

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

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

YEAS—Messrs. Ayres, Edmonds, Evans, Jones, Lawson, McGuigan, Rhodes—7.

NAYS — Messrs. Binder, Butler, Hastings, Hitchens, Johnston, McDowell, Weigel, Yerkes, Mr. President Pro Tem—9.

ABSENT—Mr. Bailey—1.

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

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

Mr. Ayres moved that Senate Bill No. 6, entitled:

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

Be laid on the table for first order of business on the next Legislative Day.

Motion prevailed.

Mr. Johnston moved that Senate Bill No. 4 be recommitted back to committee.

Motion prevailed.

Mr. Hitchens, on motion for leave, introduced Senate Bill No. 39, entitled:

An Act to amend An Act to Re-Incorporate the Town of Lewes, being Chapter 170, Volume 43, Laws of Delaware, by providing that Candidates for Election to any Municipal Office in the said Town, in addition to Present Qualifications, also must be Freeholders or Leaseholders and to have had their Deeds or Leases recorded in the Recorder's Office at Georgetown at least Three Months prior to the Date of Election, and by further providing that Voters at a Town Election must have resided in the Town of Lewes at least Six Months prior to the Election, and must have paid all Town Taxes assessed during the Two Years

next prior to the Election and must have made Payment thereof not later than December 16th of the Calendar Year just preceding the Election Date, and by further providing that no "Summer Resident" shall be permitted to vote at a Town Election unless such Summer Resident pays a Property Tax upon Property located in the said Town.

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

On motion for leave, Mr. Johnston introduced Senate Resolution No. 25, entitled:

### SENATE RESOLUTION NO. 25

Relative to Payment on Account for Collecting Data, Compiling, Editing and Publishing the Daily Calendar for the State Senate.

BE IT RESOLVED by the Senate of the State of Delaware that the following amount be and the same is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for collecting data, compiling, editing and publishing the Daily Calendar for the Senate of the State of Delaware, same being expense connected with the present Session thereof, viz:

To Milford Chronicle Publishing Co., One Thousand and Five Hundred Dollars (\$1,500.00) being part payment on account for above.

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, was adopted, by acclamation.

Mr. Yerkes moved that the Senate adjourn until 11 o'clock, A. M., February 1, 1945.

Motion prevailed.

## Sixteenth Legislative Day

Dover, Delaware, February 1, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

Member Absent—McDowell—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.

Mr. Rhodes, on behalf of the Committee on Temperance, to whom had been referred Senate Bill No. 4, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, as amended, with reference to the Unlawful Transportation of Alcoholic Liquor, providing Penalties therefor and for the Confiscation of any Vehicle used in the commission of any offenses thereunder.

Reported the same back to the Senate favorably.

GEORGE W. RHODES  
JOHN R. HITCHENS  
W. DEANE JOHNSTON  
JAS. S. EVANS  
FRED S. BAILEY

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

An Act authorizing the Recorder of Sussex County to procure a Record for the purpose of Recording the Leases of Oil Companies of Lands in Sussex County.

Reported the same back to the Senate favorably.

HARRY H. MULHOLLAND  
G. P. EDMONDS  
ROBERT H. YERKES  
GEORGE W. RHODES  
WILLIAM H. AYRES

Mr. Lawson, on behalf of the Committee on Public Lands, to whom had been referred Senate Bill No. 38, entitled:

An Act authorizing the Levy Court of Sussex County to convey to the United States of America or any Instrumentality thereof, the title to certain Lands of the Airport and Landing Field of Sussex County and Ratifying an Option Granted to the United States of America.

Reported the same back to the Senate favorably.

H. H. LAWSON  
JAS. S. EVANS  
W. DEANE JOHNSTON  
HARRY H. JONES  
J. CARL McGUIGAN

The Chair declared a recess for five minutes.

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Same Day, Later

Senate met at expiration of recess.

The Chair presented Senate Bill No. 5, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to Alcoholic Liquor Wines and Beer, by changing the Designation of Holidays under 6162 Secr. 33 thereof.



Which had been "Tabled" on the 15th Legislative Day, January 30, 1945.

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, Bailey, Binder, Edmonds, Evans, Hitchens, Jones, Johnston, Lawson, Rhodes, Weigel, Yerkes—12.

NAYS—Messrs. Butler, Hastings, McDowell, McGuigan—4.

ABSENT—Mr. President Pro Tem—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. Yerkes moved that the Senate recess until 2:15 o'clock P. M.

Motion prevailed.

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Same Day, 2:50 o'clock P. M.

Senate met at expiration of recess.

On motion of Mr. Mulholland, Senate Joint Resolution No. 2, entitled:

Providing for a Joint Committee to make Studies and to Prepare a Post-War Program for the Consideration of the 110th General Assembly.

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Butler, Lawson—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. Binder, House Bill No. 6, entitled:

An Act to authorize the Prothonotary of the Superior Court of the State of Delaware in and for Sussex County to procure a New Seal of Office.

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, Bailey, Binder, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Butler, Lawson—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, Messrs. Yerkes and Ayres introduced Senate Concurrent Resolution No. 10, entitled:

With reference to a Poultry Co-ordinator for Delaware.

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, was adopted, by acclamation.

Ordered to the House for concurrence.

Mr. Evans, on motion for leave, introduced Senate Bill No. 40, entitled:

An Act to amend Chapter 37 of the Revised Code of Delaware, 1935, entitled "State Board of Accountancy."

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

Mr. Edmonds, on motion for leave, introduced Senate Bill No. 41, entitled:

An Act appropriating money to Board of Managers of the Council of State Governments.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 42, entitled:

An Act to amend Chapter 35 of the Revised Code of Delaware, 1935, entitled "Board of Pilot Commissioners," with reference to Expenses of Commissioners and Renewal Fees.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 43, entitled:

An Act authorizing the Locating, Building and Controlling of Duck Blinds.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 44, entitled:

An Act to amend Chapter 73 of the Revised Code of Delaware, 1935, entitled "State College for Colored Students," by changing the Tenure of Office of Members of the Board of Trustees thereof.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 45, entitled:

An Act making an appropriation for the Purchase and Improvement of Property by the State for the use of the State College for Colored Students.

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

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 46, entitled:

An Act to amend An Act changing the Name of "The Town of Dover" to "The City of Dover" and establishing a Charter therefor, with respect to Hours of Voting, and Liability for Capitation Tax.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 47, entitled:

An Act to amend Chapter 54 of the Revised Code of Delaware, 1935, entitled "State Old Age Welfare Commission and State Welfare Home," with reference to the appointment of the Members of the Commission.

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

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

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to Alcoholic Liquor, Wines and Beer by Limiting the Time for Appeal under 6151 Sec. 22 of said Chapter and conforming proceedings on Appeal under 6151 Sec. 22 with provisions of 6150 Sec. 21, as amended.

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, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, 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 of Mr. Johnston, Senate Bill No. 2, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, as amended, relating to Alcoholic Liquor, Wines and Beer, by making unlawful the "Manufacture" of "Alcoholic Liquor" and the Possession of Stills, Mash and Paraphernalia useful in the "Manufacture" of "Alcoholic Liquor" by "Persons" not licensed to "Manufacture" "Alcoholic Liquor": providing Penalties therefor: and providing for the Seizure of all Liquors, Stills, Mash, and Paraphernalia used in connected with such unlawful "Manufacture," or so possessed.

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, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, 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. Mulholland introduced Senate Concurrent Resolution No. 11, entitled:

Fixing the Time after which no New Bills or Joint Resolutions shall be received by either House, except General Appropriation Bills, and/or Bills relating to Post-War Problems.

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, was adopted, by acclamation.

Ordered to the House for concurrence.

Mr. Holliday, 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. 5, entitled:

An Act establishing a Fiscal Year for the Levy Court of Sussex County.

And presented the same to the Senate.

Mr. Holliday, 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 to amend Chapter 20 of the Revised Code of Delaware, 1935, as amended, entitled "Insurance Department," by empowering "Domestic Companies" to pay Fees and Taxes imposed by any Laws of any State, Territory or Political Subdivision thereof, that have not been finally held invalid and exempting Officers, Directors or Trustees of "Insurance Companies" from personal liability for Payments of such Fees or Taxes under certain circumstances.

And presented the same to the Senate.

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

Senate Concurrent Resolution No. 10, entitled:

With reference to a Poultry Co-ordinator for Delaware.  
And returned the same to the Senate.

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 48, entitled:

An Act to amend Chapter 16 of the Revised Code of Delaware, 1935, as amended, entitled "Auditor of Accounts," by increasing the Salary of the Deputy appointed by the Auditor of Accounts.

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. 5, entitled:

An Act establishing a Fiscal Year for the Levy Court of Sussex County.

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

The Chair presented House Bill No. 7, entitled:

An Act to amend Chapter 20 of the Revised Code of Delaware, 1935, as amended, entitled "Insurance Department," by empowering "Domestic Companies" to pay Fees and Taxes imposed by any Laws of any State, Territory or Political Subdivision thereof, that have not been finally held invalid and exempting Officers, Directors or Trustees of "Insurance Companies" from personal liability for Payments of such Fees or Taxes under certain circumstances.

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

Mr. Yerkes moved that the Senate adjourn until 12 o'clock, Noon, February 2, 1945.

Motion prevailed.

## Seventeenth Legislative Day

Dover, Delaware, February 2, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

Member Absent—Butler—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 the following communication:

### PENINSULA HORTICULTURAL SOCIETY

Newark, Delaware, February 1, 1945

The Senate  
State of Delaware  
Dover, Delaware

My Dear Sirs:

Enclosed are the Resolutions adopted at the Annual Meeting of the Peninsula Horticultural Society, December 15, 1944. Several items are requests for which the Society would like your very careful consideration.

Very truly yours,

T. F. MANNS, *Secretary*



REPORT OF THE COMMITTEE ON RESOLUTIONS  
ADOPTED AT THE ANNUAL MEETING OF THE PENINSULA

HORTICULTURAL SOCIETY AT DOVER, DELAWARE,  
ON DECEMBER 15, 1944

WHEREAS, an emergency labor situation continues,

BE IT RESOLVED, that to help alleviate the farm labor shortage, this Society recommends that Congress appropriate a sum of money not in excess of that used in 1944 to carry out the emergency labor program of 1945.

WHEREAS, the certification of 1944 Southern grown tomato plants failed to measure up to proper certification,

BE IT RESOLVED, that the Peninsula Horticultural Society contact the proper authorities, requesting them to see that the tomato plants sold on the Peninsula as "Certified" be true to certification with respect to disease and count.

RESOLVED, that the Peninsula Horticultural Society support the claims made by Delaware apple growers for losses due to certain methods of fumigation supervised and recommended by the Federal Bureau of Entomology and Plant Quarantine for the control of Japanese beetles.

WHEREAS, Delaware and Maryland fruit growers have been saved thousands of dollars by the help of the U. S. Fish and Wildlife Service in reducing injury to fruit trees by rodents, and

WHEREAS, continued studies and assistance are desired in the development of better control methods for mice, rats, woodchucks, rabbits, and other wildlife injurious to the fruit industry as well as other agricultural crops, and

WHEREAS, federal assistance in the solution of these problems is now curtailed by a lack of cooperative funds from Delaware and Maryland, therefore,

BE IT RESOLVED, that the Peninsula Horticultural Society recommend establishment of a cooperative rodent control program between the U. S. Fish and Wildlife Service and the State Experiment Stations of Delaware and Maryland by providing \$6,000.00 State funds annually by each State for this work.

RESOLVED, that the Peninsula Horticultural Society urge the development of greenhouse facilities for the Delaware Agricultural Experiment Station as a part of the post-war development for the advancement of agriculture and that a State appropriation of \$75,000.00 for this purpose be urgently supported.

WHEREAS, the Peninsula Horticultural Society has been the recipient of unusual hospitality in the city of Dover, through the cooperation of city officials, the State Department, Superintendent of Dover Schools for the use of cafeteria facilities, Fruitland Grange for the delicious and well served banquet, and the many public spirited citizens who gave of their time and talent.

BE IT RESOLVED, that the Peninsula Horticultural Society express its thanks and appreciation.

BE IT FURTHER RESOLVED, that copies of these resolutions be transmitted by the Secretary to the Legislative bodies of the States of Delaware and Maryland, and to the executives of each of the Universities of those states.

Committee:

A. F. WALKER, *Chairman*  
ROBERT SMITH  
FULTON ALLEN

Unanimously adopted, December 15, 1944.

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred, Senate Bill No. 48, entitled:

An Act to amend Chapter 16 of the Revised Code of Delaware, 1935, as amended, entitled "Auditor of Accounts," by increasing the Salary of the Deputy appointed by the Auditor of Accounts.

Reported the same back to the Senate favorably.

G. P. EDMONDS  
HARRY H. MULHOLLAND  
GEORGE W. RHODES  
HARRY H. JONES  
WILLIAM H. AYRES

Mr. Johnston, on behalf of the Committee on Education, to whom had been referred, House Bill No. 3, entitled:

An Act to transfer certain Funds to the Maintenance Account of Stanton School District No. 38.

Reported the same back to the Senate favorably.

W. DEANE JOHNSTON  
GEO. E. BINDER  
H. H. LAWSON  
HARRY H. JONES  
IRVIN T. HASTINGS

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

Senate Concurrent Resolution No. 1, entitled:

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

Senate Concurrent Resolution No. 2 with House Amendment No. 1, entitled:

Providing for a Joint Session to Hear the Message of the Governor.

Senate Concurrent Resolution No. 3, entitled:

Providing for the Joint Session to Count the Vote for Governor and Lieutenant-Governor.

Senate Concurrent Resolution No. 4, entitled:

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

Senate Concurrent Resolution No. 5, entitled:

Providing for Adjournment of the Senate and the House of Representatives until Tuesday, January 16, 1945.

Senate Concurrent Resolution No. 6, entitled:

Appropriation for Postage Stamps and other Supplies for the 110th General Assembly.

Senate Concurrent Resolution No. 7, entitled:

Directing the Appointment of a Committee to arrange a suitable program for the Observance of Washington's Birthday.

Senate Concurrent Resolution No. 8, entitled:

Appropriating money for the purchase of Stationery and other Supplies in connection with the Special Session of the 109th General Assembly of the State of Delaware held on March 24, A. D. 1944.

Senate Joint Resolution No. 1, entitled:

Appointing a Bill Clerk for the Senate and a Bill Clerk for the House of Representatives.

H. H. LAWSON  
J. S. EVANS  
SAMUEL WEIGEL, JR.

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

An Act establishing a Fiscal Year for the Levy Court of Sussex County.

Reported the same back to the Senate favorably.

GEO. E. BINDER  
SAMUEL WEIGEL, JR.  
JOHN R. HITCHENS  
HARRY H. JONES  
JOHN R. BUTLER

Mr. Binder, on motion for leave, introduced Senate Bill No. 49, entitled:

An Act to amend Chapter 66 of the Revised Code of Delaware, 1935, by providing that Uninvested Funds held by a Trust Company acting in a Fiduciary Capacity shall be a Preferred Claim over all Unsecured Claims.

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

Mr. Binder, on motion for leave, introduced Senate Bill No. 50, entitled:

An Act to amend Chapter 117 of the Revised Code of Delaware, 1935, relating to the Method of Determining Income of Life Tenants of Testamentary Trust Estates.

