonds, House Bill No. 17, entitled:

An Act appropriating money to the G. A. R. Department 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 Bill pass the Senate?"

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

YEAS—Messrs. Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McQuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, 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 returned to the House.

On motion of Mr. Edmonds, House Bill No. 18, entitled:

An Act appropriating money to the Veterans of Foreign Wars, Department 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 Bill pass the Senate?"

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

YEAS—Messrs. Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McQuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, 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 returned to the House.

On motion of Mr. Edmonds, House Bill No. 19, entitled:

An Act appropriating money to the United Spanish War Veterans, Department 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 Bill pass the Senate?"

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

YEAS—Messrs. Attix, Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McQuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, 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 returned to the House.

On motion of Mr. Edmonds, House Bill No. 24, entitled:

An Act appropriating money to the Delaware Industrial School for Girls.

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. Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Attix—1.

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.

On motion of Mr. Edmonds, House Bill No. 28, entitled:

An Act appropriating money to The American Legion, Department 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 Bill pass the Senate?"

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

YEAS — Messrs. Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Attix—1.

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.

On motion of Mr. Edmonds, House Bill No. 29, entitled:

An Act appropriating certain monies for the Support and Maintenance of the District Library Commissions 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 Bill pass the Senate?"

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

YEAS — Messrs. Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Attix—1.

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.

On motion of Mr. Edmonds, House Bill No. 39, entitled:

An Act to provide for the Instruction of the Inmates of the Children's Beach House, and appropriating money 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. Ayres, Edmonds, Evans, Hitchens, Huston, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Attix—1.

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. Bunting moved that the Senate recess until 7:30 o'clock P. M.

Motion prevailed.

Same Day, 8:45 o'clock P. M.

Senate met at expiration of recess.

President Pro Tem Clayton A. Bunting presiding.

On motion of Mr. Yerkes, House Substitute for House Bill No. 128, entitled:

An Act regulating the Purchase and Sale in this State of Lima Beans, Peas or other vegetables for Canning or Processing or any other kindred purposes whatever.

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 Mr. Clifton.

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

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

YEAS—Messrs. Attix, Ayres, Edmonds, Evans, Hitchens, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Huston—1.

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.

Lieutenant-Governor Isaac J. MacCollum presiding.

On motion of Mr. Johnston, House Substitute for Senate Substitute for Senate Bill No. 187, entitled:

An Act to increase the Salary of the Custodian of the State House.

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. Edmonds, Evans, Hitchens, Johnston, Jones, Mulholland, Mullin, Rhodes, Yerkes, Mr. President Pro Tem—10.

NAYS — Messrs. Ayres, McDowell, McGuigan, Messick, Sipple—5.

ABSENT—Messrs. Attix, Huston—2.

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

Mr. Johnston, on behalf of the Committee on Education, to whom had been referred Senate Substitute for Senate Bill No. 168, entitled:

An Act to amend Chapter 71 of the Revised Code of Delaware, 1935, entitled "Free Public Schools;" in relation to School Attendance.

Reported the same back to the Senate favorably.

W. DEANE JOHNSTON
CLAYTON A. BUNTING
HARRY H. MULHOLLAND
FRANK ATTIX
GEORGE W. MULLIN

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

Senate Bill No. 36 with Senate Amendments Nos. 1, and 2, entitled:

An Act to regulate the Manufacture, Sale, Distribution, Use and Possession of Explosives.

Senate Substitute for Senate Bill No. 18, entitled:

An Act providing for the Establishment of a Tenth Grade in the Milford Colored Junior High School.

Senate Substitute for Senate Bill No. 108, entitled:

An Act to amend Chapter 45 of the Revised Code of Delaware, 1935, entitled "County Treasurers and Collection of Taxes," in relation to the Salary of Deputy and Clerical Assistance.

House Substitute for Senate Substitute for Senate Bill No. 93, entitled:

An Act to amend Chapter 29 of the Revised Code of Delaware, 1935, in relation to the State Board of Examiners of Graduate Nurses.

Senate Concurrent Resolution No. 13, entitled:

Providing for a Joint Session of the Senate and House of Representatives to hear the Message of the Governor of the State of Delaware and of the Governor of the Boys' State.

W. DEANE JOHNSTON
HARRY H. MULHOLLAND

On motion of Mr. McGuigan, Senate Substitute for Senate Bill No. 135, entitled:

An Act to appropriate certain monies to the State Board of Education for the Education of Handicapped Children.

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. Attix, Ayres, Evans, Hitchens, Johnston, Jones, McDowell, McGuigan, Messick, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—14.

NAYS—Messrs. Edmonds, Mulholland—2.

ABSENT—Mr. Huston—1.

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. Bunting, Senate Substitute for Senate Bill No. 142, entitled:

An Act authorizing and directing the Levy Court of Sussex County to appoint Regulators of Weights and Measures for Sussex County; prescribing their Qualifications and Duties.

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

Mr. Bunting moved the adoption of the substitute in lieu of the original bill.

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. Attix, Ayres, Edmonds, Evans, Hitchens, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Huston—1.