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

Mr. Binder, on motion for leave, introduced Senate Bill No. 51, entitled:

An Act to amend Chapter 66 of the Revised Code of Delaware, 1935, relating to Banks or Trust Companies using a Nominee when acting in a Fiduciary Capacity.

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

Mr. Binder, on motion for leave, introduced Senate Bill No. 52, 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.

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

Mr. Binder, on motion for leave, introduced Senate Bill No. 53, entitled:

An Act to amend Article 6 of Chapter 66 of the Revised Code of Delaware, 1935, relating to the Borrowing of Money by Building and Loan Associations.

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

Mr. Binder, on motion for leave, introduced Senate Bill No. 54, entitled:

An Act to amend Chapter 76 of the Revised Code of Delaware, 1935, relating to the Bonds, Recognizances, Accounts and Allowances of Trustees for Insane Persons.

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

Mr. Binder, on motion for leave, introduced Senate Bill No. 55, entitled:

An Act providing that the Rule Against Perpetuities shall not apply to any Trust for Employees.

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

Mr. Binder, on motion for leave, introduced Senate Bill No. 56, entitled:

An Act to amend Chapter 66 of the Revised Code of Delaware, 1935, by providing that Uninvested Funds held by a Trust Company acting in a Fiduciary Capacity shall be a Preferred Claim over all Unsecured Claims.

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

Mr. Mulholland moved that the Senate recess until 2:15 o'clock P. M.

Motion prevailed.

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Same Day, 3 o'clock P. M.

Senate met at expiration of recess.

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 57, entitled:

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

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

Mr. Rhodes, on behalf of the Committee on Temperance, to whom had been referred, Senate Bill No. 1, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, as amended, with reference to the Seizure and Confiscation of Alcoholic Liquor and other Property used in connection with Violations of the Liquor Control Act and providing for Proceedings in the Court of General Sessions for New Castle County in connection therewith.

Reported the same back to the Senate favorably.

GEO. W. RHODES  
JAMES S. EVANS  
JOHN R. HITCHENS  
W. DEANE JOHNSTON  
FRED S. BAILEY

On motion of Mr. Mulholland, Senate Bill No. 38, entitled:

An Act authorizing the Levy Court of Sussex County to convey to the United States of America or any Instrumentality thereof, the title to certain Lands of the Airport and Landing Field of Sussex County and Ratifying an Option Granted to the United States of America.

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, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, 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.

Mr. McDowell, on motion for leave, introduced Senate Bill No. 58, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, as amended, in relation to Salaries Payable to the Members of the Levy Court of New Castle County.

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

On motion of Mr. Mulholland, House Bill No. 4, entitled:

An Act authorizing the Recorder of Sussex County to procure a Record for the purpose of Recording the Leases of Oil Companies of Lands in Sussex 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. Ayres, Binder, Edmonds, Evans, Hitchens, Jones, Johnston, Lawson, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—12.

NAYS—Mr. Hastings—1.

NOT VOTING — Messrs. Bailey, Butler, McDowell, McGuigan—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. Holliday, Clerk of the House, being admitted, informed the Senate that the House had passed and requested the concurrence of the Senate in the following:

House Joint Resolution No. 1, entitled:

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

And presented the same to the Senate.

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

Senate Concurrent Resolution No. 11, entitled:

Fixing the Time after which no New Bills or Joint Resolutions shall be received by either House, except General Appropriation Bills, and/or Bills relating to Post-War Problems.

And returned the same to the Senate.

On motion of Mr. Hitchens, Senate Bill No. 23, entitled:

An Act to authorize the Levy Court of Sussex County to invest any Surplus Funds in the Treasury of Sussex County, not otherwise appropriated.

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. Binder, Edmonds, Evans, Hitchens, Jones, Johnston, Lawson, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—11.

NAYS—Messrs. Ayres, Bailey, Butler, Hastings, McDowell, McGuigan—6.

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

Ordered to the House for concurrence.

#### EXECUTIVE SESSION

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

Motion prevailed.

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Same Day, Later

Senate met in regular session.

Mr. Lawson, on motion for leave, introduced Senate Bill No. 59, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game," with reference to the Liability of Persons in the City of Wilmington for Dog License Tax.

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

Mr. Lawson, on motion for leave, introduced Senate Bill No. 60, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, with respect to the Tax Rate in Sussex 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 Joint Resolution No. 1, entitled:

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

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

The Chair presented the following communication from the Governor:

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

Dover, 1 February, 1945

To the Honorable, The Senate  
of the State of Delaware  
110th General Assembly  
Dover, Delaware

Gentlemen:

In accordance with the provisions of Article VII Section 1, of the Constitution of Delaware, I attach hereto copies of all commutations of sentence and pardns issued since the adjournment of the General Assembly on the ninth day of April, A. D. 1943.

Yours respectfully,

WALTER W. BACON  
*Governor*

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

STATE OF DELAWARE	}	No. 65 March Term, A. D. 1936
<i>vs.</i>		Indictment
JAMES P. LESAGE		First Degree Murder

In the Court of Oyer and Terminer of the State of Delaware, in and for New Castle County, one James P. Lesage was indicted and arraigned on a charge of First Degree Murder and being brought to the Bar of the said Court, entered a plea of not guilty of Murder in the First Degree, but guilty of Murder in the Second Degree, whereupon it was adjudged by the said Court that the said James P. Lesage was guilty of Murder in the Second Degree, and should be imprisoned for a period of his Natural

life, commencing on the 16th day of March, A. D. 1937, and be committed to the custody of the Board of Trustees of the New Castle County Workhouse until this sentence is executed.

And Whereas, the terms of the sentence were carried out and the said James P. Lesage is now incarcerated in the New Castle County Workhouse.

And Whereas, a majority of the Board of Pardons, after a full hearing, have recommended in writing, that the said James P. Lesage be granted a commutation of sentence so that his sentence of life imprisonment shall be commuted to a term of ten years, commencing on the said 16th day of March, A. D. 1937, and ending on the 15th day of March, A. D. 1947, the said Board of Pardons having fully set forth in said paper writing, their reasons for such recommendation.

Now, Therefore, I, Walter W. Bacon, Governor of the State of Delaware, by virtue of the authority in me vested by the Constitution of the said State in that behalf, have granted and do hereby grant unto the said James P. Lesage, as recommended by the Board of Pardons, a commutation of sentence, so that his term of imprisonment will end on the fifteenth day of March, A. D. 1947.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the said State to be hereunto affixed, at Dover, this twentieth day of January, in the year of our Lord, one thousand nine hundred and forty-three, and of the Independence of the United States of America, the one hundred and sixty-seventh.

(Great Seal)

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY  
*Secretary of State*

STATE OF DELAWARE

*vs.*

ELIJAH BECKHAN

No. 72, May Term, 1934

Indictment

First Degree Murder

In the Court of Oyer and Terminer of the State of Delaware in and for New Castle County, one Elijah Beckhan was indicted and arraigned for the crime of First Degree Murder and entered a plea of not guilty of murder in the First Degree, whereupon a jury, being duly elected, tried and sworn, respectively do say that the said Elijah Beckhan is guilty of murder in the Sec-

ond Degree, and the Court immediately considered and adjudged that the aforesaid Elijah Beckhan shall be imprisoned for life, commencing on the fifteenth day of June, A. D. 1934, shall pay the costs of prosecution, and be committed to the Board of Trustees of the New Castle County Workhouse until this sentence is executed.

And Whereas, the said Elijah Beckhan was duly committed to the New Castle County Workhouse and is now incarcerated there.

And Whereas, a majority of the Board of Pardons, after a full hearing, have recommended in writing that the said Elijah Beckhan be granted a commutation of sentence from life imprisonment to a term of twenty years so that his term of imprisonment will end on the fourteenth day of June, A. D. 1954, the said Board of Pardons having fully set forth in said paper writing their reasons for such recommendation.

Now, Therefore, I, Walter W. Bacon, Governor of the State of Delaware, by virtue of the authority in me vested by the Constitution of the said State in that behalf, have granted and do hereby grant to the said Elijah Beckhan, as recommended by the Board of Pardons, a commutation of sentence so that his term of imprisonment will end on the fourteenth day of June, A. D. 1954.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the said State to be hereunto affixed at Dover, this tenth day of May, in the year of our Lord one thousand nine hundred and forty-three, and of the Independence of the United States of America, the one hundred and sixty-seventh.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY

*Secretary of State*

STATE OF DELAWARE

*vs.*

GEORGE E. LLOYD

No. 1, October Term, 1942

Indictment

Larceny

In the Court of General Sessions of the State of Delaware in and for New Castle County, one George E. Lloyd was indicted, arraigned and tried for the crime of Larceny, and upon such trial was found guilty as indicted, whereupon it was adjudged by

the said Court that the said George E. Lloyd should be imprisoned for a term of eight months beginning on the thirtieth day of October, A. D. 1942 and ending on the twenty-ninth day of June, A. D. 1943, pay the costs of prosecution, and be committed to the custody of the Board of Trustees of the New Castle County Workhouse until said sentence is executed.

And Whereas, on the thirty-first day of December, A. D. 1942 the said George E. Lloyd was indicted, arraigned and tried for the crime of escape, and upon such trial was found guilty as indicted, whereupon it was adjudged by the said Court that the said George E. Lloyd should be imprisoned for a term of two months commencing on the twenty-ninth day of June, A. D. 1943, and ending on the twenty-ninth day of August, A. D. 1943, pay the costs of this prosecution, and be committed to the custody of the Board of Trustees of the New Castle County Workhouse until this sentence is executed.

And Whereas, the terms of the sentence are being carried out and the said George E. Lloyd is now incarcerated in the New Castle County Workhouse.

And Whereas, a majority of the Board of Pardons, after a full hearing, have recommended in writing, that the said George E. Lloyd be granted a commutation of sentence, so that when all allowances are deducted from the said sentence, the said George E. Lloyd may be discharged from the New Castle County Workhouse and his sentence fully completed on the tenth day of May, A. D. 1943, the said Board of Pardons having fully set forth in said paper writing their reasons for recommendation.

Now, Therefore, I, Walter W. Bacon, Governor of the State of Delaware, by virtue of the authority in me vested by the Constitution of the said State in that behalf, have granted and do hereby grant to the said George E. Lloyd, as recommended by the Board of Pardons, a commutation of sentence so that his term of imprisonment will end on the tenth day of May, A. D. 1943.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the said State to be hereunto affixed at Dover, this tenth day of May in the year of our Lord one thousand nine hundred and forty-three, and of the Independence of the United States of America, the one hundred and sixty-seventh.

(Great Seal)

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY

*Secretary of State*

STATE OF DELAWARE

*vs.*

WILLIAM BENSON

No. 11, June Term, 1929

Indictment

First Degree Murder

In the Court of Oyer and Terminer of the State of Delaware in and for Sussex County, one William Benson was indicted and arraigned for the crime of First Degree Murder and upon arraignment entered a plea of not guilty in manner and form as he stood indicted, murder in the First Degree, but guilty of murder in the Second Degree which plea was accepted by the State, and the Court immediately considered and adjudged that the aforesaid William Benson shall be imprisoned for life, commencing on the second day of July, A. D. 1929, shall pay the costs of prosecution, and be committed to the Board of Trustees of the New Castle County Workhouse until this sentence is executed.

And Where, on the second day of July, A. D. 1929 the said William Benson was duly committed to the New Castle County Workhouse where he remained until the twenty-eighth day of June, A. D. 1943,

And Whereas, on the twenty-eighth day of June, A. D. 1943, pursuant to act of the General Assembly of the State of Delaware approved by the Governor, the said William Benson was resentenced and committed to the custody of the Board of Trustees of Sussex County to be confined in the Sussex County prison until the sentence originally imposed is executed.

And Whereas, a majority of the Board of Pardons, after a full hearing, have recommended in writing that the said William Benson be granted a commutation of sentence from life imprisonment to a term of twenty-eight years so that his term of imprisonment will end on the first day of July, A. D. 1957, the said Board of Pardons having fully set forth in said paper writing their reasons for such recommendation.

Now, Therefore, I, Walter W. Bacon, Governor of the State of Delaware, by virtue of the authority in me vested by the Constitution of the said State in that behalf, have granted and do hereby grant to the said William Benson, as recommended by the Board of Pardons, a commutation of sentence so that his term of imprisonment will end on the first day of July, A. D. 1957.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the said State to be hereunto affixed at Dover, this seventh day of October,

(*Great Seal*) in the year of our Lord one thousand nine hundred and forty-three, and of the Independence of the United States of America, the one hundred and sixty-eighth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY

*Secretary of State*

STATE OF DELAWARE

*vs.*

OLIVER CULLEN

No. 13, October Term, 1933

Indictment

First Degree Murder

In the Court of Oyer and Terminer of the State of Delaware in and for Sussex County, one Oliver Cullen was indicted and arraigned for the crime of First Degree Murder and entered a plea of not guilty of murder in the First Degree, whereupon a jury, being duly elected, tried and sworn, respectively do say that the said Oliver Cullen is guilty of murder in the Second Degree, and the Court immediately considered and adjudged that the aforesaid Oliver Cullen shall be imprisoned for life, commencing on the twentieth day of October, A. D. 1933, shall pay the costs of prosecution, and be committed to the Board of Trustees of the New Castle County Workhouse until this sentence is executed.

And Whereas, on the twentieth day of October, A. D. 1933, the said Oliver Cullen was duly committed to the New Castle County Workhouse where he remained until the twenty-eighth day of July, A. D. 1943;

And Whereas, on the twenty-eighth day of July, A. D. 1943, pursuant to act of the General Assembly of the State of Delaware approved by the Governor, the said Oliver Cullen was re-sentenced and committed to the custody of the Board of Trustees of Sussex County to be confined in the Sussex County prison until the sentence originally imposed is executed.

And Whereas, a majority of the Board of Pardons, after a full hearing, have recommended in writing that the said Oliver Cullen be granted a commutation of sentence from life imprisonment to a term of twenty years so that his term of imprisonment will end on the nineteenth day of October, A. D. 1953, the said Board of Pardons having fully set forth in said paper writing their reasons for such recommendation.

Now, Therefore, I, Walter W. Bacon, Governor of the State of Delaware, by virtue of the authority in me vested by the Constitution of the said State in that behalf, have granted and do

hereby grant to the said Oliver Cullen, as recommended by the Board of Pardons, a commutation of sentence so that his term of imprisonment will end on the nineteenth day of October, A. D. 1953.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the said State to be hereunto affixed at Dover, this eighteenth day of October, in the year of our Lord one thousand nine hundred and forty-three, and of the Independence of the United States of America, the one hundred and sixty-eighth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY  
*Secretary of State*

STATE OF DELAWARE	}	No. 13 to June Term, 1943
<i>vs.</i>		
WILLIAM CALHOUN, JR.		Information on Appeal

In the Court of General Sessions of the State of Delaware in and for Sussex County, one William Calhoun, Jr., was charged on information, arraigned and tried for the crime of Larceny, and upon such trial was found guilty as charged in Information on Appeal, whereupon it was adjudged by the said Court that the said William Calhoun, Jr., should be imprisoned for a term of One (1) year, beginning on the third day of August, A. D. 1943, and ending on the fourth day of August, A. D. 1944, pay the costs of prosecution, and be committed to the custody of the Board of Trustees of the Sussex County Prison at Georgetown, Delaware, until said sentence is executed.

And Whereas, the terms of the sentence are being carried out and the said William Calhoun, Jr., is now incarcerated in the Sussex County Prison.

And Whereas, a majority of the Board of Pardons, after a full hearing, having recommended in writing, that the said William Calhoun, Jr., be granted a commutation of sentence from imprisonment of one (1) year, to a term of six (6) months so that his term of imprisonment will end on the second day of February, A. D. 1944, the said Board of Pardons having fully set forth in said paper writing their reasons for such recommendation.



Now, Therefore, I, Walter W. Bacon, Governor of the State of Delaware, by virtue of the authority in me vested by the Constitution of the said State in that behalf, have granted and do grant to the said William Calhoun, Jr., as recommended by the Board of Pardons, a commutation of sentence so that his term of imprisonment will end on the second day of February, A. D. 1944.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the said State to be hereunto affixed at Dover, this thirteenth day of January in the year of our Lord one thousand nine hundred and forty-four, and of the Independence of the United States of America, the one hundred and sixty-eighth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY

*Secretary of State*

STATE OF DELAWARE

*vs.*

LAWRENCE HITCHENS

No. 9 February Term, A. D. 1943

Indictment

Assault With Intent To Kill

In the Court of General Sessions of the State of Delaware in and for Sussex County, one Lawrence Hitchens on the first day of February, 1943, was arraigned on a charge of Assault With Intent To Kill and entered a plea of not guilty. Subsequently on February 4, 1943, the said Lawrence Hitchens changed his plea of not guilty of Assault With Intent To Kill to guilty of Assault, whereupon it was adjudged by the Court that the said Lawrence Hitchens should be imprisoned for a term of five (5) years beginning on the fourth day of February, A. D. 1943 and ending on the fourth day of February, A. D. 1948, pay the costs of prosecution and be committed to the custody of the Board of Trustees of the Sussex County Jail until said sentence is executed.

And Whereas, the terms of the sentence are being carried out and the said Lawrence Hitchens is now incarcerated in the Sussex County Jail.

And Whereas, a majority of the Board of Pardons, after a full hearing, have recommended in writing that the said Lawrence Hitchens be granted a commutation of sentence from imprisonment of five (5) years to a term of three (3) years so that his term of imprisonment will end on the third day of February, A. D. 1946, the said Board of Pardons having fully set forth in said paper writing their reasons for such recommendation.

Now, Therefore, I, Walter W. Bacon, Governor of the State of Delaware, by virtue of the authority in me vested by the Constitution of the said State in that behalf, have granted and do hereby grant to the said Lawrence Hitchens, as recommended by the Board of Pardons, a commutation of sentence so that his term of imprisonment will end on the third day of February, A. D. 1946.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the said State to be hereunto affixed at Dover this twenty-first day of June  
(Great Seal) in the year of our Lord one thousand nine hundred and forty-four, and of the Independence of the United States of America, the one hundred and sixty-eighth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY  
*Secretary of State*

STATE OF DELAWARE	}	March Term, A. D. 1938
<i>vs.</i>		Indictment
JOHN SAUNDERS		Conspiracy

In the Court of General Sessions of the State of Delaware in and for New Castle County, one John Saunders was arraigned and tried for the crime of Conspiracy, and upon such trial was found guilty as charged, whereupon it was adjudged by the said Court that the said John Saunders should be imprisoned for a term of twelve (12) years beginning on the first day of April, A. D. 1938 and ending on the thirty-first day of March, A. D. 1950, pay the costs of prosecution and be committed to the custody of the Board of Trustees of the New Castle County Workhouse until said sentence is executed.

And Whereas, the terms of the sentence are being carried out and the said John Saunders is now incarcerated in the New Castle County Workhouse.

And Whereas, a majority of the Board of Pardons, after a full hearing, have recommended in writing that the said John Saunders be granted a commutation of sentence from imprisonment of twelve (12) years to a term of seven (7) years so that his term of imprisonment will end on the thirty-first day of March, A. D. 1945, the said Board of Pardons having fully set forth in said paper writing their reasons for such recommendation.

Now, Therefore, I, Walter W. Bacon, Governor of the State of Delaware, by virtue of the authority in me vested by the Constitution of the said State in that behalf, have granted and do hereby grant to the said John Saunders, as recommended by the Board of Pardons, a commutation of sentence so that his term of imprisonment will end on the 31st day of March, A. D. 1945.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the said State to be hereunto affixed at Dover this twenty-first day of June (Great Seal) in the year of our Lord one thousand nine hundred and forty-four, and of the Independence of the United States of America, the one hundred and sixty-eighth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY

*Secretary of State*

STATE OF DELAWARE

*vs.*

ELLA DELLA SAVAGE

No. 53, January Term, A. D. 1917

Indictment

First Degree Murder

In the Court of Oyer and Terminer of the State of Delaware in and for New Castle County, one Ella Della Savage was indicted for the crime of First Degree Murder, and upon arraignment, entered a plea of not guilty to Murder in the First Degree, but guilty of Murder in the Second Degree, whereupon, it was adjudged by the said Court that the said Ella Della Savage be imprisoned for life commencing on the 10th day of January, A. D. 1917, pay a fine of \$500.00 and the costs of prosecution, and be committed to the custody of the Board of Trustees of the New Castle County Workhouse until this sentence is executed.

And Whereas, the said Ella Della Savage was duly committed to the New Castle County Workhouse on the 10th day of January, A. D. 1917, and excepting the time when the said Ella Della Savage was out on parole, she remained in the New Castle County Workhouse until the 3rd day of June, A. D. 1940, on which date she was released on parole pursuant to action by the State Board of Parole.

And Whereas, a majority of the Board of Pardons, after a full hearing, have recommended in writing that the said Ella Della Savage be granted a full pardon, having fully set forth in said paper writing their reasons for such recommendation.

Now, Therefore, I, Walter W. Bacon, Governor of the State of Delaware, by virtue of the authority in me vested by the Constitution of the said State in that behalf, have granted and do hereby grant to the said Ella Della Savage, as recommended by a majority of the Board of Pardons, a full pardon, of and from the crime to and for which she was sentenced by the Court aforesaid.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Delaware to be hereunto affixed at Dover, this first day of  
(Great Seal) November in the year of our Lord one thousand nine hundred and forty-four, and of the Independence of the United States of America the one hundred and sixty-ninth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY  
*Secretary of State*

STATE OF DELAWARE

*vs.*

VICTOR R. ELLACOTT  
*alias*  
CHARLES STRUTHERS

No. 57, September Term, A. D. 1929

Indictment

Highway Robbery

In the Court of General Sessions of the State of Delaware in and for New Castle County, one Victor R. Ellacott, alias Charles Struthers, was indicted for the crime of Highway Robbery and upon arraignment entered a plea of Not Guilty to the charge of Highway Robbery. Subsequently the Attorney General reduced the charge to Robbery, and upon arraignment thereon the defendant, Victor R. Ellacott, alias Charles Struthers, entered a plea of Guilty, whereupon it was adjudged by the said Court that the said Victor R. Ellacott, alias Charles Struthers, shall on Saturday, the 5th day of October, A. D. 1929, between the hours of 10:00 A. M. and 2:00 P. M. be whipped with ten (10) lashes and be imprisoned for the period of ten (10) years commencing on the second day of October, A. D. 1936 and ending on the first day of October, A. D. 1946, pay the costs of prosecution, and be committed to the custody of the Board of Trustees of the New Castle County Workhouse until this sentence is executed.

(Note: The said Victor R. Ellacott, alias Charles Struthers, under date of August 5, 1929, having been sentenced by the City Court in Wilmington to a term of seven (7) years on a charge of carrying concealed a deadly weapon.)

And Whereas, through recommendations in writing of the Board of Pardons sentences of the said Victor R. Ellacott, alias Charles Struthers, were commuted to expire on the first day of May, A. D. 1941.

And Whereas, all of the members of the Board of Pardons, after a full hearing, have recommended in writing that the said Victor R. Ellacott, alias Charles Struthers, be granted a full pardon, having fully set forth in said paper writing their reasons for such recommendation.

Now, Therefore, I, Walter W. Bacon, Governor of the State of Delaware, by virtue of the authority in me vested by the Constitution of the said State in that behalf, have granted and do hereby grant to the said Victor R. Ellacott, alias Charles Struthers, as recommended by all of the members of the Board of Pardons, a full pardon, of and from the crime of Robbery for which he was sentenced by the Court as aforesaid.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Delaware to be hereunto affixed at Dover, this tenth day of  
*(Great Seal)* January in the year of our Lord one thousand nine hundred and forty-five, and of the Independence of the United States of America the one hundred and sixty-ninth.

By the Governor:

WALTER W. BACON

WILLIAM J. STOREY  
*Secretary of State*

Mr. Yerkes moved that the Senate adjourn until 12 o'clock, Noon, February 5, 1945.

Motion prevailed.

## Eighteenth Legislative Day

Dover, Delaware, February 5, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McGuigan, Rhodes, Yerkes, Mr. President Pro Tem—15.

Members Absent—McDowell, Weigel—2.

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 President Pro Tem, in conformity with the provisions of Chapter 202 of Volume 42, Laws of Delaware, 1939, appointed the following as members of the Delaware Commission on Interstate Cooperation: Messrs. Harvey H. Lawson, Chairman; George E. Binder and Fred S. Bailey.

The President announced he is about to sign:

Senate Concurrent Resolution No. 9.

Senate Concurrent Resolution No. 10.

Senate Concurrent Resolution No. 11

Mr. Binder, on behalf of the Committee on Banking and Insurance, to whom had been referred House Bill No. 7, entitled:

An Act to amend Chapter 20 of the Revised Code of Delaware, 1935, as amended, entitled "Insurance Department," by empowering "Domestic Companies" to pay Fees and Taxes im-

posed by any Laws of any State, Territory or Political Subdivision thereof, that have not been finally held invalid and exempting Officers, Directors or Trustees of "Insurance Companies" from Personal Liability for Payments of such Fees or Taxes under certain circumstances.

Reported the same back to the Senate favorably.

GEO. E. BINDER  
G. P. EDMONDS  
HARRY H. MULHOLLAND  
SAMUEL WEIGEL, JR.  
IRVIN T. HASTINGS

Mr. Yerkes moved that the Senate recess until 2:15 o'clock P. M.

Motion prevailed.

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Same Day, 3:30 o'clock P. M.

Senate met at expiration of recess.

The President announced he is about to sign:

House Bill No. 4.

House Bill No. 6.

Mr. Hitchens, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred Senate Bill No. 11, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" with reference to the Number of Game Birds and Animals Lawful to Kill.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
ROBERT H. YERKES  
H. H. LAWSON  
W. DEANE JOHNSTON

Mr. Hitchens, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred Senate Bill No. 13, entitled:

An Act to amend Chapter 74 of the Revised Code of the State of Delaware, 1935, relating to Fish, Oysters and Game, by granting to the Board of Game and Fish Commissioners the Power to Issue Complimentary Hunting and Fishing Licenses.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
W. DEANE JOHNSTON  
ROBERT H. YERKES  
H. H. LAWSON

Mr. Hitchens, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred Senate Bill No. 14, entitled:

An Act to amend Chapter 74, Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" by repealing Provisions for the Collection of a Portion of Fines by Informers.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
W. DEANE JOHNSTON  
ROBERT H. YERKES  
H. H. LAWSON

Mr. Hitchens, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred Senate Bill No. 15, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" by changing the Dates of the Open Season in certain cases.

Reported the same back to the Senate on its merits.

JOHN R. HITCHENS  
W. DEANE JOHNSTON  
ROBERT H. YERKES  
H. H. LAWSON



Mr. Hitchens, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred Senate Bill No. 16, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" with reference to the use of Automatic and Repeating Shot Guns in Hunting Game Birds or Game Animals.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
ROBERT H. YERKES  
H. H. LAWSON  
W. DEANE JOHNSTON

Mr. Hitchens, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred Senate Bill No. 18, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" by providing for the Number of Game Lawful to Kill in a Calendar Year.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
W. DEANE JOHNSTON  
H. H. LAWSON  
ROBERT H. YERKES

Mr. Hitchens, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred Senate Bill No. 25, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" with reference to the Hungarian Partridge or Pheasant.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
ROBERT H. YERKES  
H. H. LAWSON  
W. DEANE JOHNSTON

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

Senate Joint Resolution No. 2, entitled:

Providing for a Joint Committee to make Studies and to Prepare a Post-War Program for the Consideration of the 110th General Assembly.

And returned the same to the Senate.

Mr. Holliday, 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. 27, entitled:

An Act to amend Chapter 8 of the Revised Code of Delaware, 1935, as amended, relating to Public Arms and Defense by providing for the Staff of the Commander-in-Chief.

And presented the same to the Senate.

Mr. Holliday, 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. 15, entitled:

An Act appropriating additional money to the State Board of Education for the Relief of the Rehabilitation Division of the State Board for Vocational Education.

And presented the same to the Senate.

Mr. Holliday, 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 to make Valid the Record of Legal Instruments which have not been properly acknowledged.

And presented the same to the Senate.

The Chair presented House Bill No. 13, entitled:

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

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

The Chair presented House Bill No. 15, entitled:

An Act appropriating additional money to the State Board of Education for the Relief of the Rehabilitation Division of the State Board for Vocational Education.

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

The Chair presented House Bill No. 27, entitled:

An Act to amend Chapter 8 of the Revised Code of Delaware, 1935, as amended, relating to Public Arms and Defense by providing for the Staff of the Commander-in-Chief.

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

Mr. Rhodes, on behalf of the Committee on Public Health, to whom had been referred Senate Bill No. 57, entitled:

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

Reported the same back to the Senate favorably.

GEORGE W. RHODES  
HARRY H. MULHOLLAND  
ROBERT H. YERKES  
W. DEANE JOHNSTON  
IRVIN T. HASTINGS

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

Senate Concurrent Resolution No. 9, entitled:

Providing for a Joint Committee of the Senate and House to consider setting a Date as Deadline for Introducing Bills.

Senate Concurrent Resolution No. 10, entitled:

With reference to a Poultry Coordinator for Delaware.

Senate Concurrent Resolution No. 11, entitled:

Fixing the Time after which no New Bills or Joint Resolutions shall be received by either House, except General Appropriation Bills, and/or Bills relating to Post-War Problems.

H. H. LAWSON

On motion for leave, Mr. Yerkes introduced Senate Resolution No. 26, entitled:

### SENATE RESOLUTION NO. 26

Paying Certain Expenses of the Session.

BE IT RESOLVED by the Senate of the 110th General Assembly that the following amount be and the same is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, on account of expenses connected with the present Session, viz:

Remington Rand, Inc.

for certain typewriter repair expenses ..... \$14.50

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

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. McDowell—1.

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

Mr. Bailey moved that action be deferred on Senate Substitute for Senate Bill No. 1.

Motion prevailed.

Mr. Yerkes moved that Senate Bill No. 17 be stricken from the Calendar.

Motion prevailed.

On motion of Mr. Johnston, Senate Substitute for Senate Bill No. 4, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, as amended, with reference to the Unlawful Transportation of Alcoholic Liquor, providing Penalties therefor and for the Confiscation of any Vehicle used in the Commission of any Offenses thereunder.

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, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. McDowell—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. Yerkes moved that the Senate adjourn until 12 o'clock, Noon, February 6, 1945.