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. Yerkes, House Substitute for House Bill No. 155, entitled:

An Act to authorize Housing Authorities to Manage and Administer as Agent for the Federal Government projects to provide Housing for persons engaged in War Industries or Activities and to cooperate with the Federal Government in making Housing available for such persons.

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 Mr. Whitney.

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

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

YEAS—Messrs. Attix, Ayres, Edmonds, Evans, Hitchens, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Huston—1.

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.

On motion of Mr. Ayres, Senate Bill No. 90, entitled:

An Act making an appropriation to the Town of Laurel for the Payment of the Town Council of the Town of Laurel for the Construction of connecting Concrete Streets between Highways.

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. Attix, Ayres, Edmonds, Evans, Hitchens, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Huston—1.

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

Senate Bill No. 63 with House Amendment No. 1, entitled:

An Act authorizing the Levy Court of Sussex County to appropriate monies for the Control of Diseases of Hogs in Sussex County.

And returned the same to the Senate for concurrence.

Mr. Lynn, 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. 3, entitled:

An Act appropriating money to the "Board of Managers of the Detention Home" for Salaries and Wages.

And presented the same to the Senate.

Mr. Lynn, 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 Senate Bill No. 83 with Senate Amendment No. 1, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, providing for a Delaware Commission of Shell Fisheries, and by defining the Powers and Duties thereof.

And returned the same to the Senate for concurrence.

Mr. Lynn, 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 Substitute for House Bill No. 167, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware of 1935, relating to Franchise Taxes.

And presented the same to the Senate.

Mr. Lynn, 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, entitled:

An Act to authorize and direct the State Treasurer to transfer to the Current Fund of the Harrington Special School District the sum of Two Thousand Seven Hundred Twenty-five Dollars appearing in the State Treasury in the Debt Service Account to the credit of the said Special School District.

And presented the same to the Senate.

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

Senate Bill No. 96, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, relating to Motor Vehicles, as amended by Chapter 244, Laws of Delaware, 1941, by providing for the Cancellation of the Title to a Motor Vehicle to be Registered in another State, the Return of the Number Plates thereof and the Fee to be paid for such Plates.

And returned the same to the Senate.

On motion of Mr. Yerkes, House Substitute for House Bill No. 66, entitled:

An Act relating to the Licensing and Regulation of the Practice of Optical Dispensing.

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. Attix, Ayres, Edmonds, Evans, Hitchens, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Huston—1.

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.

On motion of Mr. Yerkes, House Bill No. 269, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to Alcoholic Liquor, Wines and Beer, as amended, by providing that certain Quantities of Spirits and Wine or Spirits and Beer may be sold and/or purchased.

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. Attix, Ayres, Edmonds, Evans, Hitchens, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Rhodes, Sipple, Mr. President Pro Tem—14.

NAYS—Messrs. Mullin, Yerkes—2.

ABSENT—Mr. Huston—1.

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.

On motion of Mr. Yerkes, Senate Concurrent Resolution No. 6, entitled:

Resolution Memorializing the Congress of the United States to amend the Constitution of the United States, relative to Taxes on Incomes, Gifts and Inheritances; and providing Limitations on Taxes so Levied; and Repealing the Sixteenth Amendment to the Constitution of the United States.

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

Upon request the privilege of the floor was given to Mr. Truss.

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

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

YEAS — Messrs. Edmonds, Evans, Hitchens, Johnston, Jones, Mulholland, Mullin, Rhodes, Yerkes, Mr. President Pro Tem—10.

NAYS — Messrs. Attix, Ayres, McDowell, McGuigan, Messick, Sipple—6.

ABSENT—Mr. Huston—1.

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. Bunting moved that the Senate recess for 5 minutes.

Motion prevailed.

Same Day, 10:40 o'clock P. M.

Senate met at expiration of recess.

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred House Bill No. 175, entitled:

An Act to amend Chapter 46 of the Revised Code of Delaware 1935 entitled "County Comptrollers" in relation to the Comptroller and Deputy Comptroller of New Castle County.

Reported the same back to the Senate favorably.

ROBERT H. YERKES
G. P. EDMONDS
HARRY H. JONES
HARRY H. MULHOLLAND
FRANK ATTIX

Mr. Lynn, 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 a Proposed Amendment to the Federal Social Security Laws.

And returned the same to the Senate.

Mr. Lynn, 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. 49, entitled:

An Act to amend Chapter 44, Revised Code of Delaware, 1935, entitled "Valuation and Assessment of Property," as amended by Chapter 118, Volume 41, Laws of Delaware, Chapter 119, Volume 41, Laws of Delaware, Chapter 113, Volume 43, Laws of Delaware and Chapter 114, Volume 43, Laws of Delaware; relating to Assessable Property; Exceptions and Exemptions; by Exempting from Assessment and Taxation Property of Polish Army Veterans.

And presented the same to the Senate.

Mr. Lynn, 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 the Death of Harry B. Thaw.

And presented the same to the Senate.