Motion prevailed.

## Nineteenth Legislative Day

Dover, Delaware, February 6, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, 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 President announced he is about to sign:

Senate Joint Resolution No. 2.

Mr. Mulholland, on behalf of the Committee on Miscellaneous, to whom had been referred Senate Bill No. 55, entitled:

An Act providing that the Rule Against Perpetuities shall not apply to any Trust for Employees.

Reported the same back to the Senate on its merits.

HARRY H. MULHOLLAND  
GEORGE W. RHODES  
G. P. EDMONDS  
R. H. YERKES

Mr. Binder, on motion for leave, introduced Senate Bill No. 61, entitled:

An Act to amend Chapter 100 of the Revised Code of Delaware, 1935, concerning the Regulation of Small Loans; providing for Loans payable in Installments; Limiting the Interest Rate thereon and the Amount of the Investigation Fee therefor.

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

Mr. Binder, on motion for leave, introduced Senate Bill No. 62, entitled:

An Act to amend Chapter 65 of the Revised Code of Delaware of 1935, relating to Corporations, by providing for the Method of Transferring Shares or Certificates of Stock.

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

Mr. Binder, on motion for leave, introduced Senate Bill No. 63, entitled:

An Act to amend Chapter 100 of the Revised Code of Delaware, 1935, concerning the Regulation of Small Loans; providing for the Issuance of Certificates of Registration; Annual License Fees; and providing for the Examination thereof by the State Bank Commissioner.

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

Mr. Binder, on motion for leave, introduced Senate Bill No. 64, entitled:

An Act to regulate the Assignment of Accounts receivable by providing for the Filing for Recording and Indexing of an Affidavit setting forth the Intention of the Transferor to assign the same and by prescribing the Form and the Effect of the Assignment thereof.

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

Mr. Lawson, on motion for leave, introduced Senate Bill No. 65, entitled:

An Act to amend Chapter 156 of the Revised Code of Delaware, 1935, entitled "Fees of Public Officers," with reference to Fees paid Jurors of Inquest.

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

Mr. Lawson, on motion for leave, introduced Senate Bill No. 66, entitled:

An Act to amend Chapter 156 of the Revised Code of Delaware, 1935, entitled "Fees of Public Officers," by increasing the Fees of Witnesses attending Courts in Sussex County.

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

Mr. Lawson, on motion for leave, introduced Senate Bill No. 67, entitled:

An Act to amend Chapter 163 of the Revised Code of Delaware, 1935, entitled "Delaware Racing Commission," by providing for Representation of each County upon the said Commission.

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

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

Motion prevailed.

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

Senate met at expiration of recess.

Messrs. Yerkes and Ayres, on motion for leave, introduced Senate Bill No. 68, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to Alcoholic Liquors, Wines and Beer, by creating the Delaware Liquor Commission and providing for the Appointment, Term of Office and Salary of the Members.



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

Mr. Yerkes, on motion for leave, introduced, by request, Senate Bill No. 69, entitled:

An Act making it Unlawful for any Person holding any Elective or Appointive Office in any Department, Board or Agency of this State, or any City, County or other Governmental Subdivision of this State, and having the Power to Appoint Persons to Positions whose Salaries are to be paid out of the Public Funds of this State, or any Subdivision thereof, to Refuse to Appoint any Person on Account of Race, Color or Religious Belief, and providing Penalties for the Violation thereof.

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

Mr. Yerkes, on motion for leave, introduced, by request, Senate Bill No. 70, entitled:

An Act entitling all Persons to the Full and Equal Accommodation, Facilities, Advantages and Priveleges of Places of Public Accommodation, Resort, Amusement or Entertainment, and making it Unlawful to Refuse the same to any Person on Account of Race, Color or Religious Belief, or to Publish any Communication to the Effect that the same shall be Refused on Account of Race, Color or Religious Belief, and providing Penalties for the Violation thereof.

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

On motion of Mr. Yerkes, House Bill No. 3, entitled:

An Act to transfer certain Funds to the Maintenance Account of Stanton School District No. 38.

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, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, 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.

Mr. Lawson, on motion for leave, introduced Senate Bill No. 71, entitled:

An Act to amend Chapter 156, Revised Code of Delaware, 1935, entitled "Fees of Public Officers," by increasing the Compensation of Jurors in Sussex County.

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

On motion of Mr. Mulholland, Senate Bill No. 48, entitled:

An Act to amend Chapter 16 of the Revised Code of Delaware, 1935, as amended, entitled "Auditor of Accounts," by increasing the Salary of the Deputy appointed by the Auditor of Accounts.

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, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, 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.

The Chair announced the following visitors:

Erma G Reese, of Mt. Olive School District No. 155-C.

Dr. Waterbury of the Wesley Junior College of Dover, Delaware.

Mr. Mulholland moved that the Senate recess until 3:10 o'clock P. M.

Motion prevailed.

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Same Day, Later

Senate met at expiration of recess.

On motion for leave, Mr. Yerkes introduced Senate Resolution No. 27, entitled:

SENATE RESOLUTION NO. 27

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

BE IT RESOLVED by the Senate of the 110th 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 One Hundred Dollars (\$100.00) 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.

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, was adopted, by acclamation.

On motion for leave, Mr. Bailey introduced Senate Resolution No. 28, entitled:

SENATE RESOLUTION NO. 28

To Authorize a Committee of the Senate to visit the State College for Colored Students, to view Property and Inquire into Conditions and Accounts and to Report to the Senate.

WHEREAS, there has been introduced in the Senate a bill, being Senate Bill No. 32 to appropriate the sum of Seventy-Five Hundred Dollars (\$7,500.00) to match a like sum expected to be furnished by the General Education Board for the purpose of strengthening the library at the State College for Colored Students and adding to the laboratory facilities and equipment thereat, and

WHEREAS there is also pending in the Senate a bill, being Senate Bill No. 45 calling for an appropriation of Five Thousand Dollars (\$5,000.00) for the purchase of property near the grounds of the institution in order to provide two apartments for married teachers, and

WHEREAS other appropriations are proposed and pending for the benefit of said institution, and

WHEREAS it is desirable that full information should be obtained before action by the Senate upon these measures and upon other measures which may effect the said institution, NOW THEREFORE

BE IT RESOLVED by the Senate that a committee of five members of the Senate consisting of the President Pro Tem and four members to be selected by him, two from the majority side and two members of the minority side, be named and authorized to view the library, the laboratories and the property proposed to be purchased, to examine the accounts of the institution, and to inquire into any other conditions in or about the same and to report their findings to the whole Senate.

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

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

Mr. Yerkes moved that action on Senate Resolution No. 28 be deferred until February 8, 1945.

Motion prevailed.

On motion of Mr. Johnston, Senate Bill No. 11, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" with reference to the Number of Game Birds and Animals Lawful to Kill.

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. Binder, Edmonds, Evans, Hitchens, Johnston, Lawson, Rhodes, Mr. President Pro Tem—8.

NAYS — Messrs. Ayres, Bailey, Butler, Hastings, Jones, McDowell, Weigel, Yerkes, Mr. President—9.

ABSENT—Mr. McGuigan—1.

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

On motion of Mr. Edmonds, Senate Bill No. 13, entitled:

An Act to amend Chapter 74 of the Revised Code of the State of Delaware, 1935, relating to Fish, Oysters and Game, by granting to the Board of Game and Fish Commissioners the Power to Issue Complimentary Hunting and Fishing Licenses.

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, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, Rhodes, Weigel, 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.

On motion of Mr. Edmonds, Senate Bill No. 14, entitled:

An Act to amend Chapter 74, Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" by repealing Provisions for the Collection of a Portion of Fines by Informers.

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, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, Rhodes, Weigel, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. McGuigan, Yerkes—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. Hitchens, Senate Bill No. 16, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" with reference to the use of Automatic and Repeating Shot Guns in Hunting Game Birds or Game 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. Ayres, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, Rhodes, Mr. President Pro Tem—13.

NAYS—Messrs. Bailey, Weigel, Yerkes—3.

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. Yerkes, Senate Bill No. 18, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" by providing for the Number of Game Lawful to Kill in a Calendar Year.

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, Rhodes, Yerkes, Mr. President Pro Tem—4.

NAYS — Messrs. Ayres, Bailey, Binder, Butler, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Weigel—13.

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

Mr. Holliday, 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. 20, entitled:

An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, by changing the Voting Place of the Third Election District of the Tenth Representative District in Sussex County.

And presented the same to the Senate.

The Chair presented House Bill No. 20, entitled:

An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, by changing the Voting Place of the Third Election District of the Tenth Representative District in Sussex County.

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

Mr. Yerkes moved that the Senate adjourn until 12 o'clock, Noon, Thursday, February 8, 1945.

Motion prevailed.

## Twentieth Legislative Day

Dover, Delaware, February 8, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Lawson, McDowell, McGuigan, Rhodes, Weigel, Mr. President Pro Tem—15.

Members Absent—Johnston, Yerkes—2.

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

Motion prevailed.

Mr. Mulholland moved that Senate Resolution No. 28, entitled:

To Authorize a Committee of the Senate to visit the State College for Colored Students, to view Property and Inquire into Conditions and Accounts and to Report to the Senate.

Be tabled until the Thirty-Second Legislative Day.

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

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

YEAS—Messrs. Binder, Edmonds, Evans, Hitchens, Jones, Johnston, Lawson, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—11.

NAYS—Messrs. Ayres, Bailey, Butler, Hastings, McDowell, McGuigan—6.



So the question was decided in the affirmative and the motion having received the required constitutional majority, the Senate and Senate Resolution No. 28 was ordered laid on the table until the Thirty-Second Legislative Day.

Mr. Edmonds, on behalf of the Committee on Private Corporations, to whom had been referred Senate Bill No. 62, entitled:

An Act to amend Chapter 65 of the Revised Code of Delaware of 1935, relating to Corporations, by providing for the Method of Transferring Shares or Certificates of Stock.

Reported the same back to the Senate on its merits.

G. P. EDMONDS  
SAMUEL WEIGEL, JR.  
JOHN R. HITCHENS  
GEO. E. BINDER  
H. B. McDOWELL, JR.

Mr. Yerkes, on behalf of the Committee on Elections, to whom had been referred House Bill No. 20, entitled:

An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, by changing the Voting Place of the Third Election District of the Tenth Representative District in Sussex County.

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Bill No. 71, entitled:

An Act to amend Chapter 156, Revised Code of Delaware, 1935, entitled "Fees of Public Officers," by increasing the Compensation of Jurors in Sussex County.

Reported the same back to the Senate favorably.

R. H. YERKES  
G. P. EDMONDS  
H. H. LAWSON  
HARRY H. MULHOLLAND  
H. B. McDOWELL, JR.

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Bill No. 67, entitled:

An Act to amend Chapter 163 of the Revised Code of Delaware, 1935, entitled "Delaware Racing Commission," by providing for Representation of each County upon the said Commission.

Reported the same back to the Senate favorably.

R. H. YERKES  
G. P. EDMONDS  
H. H. LAWSON  
HARRY H. MULHOLLAND  
H. B. McDOWELL, JR.

Mr. Binder, on behalf of the Committee on Banking and Insurance, to whom had been referred Senate Bill No. 54, entitled:

An Act to amend Chapter 76 of the Revised Code of Delaware, 1935, relating to the Bonds, Recognizances, Accounts and Allowances of Trustees for Insane Persons.

Reported the same back to the Senate on its merits.

GEO. E. BINDER  
HARRY H. MULHOLLAND  
G. P. EDMONDS  
I. T. HASTINGS  
SAMUEL WEIGEL, JR.

Mr. Binder, on behalf of the Committee on Banking and Insurance, to whom had been referred Senate Bill No. 53, entitled:

An Act to amend Article 6 of Chapter 66 of the Revised Code of Delaware, 1935, relating to the Borrowing of Money by Building and Loan Associations.

Reported the same back to the Senate on its merits.

GEO. E. BINDER  
HARRY H. MULHOLLAND  
G. P. EDMONDS  
I. T. HASTINGS  
SAMUEL WEIGEL, JR.

Mr. Binder, on behalf of the Committee on Banking and Insurance, to whom had been referred Senate Bill No. 52, 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.

Reported the same back to the Senate on its merits.

GEO. E. BINDER  
HARRY H. MULHOLLAND  
G. P. EDMONDS  
I. T. HASTINGS  
SAMUEL WEIGEL, JR.

Mr. Binder, on behalf of the Committee on Banking and Insurance, to whom had been referred Senate Bill No. 51, entitled:

An Act to amend Chapter 66 of the Revised Code of Delaware, 1935, relating to Banks or Trust Companies using a Nominee when acting in a Fiduciary Capacity.

Reported the same back to the Senate on its merits.

GEO. E. BINDER  
HARRY H. MULHOLLAND  
G. P. EDMONDS  
I. T. HASTINGS  
SAMUEL WEIGEL, JR.

Mr. Binder, on behalf of the Committee on Banking and Insurance, to whom had been referred Senate Bill No. 49, entitled:

An Act to amend Chapter 66 of the Revised Code of Delaware, 1935, by providing that Uninvested Funds held by a Trust Company acting in a Fiduciary Capacity shall be a Preferred Claim over all Unsecured Claims.

Reported the same back to the Senate on its merits.

GEO. E. BINDER  
HARRY H. MULHOLLAND  
G. P. EDMONDS  
I. T. HASTINGS  
SAMUEL WEIGEL, JR.

Mr. Binder, on behalf of the Committee on Banking and Insurance, to whom had been referred Senate Bill No. 56, entitled:

An Act to amend Chapter 66 of the Revised Code of Delaware, 1935, by providing that Uninvested Funds held by a Trust Company acting in a Fiduciary Capacity shall be a Preferred Claim over all Unsecured Claims.

Reported the same back to the Senate on its merits.

GEO. E. BINDER  
HARRY H. MULHOLLAND  
G. P. EDMONDS  
I. T. HASTINGS  
SAMUEL WEIGEL, JR.

The Chair appointed the following committee in compliance with Senate Joint Resolution No. 1: Messrs. Yerkes, Ayres, Edmonds, McDowell, Mulholland.

Mr. Lawson, on motion for leave, introduced Senate Bill No. 72, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, as amended, entitled "Fish, Oysters and Game," with reference to the Red Fox.

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

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

#### SENATE RESOLUTION NO. 29

Authorizing the State Librarian to Supply the Revised Code of Delaware, 1935, and certain Session Laws to Members of the Senate and certain Officers thereof.

BE IT RESOLVED by the Senate of the 110th General Assembly that the State Librarian be and he hereby is authorized and directed to furnish the President of the Senate, each member of the Senate and the Secretary of the Senate one copy each of the Revised Code of Delaware, 1935, and Volumes 41, 42, 43 and 44 of the Laws of Delaware, when said volumes are requested by the members and officers herein designated.

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, was adopted, by acclamation.

Mr. Yerkes moved that the Senate recess until 2:15 o'clock P. M.

Motion prevailed.

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Same Day, 3 o'clock P. M.

Senate met at expiration of recess.

The President announced he is about to sign:

House Bill No. 3.

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

#### SENATE RESOLUTION NO. 30

Relative to Payment on Account for Collecting Data, Compiling, Editing and Publishing the Daily Calendar for the State Senate.

BE IT RESOLVED by the Senate of the State of Delaware that the following amount be and the same is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for collecting data, compiling, editing and publishing the Daily Calendar for the Senate of the State of Delaware, same being expense connected with the present Session thereof, viz:

To Milford Chronicle Publishing Co., One Thousand and Five Hundred Dollars (\$1,500.00) being part payment on account for above.

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, was adopted, by acclamation.

Mr. Johnston, on motion for leave, introduced Senate Bill No. 73, entitled:

An Act to amend Chapter 116 of the Revised Code of Delaware, 1935, as amended by Chapter 204, Volume 41, as amended by Chapter 223, Volume 43, Laws of Delaware, and relating to the Compensations of a Probation Officer or Officers, and for the Expenses of the Juvenile Court of Kent and Sussex Counties incurred in connection with the Work and Activities of said Probation Officer or Officers.

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

Mr. Ayres, on motion for leave, introduced Senate Bill No. 74, entitled:

An Act appropriating certain Moneys to the University of Delaware for Development and Maintenance of the Agricultural Sub-Station at Georgetown.

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

Mr. Ayres, on motion for leave, introduced Senate Bill No. 75, entitled:

An Act appropriating certain Monies to the University of Delaware for Research in Fowl Typhoid.

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

Mr. Yerkes moved that the Senate recess until 3:25 o'clock P. M.

Motion prevailed.

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Same Day, Later

Senate met at expiration of recess.

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

Senate Bill No. 38, entitled:

An Act authorizing the Levy Court of Sussex County to convey to the United States of America or any Instrumentality thereof, the Title to certain Lands of the Airport and Landing Field of Sussex County and Ratifying an Option Granted to the United States of America.

And returned the same to the Senate.

On motion for leave, Mr. Johnston introduced Senate Resolution No. 31, entitled:

#### SENATE RESOLUTION NO. 31

Relative to Payment on Account for Furnishing Supplies for the Senate of the 110th General Assembly.

BE IT RESOLVED by the Senate of the State of Delaware that the following amount be and the same is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for furnishing letterheads, backers for bills, and resolutions and other supplies, same being expense connected with the present Session thereof, viz:

To the Newark Publishing Co., Inc., Two Thousand One Hundred and Twenty-five Dollars (\$2,125.00) being part payment on account for above.

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, was adopted, by acclamation.

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 76, entitled:

An Act to amend Chapter 44 of the Revised Code of Delaware, 1935, entitled "Valuation and Assessment of Property," with respect to the Salaries and Expenses of the Members of the Boards of Assessment of Kent and Sussex Counties.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 77, entitled:

An Act to amend Chapter 35 of the Revised Code of Delaware, 1935, relating to Board of Pilot Commissioners.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 78, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, by striking out and repealing all of 1194. Sec. 48. thereof and inserting in lieu thereof a new section to be styled 1194. Sec. 4. said new section directing the Levy Court of Kent County to appropriate certain money to the Kent County Volunteer Firemen's Association for distribution equally among Member Companies.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 79, entitled:

An Act proposing an amendment to Article VIII of the Constitution of the State of Delaware relating to the Borrowing of Money or the creation of Debt by or on behalf of the State of Delaware.

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

Mr. Evans, on motion for leave, introduced Senate Bill No. 80, entitled:

An Act to amend Chapter 37 of the Revised Code of Delaware, 1935, entitled "State Board of Accountancy."

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

Mr. Evans moved that Senate Bill No. 40, entitled:

An Act to amend Chapter 37 of the Revised Code of Delaware, 1935, entitled "State Board of Accountancy."

Be stricken from the Calendar.

Motion prevailed.



Mr. Johnston moved that Senate Substitute for Senate Bill No. 1, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, as amended, with reference to the Seizure and Confiscation of Alcoholic Liquor and other Property used in connection with Violations of the Liquor Control Act and providing for Proceedings in the Court of General Sessions for New Castle County in connection therewith.

Be recommitted.

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

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

YEAS—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—17.

NAYS—None.

So the question was decided in the affirmative and the motion having received the required constitutional majority, passed the Senate, and Senate Substitute for Senate Bill No. 1 was ordered recommitted.

Mr. Edmonds, on motion for leave, introduced Senate Bill No. 81, entitled:

An Act to amend Section 4 of Chapter 57 of Volume 44, Laws of Delaware, 1943, relating to "The State Emergency Fund" by making an Additional Appropriation for Extraordinary School Repairs and by making an Appropriation for Additional Fuel for the remainder of the Fiscal Year ending June 30, 1945.

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

Mr. Yerkes moved that Senate Bill No. 11, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" with reference to the Number of Game Birds and Animals Lawful to Kill.

Be reconsidered and restored to the Calendar.

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

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

YEAS — Messrs. Binder, Edmonds, Evans, Hitchens, Johnston, Lawson, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—10.

NAYS — Messrs. Ayres, Bailey, Butler, Hastings, Jones, McDowell, McGuigan—7.

So the question was decided in the affirmative and the motion having received the required constitutional majority, passed the Senate and Senate Bill No. 11 was restored to the Calendar.

Mr. Johnston moved that Senate Bill No. 18, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" by providing for the Number of Game Lawful to Kill in a Calendar Year.

Be reconsidered and restored to the Calendar.

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

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

YEAS—Messrs. Binder, Edmonds, Evans, Hitchens, Jones, Johnston, Lawson, McDowell, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—12.

NAYS—Messrs. Ayres, Bailey, Butler, Hastings, McGuigan—5.

So the question was decided in the affirmative and the motion having received the required constitutional majority, passed the Senate, and Senate Bill No. 18 was ordered restored to the Calendar.

Mr. Yerkes moved that the Senate adjourn until 12 o'clock, Noon, February 9, 1945.

Motion prevailed.

## Twenty-First Legislative Day

Dover, Delaware, February 9, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

Member Absent—Hastings—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 President announced he is about to sign:

Senate Bill No. 38.

Mr. Binder, on behalf of the Committee on Banking and Insurance, to whom had been referred Senate Bill No. 29, entitled:

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258, Volume 41, Laws of Delaware, 1937, as amended, by making certain changes in the Definitions of Employment and Wages; by increasing the Minimum Weekly Benefit Amount and Maximum Duration of Benefits and by making certain other changes relating to the Payment of Benefits; by providing that the State Experience Factor shall never be lower than 1%; by redefining the Terms relating to Successorship in Relation to Experience Rating; by

changing certain of the Administrative Provisions; and by changing the Definition of Seasonal Employment and the Effective Period for Certain Provisions relating thereto.

Reported the same back to the Senate favorably.

GEO. E. BINDER  
G. P. EDMONDS  
HARRY H. MULHOLLAND  
SAMUEL WEIGEL, JR.  
I. T. HASTINGS

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

An Act making Appropriation to the State Highway Department of certain Unused Funds for the Construction and Reconstruction of Roads, Highways and Bridges of the State and for Expenditures incidental thereto.

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

Mr. Edmonds, on motion for leave, introduced Senate Bill No. 83, entitled:

An Act to amend Chapter 66 of the Revised Code of Delaware, 1935, entitled "Banks, Savings Societies and Trust Companies," by Increasing the Fees and Charges for Examination of Corporations coming under the Supervision of the State Banking Department.

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

Mr. Lawson, on motion for leave, introduced Senate Bill No. 84, entitled:

An Act to repeal Chapter 78 of Volume 40, Laws of Delaware, being 445 Section 34 of the Revised Code of Delaware, 1935, relating to the Purchase of Passenger Motor Vehicles by Departments, Boards or Commissions of Delaware.

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

Mr. Holliday, 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. 2, entitled:

Relating to Program for Observance of Lincoln's Birthday.  
And presented the same to the Senate.

Mr. Holliday, 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 to amend Chapter 74 of the Revised Code of Delaware, 1935, as amended, relating to Fish, Oysters and Game, by providing for the Season within which Mink, Otter and Muskrat may be Caught and Killed.

And presented the same to the Senate.

The Chair presented House Bill No. 29, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, as amended, relating to Fish, Oysters and Game, by providing for the Season within which Mink, Otter and Muskrat may be Caught and Killed.

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

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

Relating to Program for Observance of Lincoln's Birthday.

Mr. Yerkes moved that the resolution be adopted.

Motion prevailed.

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 85, entitled:

An Act proposing an amendment to Section 16, Article III of the Constitution of the State of Delaware, relating to the Convening and Adjourning of Special Sessions of the General Assembly, by Proclamation of the Governor.

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

Mr. Yerkes moved that the Senate recess until 2:15 o'clock P. M.

Motion prevailed.

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

Senate met at expiration of recess.

Mr. Mulholland, on behalf of the Committee on Miscellaneous, to whom had been referred House Bill No. 27, entitled:

An Act to amend Chapter 8 of the Revised Code of Delaware, 1935, as amended, relating to Public Arms and Defense by providing for the Staff of the Commander-in-Chief.

Reported the same back to the Senate favorably.

HARRY H. MULHOLLAND  
G. P. EDMONDS  
GEO. W. RHODES  
ROBERT H. YERKES  
WILLIAM H. AYRES

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Bill No. 33, 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 Kent and Sussex Counties.

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Bill No. 34, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, entitled "Levy Courts" in relation to the Salaries of the Levy Court Commissioners of Kent and Sussex Counties.

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Bill No. 35, entitled:

An Act to amend Chapter 46 of the Revised Code of Delaware, 1935, entitled "County Comptrollers" in relation to the Annual Salaries of the County Comptroller of Kent County and the County Comptroller of Sussex County.

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Bill No. 36, 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 Receivers of Taxes and County Treasurers of Kent and Sussex Counties.

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Bill No. 37, entitled:

An Act to amend Chapter 49 of the Revised Code of Delaware, 1935, entitled "Coroners," with reference to the position of Deputy Coroner in Kent County and Sussex County.

Reported the same back to the Senate favorably.

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

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

An Act to amend Chapter 35 of the Revised Code of Delaware, 1935, entitled "Board of Pilot Commissioners," with reference to Expenses of Commissioners and Renewal Fees.

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Bill No. 50, entitled:

An Act to amend Chapter 117 of the Revised Code of Delaware, 1935, relating to the Method of Determining Income of Life Tenants of Testamentary Trust Estates.

Reported the same back to the Senate on its merits.

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



Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Bill No. 77, entitled:

An Act to amend Chapter 35 of the Revised Code of Delaware, 1935, relating to Board of Pilot Commissioners.

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Bill No. 76, entitled:

An Act to amend Chapter 44 of the Revised Code of Delaware, 1935, entitled "Valuation and Assessment of Property," with respect to the Salaries and Expenses of the Members of the Boards of Assessment of Kent and Sussex Counties.

Reported the same back to the Senate favorably.

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

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred Senate Bill No. 78, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, by striking out and repealing all of 1194. Sec. 48. thereof and inserting in lieu thereof a new section to be styled 1194. Sec. 48. said new section directing the Levy Court of Kent County to appropriate certain money to the Kent County Volunteer Firemen's Association for distribution equally among Member Companies.

Reported the same back to the Senate favorably.

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

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred Senate Bill No. 79, entitled:

An Act proposing an amendment to Article VIII of the Constitution of the State of Delaware relating to the Borrowing of Money or the creation of Debt by or on behalf of the State of Delaware.

Reported the same back to the Senate favorably.

G. P. EDMONDS  
WILLIAM H. AYRES  
HARRY H. JONES  
HARRY H. MULHOLLAND  
GEO. W. RHODES

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred Senate Bill No. 81, entitled:

An Act to amend Section 4 of Chapter 57 of Volume 44, Laws of Delaware, 1943, relating to "The State Emergency Fund" by making an Additional Appropriation for Extraordinary School Repairs and by making an Appropriation for Additional Fuel for the remainder of the Fiscal Year ending June 30, 1945.

Reported the same back to the Senate favorably.

G. P. EDMONDS  
HARRY H. MULHOLLAND  
WILLIAM H. AYRES  
HARRY H. JONES  
GEO. W. RHODES

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

The Chair asked the Secretary of the Senate to deliver the communication to the Executive Committee.

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

Senate Joint Resolution No. 2, entitled:

Providing for a Joint Committee to make Studies and to Prepare a Post-War Program for the Consideration of the 110th General Assembly.

H. H. LAWSON

Mr. McDowell, on motion for leave, introduced Senate Bill No. 86, entitled:

An Act proposing an amendment to Section 25 of Article 2 of the Constitution of the State of Delaware relating to Zoning.

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

Mr. McDowell, on motion for leave, introduced Senate Bill No. 87, entitled:

An Act to amend Chapter 168 of the Revised Code of Delaware, 1935, entitled "Regional Planning," as amended, by Chapter 266, Volume 43, Laws of Delaware, with reference to the Membership of the Regional Planning Commission 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 Education, to whom had been referred Senate Bill No. 80, entitled:

An Act to amend Chapter 37 of the Revised Code of Delaware, 1935, entitled "State Board of Accountancy."

Reported the same back to the Senate favorably.

W. DEANE JOHNSTON  
GEO. E. BINDER  
HARRY H. JONES  
H. H. LAWSON

Mr. Johnston, on behalf of the Committee on Education, to whom had been referred House Bill No. 15, entitled:

An Act appropriating additional money to the State Board of Education for the Relief of the Rehabilitation Division of the State Board for Vocational Education.

Reported the same back to the Senate favorably.

W. DEANE JOHNSTON  
GEO. E. BINDER  
H. H. LAWSON  
HARRY H. JONES

Mr. McGuigan, on motion for leave, introduced Senate Bill No. 88, entitled:

An Act to amend Chapter 99, Volume 43, Laws of Delaware, entitled "An Act to provide for the Collection of Delinquent County Taxes in New Castle County."

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

Messrs. McGuigan and McDowell, on motion for leave, introduced Senate Bill No. 89, entitled:

An Act to amend Chapter 45 of the Revised Code of Delaware, 1935, as amended, by Chapter 92, Volume 44, Laws of Delaware, entitled "County Treasurer and Collection of Taxes," in relation to the Salaries of the Deputies, Clerks, Delinquent Tax Investigators, Bookkeepers and Stenographer of the Reicever 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.

Mr. Hitchens, on motion for leave, introduced Senate Bill No. 90, entitled:

An Act to amend Chapter 113 of the Revised Code of Delaware, 1935, entitled "Prothonotary," by providing for the Notification of the Motor Vehicle Commissioner by the Prothonotaries of the Issuing of Writs of Certiorari in certain cases involving Violation of the Motor Vehicle Laws of the State of Delaware.

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

Mr. Hitchens, on motion for leave, introduced Senate Bill No. 91, entitled:

An Act to amend Chapter 197, Volume 41, Laws of Delaware, as amended by Chapter 178, Volume 42, Laws of Delaware, Regulating the taking of Sand from the Beaches along the Delaware River and Delaware Bay and Atlantic Ocean by Exempting Gravel therefrom; Prohibiting the taking of Sand from certain areas.

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

Mr. Yerkes moved that the Senate adjourn until 12 o'clock, Noon, February 12, 1945.

Motion prevailed.

## Twenty-Second Legislative Day

Dover, Delaware, February 12, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Butler, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

Member Absent—Edmonds—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.

Mr. Jones, on behalf of the Committee on Agriculture, to whom had been referred Senate Bill No. 75, entitled:

An Act appropriating certain Monies to the University of Delaware for Research in Fowl Typhoid.

Reported the same back to the Senate favorably.

HARRY H. JONES  
GEORGE W. RHODES  
H. H. LAWSON  
SAMUEL WEIGEL, JR.