Mr. Lynn, 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. 281, entitled:

An Act to amend Chapter 56, Revised Code of Delaware, 1935, relating to Registration of Voters.

And presented the same to the Senate.

On motion of Mr. Yerkes, House Bill No. 252, entitled:

An Act to amend Article 1 of Chapter 60, Revised Code of Delaware, 1935, relating to General Elections, by the repeal of 1831, Section 22, and by substituting in lieu thereof a new Section to be known as 1831, Section 22.

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 Mr. Richards.

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

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

YEAS — Messrs. Edmonds, Evans, Hitchens, Jones, Mulholland, Mullin, Rhodes, Yerkes, Mr. President Pro Tem—9.

NAYS — Messrs. Attix, Ayres, McDowell, McGuigan, Messick, Sipple—6.

ABSENT—Messrs. Huston, Johnston—2.

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.

On motion of Mr. Yerkes, House Substitute for House Bill No. 257, entitled:

An Act to amend Chapter 58, Revised Code of Delaware, 1935, relating to Primary Elections, by the repeal of 1776, Sec. 8, relating to Voting Books of Qualified Voters for Primary Elections; How Prepared; Supplementary or Duplicate Books:— and by substituting in lieu thereof a new section to be known as 1776, Sec. 8.

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 Mr. Richards.

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

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

YEAS — Messrs. Edmonds, Evans, Hitchens, Johnston, Jones, Mulholland, Mullin, Rhodes, Yerkes, Mr. President Pro Tem—10.

NAYS — Messrs. Attix, Ayres, McDowell, McGuigan, Messick, Sipple—6.

ABSENT—Mr. Huston—1.

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.

On motion of Mr. Yerkes, House Substitute for House Bill No. 267, entitled:

An Act to amend Chapter 56, Revised Code of Delaware relating to Registration Officers; Meeting; Duties; Entries made in Books by Repeal of 1714 Sec. 9, and by substituting in lieu thereof a new Section to be known as Section 1714 Sec. 9.

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 Mr. Richards.

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

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

YEAS—Messrs. Attix, Ayres, Edmonds, Evans, Hitchens, Johnston, Jones, McDowell, McGuigan, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Huston, Messick—2.

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.

On motion of Mr. Yerkes, House Substitute for House Bill No. 265, entitled:

An Act to amend Chapter 56, Revised Code of Delaware, 1935, relating to Registration of Voters, by the repeal of 1718. Sec. 13, and by substituting in lieu thereof a new Section to be known as 1718. Sec. 13.

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 Mr. Richards.

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

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

YEAS—Messrs. Attix, Ayres, Edmonds, Evans, Hitchens, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Huston—1.

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.

The President announced he is about to sign:

Senate Bill No. 96.

House Substitute for Senate Substitute for Senate Bill No. 187.

On motion of Mr. Yerkes, House Substitute for House Bill No. 286, entitled:

An Act to amend Chapter 56, Revised Code of Delaware, 1935, relating to Registration of Voters, by the repeal of 1717. Sec. 12, and by substituting in lieu thereof a new Section to be known as 1717. Sec. 12.

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 Mr. Richards.

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

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

YEAS—Messrs. Attix, Ayres, Edmonds, Evans, Hitchens, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Huston—1.

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.

The Chair announced he replied to the Governor of Maryland concerning the speech of Anthony Eden.

Mr. Yerkes moved that the Senate recess for 10 minutes.

Motion prevailed.

Same Day, Later

Senate met at expiration of recess.

On motion of Mr. Mullin, House Bill No. 175, entitled:

An Act to amend Chapter 46 of the Revised Code of Delaware 1935 entitled "County Comptrollers" in relation to the Comptroller and Deputy Comptroller 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. Attix, Ayres, Edmonds, Evans, Hitchens, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Huston—1.

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. Lynn, 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:

Relative to the Release of Manpower from the State Agencies and other Organizations for the Successful Prosecution of the War Effort.

And presented the same to the Senate.

Mr. Lynn, 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. 283, entitled:

An Act to amend Chapter 60, Revised Code of Delaware, 1935, relating to General Elections.

And presented the same to the Senate.

On motion of Mr. Attix, Senate Substitute for Senate Bill No. 168, entitled:

An Act to amend Chapter 71 of the Revised Code of Delaware, 1935, entitled "Free Public Schools;" in relation to School Attendance.

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 Mr. Whitney.

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

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

YEAS—Messrs. Attix, Ayres, Edmonds, Evans, Hitchens, Johnston, Jones, McDowell, McGuigan, Messick, Mulholland, Mullin, Rhodes, Sipple, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Huston—1.

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.

The President announced he is about to sign:

Senate Concurrent Resolution No. 14.

House Bill No. 269.

House Bill No. 13.

House Bill No. 7.

House Bill No. 4.

House Bill No. 19.

House Bill No. 18.

House Bill No. 17.

House Bill No. 14.

House Substitute for House Bill No. 128.

House Substitute for House Bill No. 66.

House Bill No. 39.

House Bill No. 29.

House Bill No. 28.

House Bill No. 24.

House Substitute for House Bill No. 155.