Mr. Jones, on behalf of the Committee on Agriculture, to whom had been referred Senate Bill No. 74, entitled:

An Act appropriating certain Moneys to the University of Delaware for Development and Maintenance of the Agricultural Sub-Station at Georgetown.

Reported the same back to the Senate favorably.

HARRY H. JONES  
GEORGE W. RHODES  
H. H. LAWSON  
SAMUEL WEIGEL, JR.

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

Senate Bill No. 2, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, as amended, relating to Alcoholic Liquor, Wines and Beer, by making unlawful the "Manufacture" of "Alcoholic Liquor" and the Possession of Stills, Mash and Paraphernalia used in the "Manufacture" of "Alcoholic Liquor" by "Persons" not licensed to "Manufacture" "Alcoholic Liquor": providing Penalties therefor: and providing for the Seizure of all Liquors, Stills, Mash, and Paraphernalia used in connection with such unlawful "Manufacture," or so possessed.

And returned the same to the Senate.

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

Senate Bill No. 3, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to Alcoholic Liquor, Wines and Beer by Limiting the Time for Appeal under 6151 Sec. 22 of said Chapter and conforming proceedings on Appeal under 6151 Sec. 22 with provisions of 6150 Sec. 21, as amended.

And returned the same to the Senate.

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

Senate Bill No. 5, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to Alcoholic Liquor, Wines and Beer, by changing the Designation of Holidays under 6162 Sec. 33 thereof.

And returned the same to the Senate.

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

Senate Bill No. 38, entitled:

An Act authorizing the Levy Court of Sussex County to convey to the United States of America or any Instrumentality thereof, the title to certain Lands of the Airport and Landing Field of Sussex County and Ratifying an Option Granted to the United States of America.

H. H. LAWSON

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

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

Reported the same back to the Senate favorably.

HARRY H. MULHOLLAND  
ROBERT H. YERKES  
GEORGE W. RHODES  
WILLIAM H. AYRES

Mr. Mulholland moved that the Senate recess until 2:00 o'clock P. M.

Motion prevailed.

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Same Day, 2:25 o'clock P. M.

Senate met at expiration of recess.

The Chair recognized ex-Senator William B. Huston.

On motion of Mr. Lawson, Senate Bill No. 67, entitled:

An Act to amend Chapter 163 of the Revised Code of Delaware, 1935, entitled "Delaware Racing Commission," by providing for Representation of each County upon the said 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. Ayres, Bailey, Binder, Butler, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Edmonds—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 Pro Tem announced he is about to sign:

Senate Bill No. 2.

Senate Bill No. 3.

Senate Bill No. 5.

On motion of Mr. Evans, Senate Bill No. 80, entitled:

An Act to amend Chapter 37 of the Revised Code of Delaware, 1935, entitled "State Board of Accountancy."

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, Bailey, Binder, Butler, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Edmonds—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, Senate Bill No. 42, entitled:

An Act to amend Chapter 35 of the Revised Code of Delaware, 1935, entitled "Board of Pilot Commissioners," with reference to Expenses of Commissioners and Renewal Fees.

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, Bailey, Binder, Butler, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Edmonds—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 Bill No. 20, entitled:

An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, by changing the Voting Place of the Third Election District of the Tenth Representative District in Sussex 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. Ayres, Bailey, Binder, Butler, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

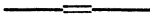
ABSENT—Messrs. Edmonds, McGuigan—2.

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.

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

Motion prevailed.



Same Day, Later

Senate met at the call of the Chair.

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

The Chair directed the Sergeant-at-Arms to admit the Speaker and Members of the House of Representatives.

#### JOINT SESSION

Mr. Yerkes moved that the Senate and House go into Joint Session in accordance with House Concurrent Resolution No. 2.

Motion prevailed.

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

Motion prevailed.

The President of the Joint Session invited the Speaker of the House to come to the rostrum.

The President of the Joint Session invited the President Pro Tem of the Senate to come to the rostrum.

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

Motion prevailed.

The following program was presented:

Address, George T. Macklin, on the "Life of Abraham Lincoln."

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

Motion prevailed.

The Clerk of the House announced that the Secretaries had compared their Journals and found them to agree.

Mr. Yerkes moved that the Joint Session dissolve and the two Houses do now separate.

Motion prevailed.

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Same Day, Later

Senate met in regular session.

Mr. Jones, on motion for leave, introduced Senate Bill No. 92, entitled:

An Act to amend 411. Sec. 14 of Chapter 15 of the Revised Code of Delaware, 1935, relating to State Treasurer and Trustee of the School Fund by authorizing the Investment of Monies in the State Sinking Fund in United States Government Bonds.

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

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

An Act to amend Chapter 35 of the Revised Code of Delaware, 1935, relating to Board of Pilot Commissioners.

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, Bailey, Binder, Butler, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Edmonds—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. Evans, on motion for leave, introduced Senate Bill No. 93, entitled:

An Act to amend Chapter 100 of the Revised Code of Delaware, 1935, by suspending the Provisions of Law contained in 4007. Sec. 112., 4008. Sec. 113., and 4009. Sec. 114. thereof, pertaining to the Manufacture or Sale of Oleomargarine or other Imitations of Butter.

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

Mr. Johnston, on behalf of the Committee on Education, to whom had been referred Senate Bill No. 32, entitled:

An Act making an appropriation to provide Books and Science Equipment for the State College for Colored Students.

Reported the same back to the Senate favorably.

W. DEANE JOHNSTON  
GEO. E. BINDER  
HARRY H. JONES  
H. H. LAWSON

Mr. Rhodes, on motion for leave, introduced Senate Bill No. 94, entitled:

An Act conferring upon the State Board of Health the Power to Regulate and Inspect Sanatoria, Rest Homes, Nursing Homes, Boarding Homes and Related Institutions.

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

Mr. Rhodes, on motion for leave, introduced Senate Bill No. 95, entitled:

An Act authorizing the State Board of Health of the State of Delaware to apply for and accept Funds made available to the Board by the Federal Government under Grants authorized thereby.

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

Mr. Mulholland moved that the Senate recess for five minutes.

Motion prevailed.

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Same Day, Later

Senate met at expiration of recess.

Mr. Yerkes moved that the Senate adjourn until 12 o'clock, Noon, February 13, 1945.

Motion prevailed.

## Twenty-Third Legislative Day

Dover, Delaware, February 13, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, 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.

A communication was read from the Newark Lions Club to Mr. Rhodes, in reference to Teachers' Salary.

Mr. Binder, on behalf of the Committee on Banking and Insurance, to whom had been referred Senate Bill No. 61, entitled:

An Act to amend Chapter 100 of the Revised Code of Delaware, 1935, concerning the Regulation of Small Loans; providing for Loans payable in Installments; Limiting the Interest Rate thereon and the Amount of the Investigation Fee therefor.

Reported the same back to the Senate on its merits.

GEO. E. BINDER  
HARRY H. MULHOLLAND  
SAMUEL WEIGEL, JR.  
I. T. HASTINGS  
G. P. EDMONDS

Mr. Binder, on behalf of the Committee on Banking and Insurance, to who mhad been referred Senate Bill No. 63, entitled:

An Act to amend Chapter 100 of the Revised Code of Delaware, 1935, concerning the Regulation of Small Loans; providing for the Issuance of Certificates of Registration; Annual License Fees; and providing for the Examination thereof by the State Bank Commissioner.

Reported the same back to the Senate on its merits.

GEO. E. BINDER  
HARRY H. MULHOLLAND  
SAMUEL WEIGEL, JR.  
I. T. HASTINGS  
G. P. EDMONDS

Mr. Binder, on behalf of the Committee on Banking and Insurance, to whom had been referred Senate Bill No. 64, entitled:

An Act to regulate the Assignment of Accounts receivable by providing for the Filing for Recording and Indexing of an Affidavit setting forth the Intention of the Transferor to assign the same and by prescribing the Form and the Effect of the Assignment thereof.

Reported the same back to the Senate on its merits.

GEO. E. BINDER  
HARRY H. MULHOLLAND  
SAMUEL WEIGEL, JR.  
I. T. HASTINGS  
G. P. EDMONDS

Mr. Binder, on behalf of the Committee on Banking and Insurance, to whom had been referred Senate Bill No. 83, entitled:

An Act to amend Chapter 66 of the Revised Code of Delaware, 1935, entitled "Banks, Savings Societies and Trust Companies," by Increasing the Fees and Charges for Examination of Corporations coming under the Supervision of the State Banking Department.

Reported the same back to the Senate on its merits.

GEO. E. BINDER  
HARRY H. MULHOLLAND  
G. P. EDMONDS  
I. T. HASTINGS  
SAMUEL WEIGEL, JR.

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

An Act making Appropriation to the State Highway Department of certain Unused Funds for the Construction and Reconstruction of Roads, Highways and Bridges of the State and for Expenditures incidental thereto.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
GEO. E. BINDER  
G. P. EDMONDS  
HARRY H. JONES  
JOHN R. BUTLER

Mr. Hitchens, on behalf of the Committee on Buildings and Highways, to whom had been referred Senate Bill No. 90, entitled:

An Act to amend Chapter 113 of the Revised Code of Delaware, 1935, entitled "Prothonotary," by providing for the Notification of the Motor Vehicle Commissioner by the Prothonotaries of the Issuing of Writs of Certiorari in certain cases involving Violation of the Motor Vehicle Laws of the State of Delaware.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
GEO. E. BINDER  
G. P. EDMONDS  
HARRY H. JONES  
JOHN R. BUTLER

Mr. Yerkes moved that the Senate recess until 2:45 o'clock P. M.

Motion prevailed.

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

Senate met at expiration of recess.



Mr. Johnston moved that Senate Bill No. 32, entitled:

An Act making an appropriation to provide Books and Science Equipment for the State College for Colored Students.

Be recommitted.

Motion prevailed.

On motion of Mr. Yerkes, House Bill No. 27, entitled:

An Act to amend Chapter 8 of the Revised Code of Delaware, 1935, as amended, relating to Public Arms and Defense by providing for the Staff of the Commander-in-Chief.

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, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, Rhodes, Weigel, 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 returned to the House.

On motion for leave, Mr. Yerkes presented Senate Amendment No. 1 to House Bill No. 15, entitled:

An Act appropriating additional money to the State Board of Education for the Relief of the Rehabilitation Division of the State Board for Vocational Education.

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

On the question, "Shall Senate Amendment No. 1 to House Bill No. 15 be adopted?"

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

YEAS—Messrs. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. McGuigan—1.

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

Mr. Mulholland moved that further action on House Bill No. 15 with Senate Amendment No. 1 be deferred until the next session of the Senate.

Motion prevailed.

#### EXECUTIVE SESSION

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

Motion prevailed.

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Same Day, Later

Senate met in regular session.

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

Senate Bill No. 2, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, as amended, relating to Alcoholic Liquor, Wines and Beer, by making unlawful the "Manufacture" of "Alcoholic Liquor" and the Possession of Stills, Mash and Paraphernalia useful in the "Manufacture" of "Alcoholic Liquor" by "Persons" not licensed to "Manufacture" "Alcoholic Liquor": providing Penalties therefor: and providing for the Seizure of all Liquors, Stills, Mash, and Paraphernalia used in connection with such unlawful "Manufacture", or so possessed.

Senate Bill No. 3, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to Alcoholic Liquor, Wines and Beer by Limiting the Time for Appeal under 6151 Sec. 22 of said Chapter and conforming proceedings on Appeal under 6151 Sec. 22 with provisions of 6150 Sec. 21, as amended.

Senate Bill No. 5, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to Alcoholic Liquor, Wines and Beer, by changing the Designation of Holidays under 6162 Sec. 22 thereof.

H. H. LAWSON

Mr. Edmonds, on behalf of the Committee on Finance, to whom had been referred Senate Bill No. 92, entitled:

An Act to amend 411. Sec. 14 of Chapter 15 of the Revised Code of Delaware, 1935, relating to State Treasurer and Trustee of the School Fund by authorizing the Investment of Monies in the State Sinking Fund in United States Government Bonds.

Reported the same back to the Senate favorably.

G. P. EDMONDS  
H. H. JONES  
GEO. W. RHODES  
HARRY H. MULHOLLAND  
WILLIAM H. AYRES

Mr. Hitchens, on motion for leave, introduced Senate Bill No. 96, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, relating to Motor Vehicles, by providing for Speed Limitations; providing for Limitations on Privilege of Overtaking and Passing.

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

Mr. Hitchens, on motion for leave, introduced Senate Bill No. 97, entitled:

An Act proposing a certain amendment to Article V of the Constitution of the State of Delaware relating to Elections, by providing for Registration of Voters in certain Cases.

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

Mr. Ayres moved that the Senate recess for five minutes.

Motion prevailed.

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Same Day, Later

Senate met at expiration of recess.

Mr. Weigel, on motion for leave, introduced Senate Bill No. 98, entitled:

An Act to amend Chapter 146 of the Revised Code of Delaware, 1935, entitled "Limitation of Personal Actions," with reference to Action on a Book Account.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 99, entitled:

An Act to amend Chapter 54 of the Revised Code of Delaware, 1935, as amended, relating to State Old Age Welfare Commission and State Welfare Home by providing for Increase of Allowance as Assistance to Old Age Persons; and by providing for Appeal to any Person Aggrieved or Dissatisfied.

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

Mr. Yerkes moved that the Senate adjourn until 12 o'clock, Noon, February 15, 1945.

Motion prevailed.

## Twenty-Fourth Legislative Day

Dover, Delaware, February 15, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

President Pro Tem Harry H. Mulholland presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

Members Absent—Butler, McDowell—2.

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.

Communications were read from John M. Clayton School, Lions Club of Dagsboro and the Rotary Club of Selbyville, favoring House Bill No. 157.

Mr. Yerkes moved that the Senate reconsider the vote on Senate Amendment No. 1 to House Bill No. 15, entitled:

An Act appropriating additional money to the State Board of Education for the Relief of the Rehabilitation Division of the State Board for Vocational Education.

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

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

YEAS—None.

**NAYS**—Messrs. Ayres, Bailey, Binder, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

**ABSENT**—Messrs. Butler, McDowell—2.

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

On motion for leave, Mr. Johnston introduced Senate Amendment No. 2 to House Bill No. 15, entitled:

An Act appropriating additional money to the State Board of Education for the Relief of the Rehabilitation Division of the State Board for Vocational Education.

Mr. Johnston moved that Senate Amendment No. 2 to House Bill No. 15 be adopted.

Motion prevailed.

On motion of Mr. Mulholland, House Bill No. 15 with Senate Amendment No. 2, entitled:

An Act appropriating additional money to the State Board of Education for the Relief of the Rehabilitation Division of the State Board for Vocational Education.

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, Bailey, Binder, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

**NAYS**—None.

**ABSENT**—Messrs. Butler, McDowell—2.

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.

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 100, entitled:

An Act to amend Chapter 56 of the Revised Code of the State of Delaware, 1935, as amended, entitled "Registration of Voters," and to repeal certain Sections thereof.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 101, entitled:

An Act to amend Chapter 62 of the Revised Code of Delaware, 1935, entitled, "Election of Representative in Congress," by providing for the Transfer to the Department of Elections for each County respectively, the Election Duties now performed by the Sheriff of each County.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 102, entitled:

An Act to amend Chapter 59 of the Revised Code of Delaware, 1935, entitled, "Inspectors of Elections."

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 103, entitled:

An Act proposing an amendment to Article VIII of the Constitution of the State of Delaware and creating a State Highway Fund.

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

Mr. Ayres, on motion for leave, introduced Senate Bill No. 104, entitled:

An Act to authorize the Commissioners of Millsboro to borrow One Hundred Thousand Dollars (\$100,000.00), and to issue Bonds to secure the Payment thereof, for the purpose of providing a Sewer System for the Town of Millsboro and to Control and Regulate the same.

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

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

Motion prevailed.

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

Senate met at expiration of recess.

The President announced he is about to sign:

House Bill No. 20.

House Bill No. 27.

House Concurrent Resolution No. 2.

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

An Act to amend Section 4 of Chapter 57 of Volume 44, Laws of Delaware, 1943, relating to "The State Emergency Fund" by making an Additional Appropriation for Extraordinary School Repairs and by making an Appropriation for Additional Fuel for the remainder of the Fiscal Year ending June 30, 1945.

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, Bailey, Binder, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Butler, McDowell—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. Yerkes, House Bill No. 5, entitled:

An Act establishing a Fiscal Year for the Levy Court of Sussex 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. Ayres, Bailey, Binder, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Butler, McDowell—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.

The Chair recognized former Senator Burton Heal, former Senator Ebe Chandler and former Senator Louis Drexler.

The Chair declared a recess for five minutes.

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Same Day, Later

Senate met at expiration of recess.

Mr. Ayres, on motion for leave, introduced Senate Bill No. 105, entitled:

An Act to amend Chapter 131 of the Revised Code of Delaware, 1935, as amended, relating to Juries by providing for the Appointment, Qualifications, Jurisdiction and Compensation of Jury Commissioners.

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

The Chair presented the following communications:

STATE OF DELAWARE

EXECUTIVE DEPARTMENT

Dover, 13 February, 1945

The Honorable  
The Senate of the State of Delaware  
Dover, Delaware

Gentlemen:

With reference to the appointment of a poultry co-ordinator for Delaware, would state that letters were forwarded to our representatives in Washington, together with copy of the Resolution, and to-date replies have been received from Senators Tunnell and Buck, with attachment to Senator Buck's letter from Edward F. Prichard, Jr., General Counsel for the Office of Economic Stabilization.

This correspondence is forwarded to you for your consideration and when a reply is received from the Congressman from Delaware, I will immediately forward the same to you in order that our files may be complete on this subject.

Very truly yours,

WALTER W. BACON  
*Governor*

UNITED STATES SENATE  
COMMITTEE ON PENSIONS

February 8, 1945

Honorable Walter W. Bacon  
Governor of Delaware  
Dover, Delaware

Dear Governor Bacon:

Please accept thanks for your letter of February 5th with reference to the appointment of a poultry co-ordinator for Delaware. The Concurrent Resolution passed by the General Assembly has been transmitted to the Honorable Fred M. Vinson, Director of the Economic Stabilization Board, with the request that the matter be given appropriate attention.

I am sure the two Senators and the Representative from Delaware will continue their efforts to promote the best interests of the poultrymen.

Thanking you for calling it to my attention, I remain

Very sincerely yours,

JAMES M. TUNNELL

UNITED STATES SENATE

Washington, D. C., February 12, 1945

Hon. Walter W. Bacon  
Governor of Delaware  
Dover, Delaware

Dear Governor Bacon:

For your information I am enclosing copy of letter received this morning from Edward F. Prichard, Jr., General Counsel, Office of Economic Stabilization, in reply to the one I addressed to him after receipt of yours of February fifth. With my communication to Mr. Prichard I enclosed a copy of your letter together with Resolution No. 10.

If we can be of further assistance to you or members of the General Assembly in this connection, I ask that you let us hear from you.

Sincerely,

C. D. BUCK

## OFFICE OF ECONOMIC STABILIZATION

Washington, D. C., February 9, 1945

Honorable C. Douglass Buck  
United States Senate  
Washington 3, D. C.

Dear Senator Buck:

Thank you for your letter of February 6, 1945, enclosing Senate Concurrent Resolution No. 10, passed by the General Assembly of Delaware, together with letter from Governor Bacon.

I am sure that Judge Vinson agrees heartily with the objective of this resolution—namely, to secure better coordination of the efforts and operation of government agencies which deal with poultry. I do not think that he feels, however, that it would be possible for him to name a separate coordinator for each commodity in each state or area which produces such commodity. Such an action on his part would involve the creation of a large staff, and would inevitably result in a duplication of work now carried on by the Office of Price Administration and the War Food Administration. Judge Vinson understands his function to be primarily that of determining broad issues of economic policy rather than the supervision of administrative agencies in the details of their work.

If the basic policies which have been pursued by government agencies in connection with poultry are inconsistent or have operated in conflict with each other, I am sure that Judge Vinson will be glad to receive from those interested in poultry production a memorandum setting forth their specific suggestions as to what policies might be altered or improved.

Such a memorandum would receive his earnest consideration.

Sincerely yours,

EDWARD F. PRICHARD, JR.  
*General Counsel*

Messrs. Yerkes and Ayres requested that Senate Bill No. 68 be stricken from the Calendar.

The request was granted.

On motion for leave, Mr. Johnston introduced Senate Resolution No. 32, entitled:

SENATE RESOLUTION NO. 32

Relative to Payment on Account for Collecting Data, Compiling, Editing and Publishing the Daily Calendar for the State Senate.

BE IT RESOLVED by the Senate of the State of Delaware that the following amount be and the same is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for collecting data, compiling, editing and publishing the Daily Calendar for the Senate of the State of Delaware, same being expense connected with the present Session thereof, viz:

To Milford Chronicle Publishing Co., One Thousand and Five Hundred Dollars (\$1,500.00) being part payment on account for above.

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, was adopted, by acclamation.

On motion of Mr. Yerkes, House Bill No. 7, entitled:

An Act to amend Chapter 20 of the Revised Code of Delaware, 1935, as amended, entitled "Insurance Department," by empowering "Domestic Companies" to pay Fees and Taxes imposed by any Laws of any State, Territory or Political Subdivision thereof, that have not been finally held invalid and exempting Officers, Directors or Trustees of "Insurance Companies" from personal liability for Payments of such Fees or Taxes under certain circumstances.

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, Bailey, Binder, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Butler, McDowell—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.

Mr. Yerkes moved that the Senate adjourn until 12 o'clock, Noon, February 16, 1945.

Motion prevailed.

## Twenty-Fifth Legislative Day

Dover, Delaware, February 16, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes, Mr. President Pro Tem—17.

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

Motion prevailed.

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

Senate Substitute for Senate Bill No. 4, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, as amended, with reference to the Unlawful Transportation of Alcoholic Liquor, providing Penalties therefor and for the Confiscation of any Vehicle used in the commission of any offenses thereunder.

And returned the same to the Senate.

Mr. Holliday, 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. 66, entitled:

An Act amending 3670 Section 13 of Chapter 92 of the Revised Code of Delaware, 1935, as amended, in reference to the Acknowledgment of Deeds and Other Instruments before any Commissioned Officer of the Armed Forces of the United States.

And presented the same to the Senate.

Mr. Holliday, 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. 67, entitled:

An Act authorizing the Appointment of a Commission to Examine and Certify to the Correctness of New Records prepared for the Office of the Register of Wills in and for Sussex County, Delaware, and to Record said Certification.

And presented the same to the Senate.

Reported the same back to the Senate on its merits.

Mr. Rhodes, on behalf of the Committee on Public Health, to whom had been referred Senate Bill No. 95, entitled:

An Act authorizing the State Board of Health of the State of Delaware to apply for and accept Funds made available to the Board by the Federal Government under Grants authorized thereby.

Reported the same back to the Senate favorably.

HARRY H. MULHOLLAND  
ROBERT H. YERKES  
W. DEANE JOHNSTON  
I. T. HASTINGS

Mr. Rhodes, on behalf of the Committee on Public Health, to whom had been referred Senate Bill No. 94, entitled:

An Act conferring upon the State Board of Health the Power to Regulate and Inspect Sanatoria, Rest Homes, Nursing Homes, Boarding Homes and Related Institutions.

Reported the same back to the Senate favorably.

GEORGE W. RHODES  
HARRY H. MULHOLLAND  
ROBERT H. YERKES  
W. DEANE JOHNSTON  
I. T. HASTINGS



Mr. Jones, on behalf of the Committee on Agriculture, to whom had been referred Senate Bill No. 93, entitled:

An Act to amend Chapter 100 of the Revised Code of Delaware, 1935, by suspending the Provisions of Law contained in 4007. Sec. 112., 4008. Sec. 113., and 4009. Sec. 114. thereof, pertaining to the Manufacture or Sale of Oleomargarine or other Imitations of Butter.

Reported the same back to the Senate on its merits.

HARRY H. JONES  
GEORGE W. RHODES  
SAMUEL WEIGEL, JR.  
H. H. LAWSON  
WILLIAM H. AYRES

The Chair presented House Bill No. 66, entitled:

An Act amending 3670 Section 13 of Chapter 92 of the Revised Code of Delaware, 1935, as amended, in reference to the Acknowledgment of Deeds and Other Instruments before any Commissioned Officer of the Armed Forces of the United States.

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

The Chair presented House Bill No. 67, entitled:

An Act authorizing the Appointment of a Commission to Examine and Certify to the Correctness of New Records prepared for the Office of the Register of Wills in and for Sussex County, Delaware, and to Record said Certification.

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

Mr. Lawson, on motion for leave, introduced Senate Bill No. 106, entitled:

An Act proposing an amendment to Article III of the Constitution of the State of Delaware, relating to the Terms of Office of Sheriffs and Coroners.

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

Mr. Lawson, on motion for leave, introduced Senate Bill No. 107, entitled:

An Act to amend Chapter 217, Volume 43, Laws of Delaware, entitled, "An Act creating a Board of Trustees to Manage and Control the Prison, Prison Farm, Courthouse and Courthouse Annex of Sussex County: Providing for the Appointment of Members of the Board, their Terms of Office, Qualifications and Expenses, their Powers and Duties; providing for the Payment of the Expense of such Management and Control by the Levy Court of Sussex County; providing for the Custody, Care, Control, Labor and Compensation of Prisoners in said Prison; and providing for a System of Bookkeeping and Inventory of Property," by providing an Annual Salary for the Members of the Board of Trustees and the Method of Payment thereof.

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

Mr. Lawson, by request, introduced Senate Bill No. 108, entitled:

An Act authorizing and directing the State Board of Education to provide Transportation for Children attending Public Schools in any Consolidated School District and residing without the Corporate Limits of a Town or City and at a distance of One-Half Mile or more from the Public School; and to provide Transportation to and from School for Children living within the Corporate Limits of any Town or City, who are compelled to attend a Public School situated within or less than One-Half Mile from the Corporate Limits of any other Town or City.

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

Mr. Evans, on motion for leave, introduced Senate Bill No. 109, entitled:

An Act to amend Chapter 727, Volume 19, Laws of Delaware, 1893, entitled, "An Act in relation to Municipal Elections to be held in the City of Wilmington," by providing a Method for the Delivery of Certificates of Election, Tally Sheets and Poll Lists, by the Election Officers for such Elections.

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

Mr. Evans, on motion for leave, introduced Senate Bill No. 110, entitled:

An Act to amend Chapter 57 of the Revised Code of the State of Delaware, 1935, as amended, entitled, "Department of Elections for New Castle County."

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

Mr. Jones, on motion for leave, introduced Senate Bill No. 111, entitled:

An Act appropriating certain monies to the University of Delaware, Agricultural Extension Service, for the purpose of making available to Dairymen Information on Improved Methods of Dairy Cattle Breeding, Management, and Milk Production.

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

Mr. Jones, on motion for leave, introduced Senate Bill No. 112, entitled:

An Act appropriating certain monies to the University of Delaware, Agricultural Experiment Station, for the purpose of providing Research, Demonstration, Improved Breeding Stock and Improved Breeding Methods for the Dairyman.

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

Mr. Yerkes, on motion for leave, introduced Senate Joint Resolution No. 3, entitled:

Senate Joint Resolution providing for Reviewing, Compiling, Indexing and Arranging the Registration, Primary and General Election Laws of this State.

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

#### EXECUTIVE SESSION

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

Motion prevailed.

Same Day, Later

Senate met in regular session.

Mr. Yerkes moved that the Senate recess until 3 o'clock P. M.

Motion prevailed.

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Same Day, 3 o'clock P. M.

Senate met at expiration of recess.

The Chair recognized ex-Senator Charles Sipple.

The Chair recognized a delegation from the Dover Junior High School.

Mr. Ayres moved that action on Senate Bill No. 29 be deferred until the next Legislative Day.

Motion prevailed.

Mr. Yerkes moved that the Senate adjourn until 12 o'clock, Noon, February 19, 1945.

Motion prevailed.

## Twenty-Sixth Legislative Day

Dover, Delaware, February 19, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Lawson, McDowell, McGuigan, Rhodes, Weigel, Mr. President Pro Tem—15.

Members Absent—Johnston, Yerkes—2.

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

Motion prevailed.

On motion of Mr. Mulholland, Senate Bill No. 29, entitled:

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258, Volume 41, Laws of Delaware, 1937, as amended, by making certain changes in the Definitions of Employment and Wages; by increasing the Minimum Weekly Benefit Amount and Maximum Duration of Benefits and by making certain other changes relating to the Payment of Benefits; by providing that the State Experience Factor shall never be lower than 1%; by redefining the Terms relating to Successorship in Relation to Experience Rating; by changing certain of the Administrative Provisions; and by changing the Definition of Seasonal Employment and the Effective Period for Certain Provisions relating thereto.

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, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Lawson, McGuigan, Rhodes, Weigel, Mr. President Pro Tem—14.

NAYS—None.

ABSENT—Messrs. Johnston, McDowell, Yerkes—3.

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 following communication was read: From the Rotary Club of Newark, dated February 16, 1945, favoring a permanent increase in school teachers' salaries and a suitable retirement plan.

Mr. Holliday, 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. 81 with House Amendment No. 1, entitled:

An Act requiring copies or certified copies of Certificates of Birth, Marriage or Death of any person or persons now or hereafter serving, or who have served in the Armed Forces of the United States to be furnished to certain persons without charge or fee.

And presented the same to the Senate.

Mr. Binder, on behalf of the Committee on Judiciary, to whom had been referred Senate Bill No. 65, entitled:

An Act to amend Chapter 156 of the Revised Code of Delaware, 1935, entitled "Fees of Public Officers," with reference to Fees paid Jurors of Inquest.

Reported the same back to the Senate favorably.

GEO. E. BINDER  
HARRY H. JONES  
SAMUEL WEIGEL, JR.  
JOHN R. HITCHENS  
JOHN R. BUTLER

Mr. Binder, on behalf of the Committee on Judiciary, to whom had been referred Senate Bill No. 66, entitled:

An Act to amend Chapter 156 of the Revised Code of Delaware, 1935, entitled "Fees of Public Officers," by increasing the Fees of Witnesses attending Courts in Sussex County.

Reported the same back to the Senate favorably.

GEO. E. BINDER  
HARRY H. JONES  
SAMUEL WEIGEL, JR.  
JOHN R. HITCHENS  
JOHN R. BUTLER

Mr. Rhodes, on motion for leave, introduced Senate Bill No. 113, entitled:

An Act appropriating money to the Public Archives Commission for the Publication of Certain Documents and the Purchase of Recording Equipment.

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

Mr. Rhodes, on motion for leave, introduced Senate Bill No. 114, entitled:

An Act to amend Chapter 28 of the Revised Code of Delaware, 1935, as amended, entitled "State Board of Pharmacy," with reference to the Secretary, Inspector, and other Employees thereof, their Duties and Compensation and to Fees charged and collected.

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

Mr. Rhodes, on motion for leave, introduced Senate Bill No. 115, entitled:

An Act to amend Chapter 36 of the Revised Code of Delaware, 1935, entitled "Public Archives Commission," as amended, with reference to the Preservation of Certain Public Records by the Public Archives Commission.

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

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 116, entitled:

An Act providing for the Payment of Pension Benefits to certain State Employees, fixing Ages of Retirement, Establishing Benefits, Payable and the Source of Payment thereof, providing for Applications for Pensions and the Procedure to be followed with respect thereto, providing that Pension Benefits shall be free of Attachment and Non-Assignable, and also providing for the Reduction of Benefits under certain conditions.

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

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

Motion prevailed.

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

Senate met at expiration of recess.

The President announced he is about to sign:

House Bill No. 5.

House Bill No. 7.

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 117, entitled:

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

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

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 118, entitled:

An Act to amend Chapter 118, Volume 44, Laws of Delaware, entitled, "An Act to permit Voting by Persons not present at the Polling Places, under Certain Circumstances and Conditions."



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

On motion of Mr. Mulholland, House Bill No. 13, entitled:

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

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, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Weigel, Mr. President Pro Tem—15.

NAYS—None.

ABSENT—Messrs. Rhodes, Yerkes—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.

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

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

Reported the same back to the Senate favorably.

GEO. E. BINDER  
G. P. EDMONDS  
SAMUEL WEIGEL, JR.  
HARRY H. MULHOLLAND  
IRVIN T. HASTINGS

On motion of Mr. Hitchens, Senate Bill No. 90, entitled:

An Act to amend Chapter 113 of the Revised Code of Delaware, 1935, entitled "Prothonotary," by providing for the Notification of the Motor Vehicle Commissioner by the Prothonotaries of the Issuing of Writs of Certiorari in certain cases involving Violation of the Motor Vehicle Laws 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, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Yerkes—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. McGuigan, on motion for leave, introduced Senate Bill No. 119, entitled:

An Act to amend Section 1, Chapter 90, Volume 44, Laws of Delaware relating to New Castle County Assessments and Appeals.

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

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

An Act to amend 411. Sec. 14 of Chapter 15 of the Revised Code of Delaware, 1935, relating to State Treasurer and Trustee of the School Fund by authorizing the Investment of Monies in the State Sinking Fund in United States Government 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. Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Yerkes—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. McDowell, on motion for leave, introduced Senate Bill No. 120, entitled:

An Act appropriating certain monies to the State Soil Conservation Commission for the purpose of Cleaning Out and Draining the Tributary of the Sassafras River located in New Castle County.

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

Mr. Rhodes, on motion for leave, introduced Senate Bill No. 121, entitled:

An Act to amend Chapter 25 of the Revised Code of Delaware, 1935, entitled, "Department of Health," by making further Provisions for the Examination, Treatment, and Quarantine of Persons known or reasonably suspected of being Infected with a Venereal Disease.

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

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

An Act authorizing the State Board of Health of the State of Delaware to apply for and accept Funds made available to the Board by the Federal Government under Grants authorized thereby.

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, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Mr. President Pro Tem—16.

NAYS—None.

ABSENT—Mr. Yerkes—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 Senate Bill No. 111, entitled:

An Act appropriating certain monies to the University of Delaware, Agricultural Extension Service, for the purpose of making available to Dairymen information on Improved Methods of Dairy Cattle Breeding, Management, and Milk Production.

Reported the same back to the Senate favorably.

HARRY H. JONES  
GEORGE W. RHODES  
SAMUEL WEIGEL, JR.  
H. H. LAWSON  
WILLIAM H. AYRES

Mr. Jones, on behalf of the Committee on Agriculture, to whom had been referred Senate Bill No. 112, entitled:

An Act appropriating certain monies to the University of Delaware, Agricultural Experiment Station, for the purpose of providing Research, Demonstration, Improved Breeding Stock and Improved Breeding Methods for the Dairyman.

Reported the same back to the Senate favorably.

HARRY H. JONES  
GEORGE W. RHODES  
SAMUEL WEIGEL, JR.  
H. H. LAWSON  
WILLIAM H. AYRES

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 122, entitled:

An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, entitled, "General Elections," by Specifying the Substance to be used to Mark Ballots to be Voted at Elections.

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

Mr. Edmonds, on motion for leave, introduced Senate Bill No. 123, entitled:

An Act to amend An Act known and cited as the "Unemployment Compensation Law," being Chapter 258, Volume 41, Laws of Delaware, 1937, as amended, by providing that Wages paid to a "Disabled" or "Handicapped" Employee under certain conditions shall not be used as a Basis for a Benefit Wage Charge.

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

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

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, entitled "Motor Vehicles," relating to Student Drivers.

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

Mr. Mulholland moved that the Senate adjourn until 12 o'clock, Noon, February 20, 1945.

Motion prevailed.

## Twenty-Seventh Legislative Day

Dover, Delaware, February 20, 1945, 12 o'clock, Noon

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, 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.

Several communications were read favoring D. S. E. A.

Mr. Holliday, 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. 78, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, as amended, relating to the State Highway Department by providing for the Jurisdiction of said Department outside Incorporated Towns; providing for the Adoption of Certain Rules and Regulations pertaining to Traffic with certain Limitations; providing that the Department may designate dual or divided highways as One Way Highways and fix direction of travel thereon and for the Erection of Appropriate Signs.

And presented the same to the Senate.

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

Senate Bill No. 23, entitled:

An Act to authorize the Levy Court of Sussex County to Invest any Surplus Funds in the Treasury of Sussex County, not otherwise appropriated.

And returned the same to the Senate.

The Chair recognized ex-Senator Asa Bennett of Frankford, Del.

Mr. Yerkes, on behalf of the Committee on Revised Statutes, to whom had been referred House Bill No. 66, entitled:

An Act amending 3670 Section 13 of Chapter 92 of the Revised Code of Delaware, 1935, as amended, in reference to the Acknowledgment of Deeds and Other Instruments before any Commissioned Officer of the Armed Forces of the United States.

Reported the same back to the Senate favorably.

R. H. YERKES  
G. P. EDMONDS  
H. H. LAWSON  
H. H. MULHOLLAND  
H. B. McDOWELL, JR.

Mr. Hitchens, on behalf of the Committee on Fish, Oysters and Game, to whom had been referred House Bill No. 29, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, as amended, relating to Fish, Oysters and Game, by providing for the Season within which Mink, Otter and Muskrat may be Caught and Killed.

Reported the same back to the Senate favorably.

JOHN R. HITCHENS  
ROBERT H. YERKES  
W. DEANE JOHNSTON  
H. B. McDOWELL, JR.

The Chair presented House Bill No. 81 with House Amendment No. 1, entitled:

An Act requiring copies or certified copies of Certificates of Birth, Marriage or Death of any person or persons now or hereafter serving, or who have served in the Armed Forces of the United States to be furnished to certain persons without charge or fee.

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

Mr. Rhodes requested that Senate Bill No. 121 be stricken from the Calendar.

Request granted.

On motion for leave, Mr. Mulholland introduced Senate Resolution No. 33, entitled:

#### SENATE RESOLUTION NO. 33

Paying Certain Expenses of the Senate.

BE IT RESOLVED by the Senate of the 110th General Assembly that the following amount be and the same is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, on account of expenses connected with the present Session, viz:

The Diamond State Telephone Co.,

for certain telephone expenses ..... \$51.54

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, was adopted, by acclamation.

On motion for leave, Mr. Rhodes introduced Senate Concurrent Resolution No. 12, entitled:

#### SENATE CONCURRENT RESOLUTION NO. 12

Providing for a Joint Session to attend the Exercises arranged in Commemoration of the Birthday Anniversary of George Washington.



BE IT RESOLVED by the Senate of the 110th General Assembly, the House of Representatives concurring therein, that both Houses of the General Assembly shall meet in Joint Session on Thursday, February 22, 1945, at 3 o'clock P. M., for the purpose of attending the exercises and hearing the program arranged by a Joint Committee of the Senate and the House in commemoration of the birthday anniversary of George Washington.

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, was adopted, by acclamation.

Ordered to the House for concurrence.

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

Motion prevailed.

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

Senate met at expiration of recess.

Mr. Evans, on motion for leave, introduced Senate Bill No. 125, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, relating to Motor Vehicles, as amended, relating to the giving of Proof of Financial Responsibility and Security by Owners and Operators of Motor Vehicles and to make Uniform the Law with reference thereto, and prescribing Penalties for any Violations.

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

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

Senate Concurrent Resolution No. 12, entitled:

Providing for a Joint Session to attend the Exercises arranged in Commemoration of the Birthday Anniversary of George Washington.

And returned the same to the Senate.

Mr. Evans, on motion for leave, introduced Senate Bill No. 126, entitled:

An Act to amend Chapter 261, Volume 41, Laws of Delaware, 1937, as amended, being An Act entitled, "An Act providing for the Creation and Appointment of a State Board of Chiropractic Examiners, defining its Powers and Duties; regulating the Practice of Chiropractic; providing for the Licensing of Chiropractors and Prescribing Penalties for any Violations of this Act."

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

Mr. Hitchens, on motion for leave, introduced Senate Bill No. 127, entitled:

An Act relating to Mosquito Control and transferring the Supervision thereof to the State Highway Department.

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

The President announced he is about to sign:

House Bill No. 13.

Mr. Hitchens, on motion for leave, introduced Senate Bill No. 128, entitled:

An Act to amend Article 3, Chapter 166 of the Revised Code of the State of Delaware, 1935, relating to the Public Lands of the State of Delaware and providing for the leasing thereof.

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

Messrs. Jones and Ayres, on motion for leave, introduced Senate Bill No. 129, entitled:

An Act to amend the Revised Code of Delaware, 1935, as amended, by Abolishing the State Board of Agriculture and the State Forestry Department, as the same are respectively now constituted; by Consolidating the said Board and the said Department into a New Department of the State Government to be designated, "The Department of Agriculture and Forestry;" to provide for the Organization of said New Department, the Functions, Powers and Duties thereof; to establish a Commission of Five Members; to transfer to the Department of Agriculture and Forestry the Jurisdiction now lodged in the State Board of Agriculture and in the State Forestry Department; and to enact General Provisions for Carrying Out the Purposes of this Act.

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

Mr. Weigel, on behalf of the Committee on Municipal Corporations, to whom had been referred Senate Bill No. 30, entitled:

An Act authorizing "The Town of Frankford" to borrow Thirty Thousand Dollars (\$30,000.00) and to Issue Bonds therefor for the purpose of redeeming and refunding certain Outstanding Bonds of "The Town of Frankford."

Reported the same back to the Senate favorably.

SAMUEL WEIGEL, JR.  
JAS. S. EVANS  
GEORGE W. RHODES  
GEO. E. BINDER  
WILLIAM H. AYRES

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

Senate Bill No. 2—Approved February 15, 1945.

Senate Bill No. 3—Approved February 15, 1945.

Senate Bill No. 5—Approved February 14, 1945.

Senate Bill No. 38—Approved February 9, 1945.

H. H. LAWSON

Mr. McDowell, on motion for leave, introduced Senate Bill No. 130, entitled:

An Act authorizing the Levy Court of New Castle County to Issue Bonds for the purpose of Raising Money to provide for the Installation and Maintenance of Sewerage Systems and Treatment Plants, and to Assess Property throughout New Castle County, and/or in Particular Developments, with the Cost of Same, and to provide for the Retirement of said Bonds.

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

The Chair recognized ex-Senator William Matthews.

Mr. Edmonds, on motion for leave, introduced Senate Bill No. 131, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, relating to the State Highway Department, as amended, by creating a new Article to be known as Article 6, and Seven New Sections thereunder, said new Article to be subtitled "Freeways," and said Article and said new Sections authorizing the State Highway Department to Construct, Designate, Establish, Lay Out and Regulate all or any portion of any State Highway as a "Freeway."

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 132, entitled:

An Act to amend An Act entitled "An Act amending Chapter 39 of the Revised Code of Delaware, 1935, relating to Mothers' Pension Commission so that the Provisions thereof may conform with Federal Law concerning Dependent Children," being Chapter 95, Volume 41, Laws of Delaware, as amended by Chapter 97, Volume 42, Laws of Delaware and Chapter 76, Volume 44, Laws of Delaware; in relation to Payments, How Made, Amounts Paid by the Levy Courts of New Castle, Kent and Sussex Counties.

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

Mr. Yerkes by request, on motion for leave, introduced Senate Bill No. 133, entitled:

An Act prohibiting the Sale of Calves under Thirty Days of Age, (commonly called Monkey Calves), for Food Purposes, by or at any Sales Stable or Bazaar in the State of Delaware, and providing a Penalty for Violation of the Provisions of the Act.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 134, entitled:

An Act to amend Chapter 15 of the Revised Code of the State of Delaware, 1935, relating to the State Treasurer and Trustee of the School Fund by providing for the Destruction of Certain Voucher Checks.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 135, entitled:

An Act to amend Chapter 45 of the Revised Code of Delaware, 1935, entitled, "County Treasurers and Collection of Taxes," by requiring that Pawnbrokers secure the Signature of a Person Pawning or Pledging Goods, Articles or Things.

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

Mr. Rhodes, on motion for leave, introduced Senate Bill No. 136, entitled:

An Act to amend Chapter 25 of the Revised Code of Delaware, 1935, entitled, "Department of Health," by making Further Provisions for the Examination, Treatment, and Quarantine of Persons known or reasonably suspected of being Infected with a Venereal Disease.

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

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 137, entitled:

An Act authorizing Voluntary Retirement Plans for certain State Employees; authorizing any Board, Commission, Agency or Political Subdivision of the State of Delaware to Adopt Retirement Plans; providing for Salary Deductions to Pay the Cost thereof, and authorizing the State Treasurer and Treasurer or other Fiscal Agent of any Board, Commission, Agency or Political Subdivision to make Salary Deductions and Disburse the same.

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

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 138, entitled:

An Act to amend Article 4 of Chapter 20 of the Revised Code of Delaware, 1935, by further providing for the Regulation of Fire and Related Insurance Rates by the Insurance Commissioner; providing for the Establishment of a Rating Bureau within the State and providing for the Organization, Government and Membership thereof; providing that Rating Bureau shall Promulgate Rates subject to Approval of Insurance Commissioner; empowering Insurance Commissioner to Approve or Disapprove Rates or Adjust the Same; providing for Judicial Review of Insurance Commissioner's Orders and providing General Supervision by the Insurance Commissioner over Rating Bureau and Members thereof as well as Rates.

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

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 139, entitled:

An Act making Provision for the Acquisition of certain Additional Lands and Easements in the City of Dover for the State of Delaware, to be used for Buildings and Grounds and for other State Purposes, and making an Appropriation therefor.

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

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

House Joint Resolution No. 2, entitled:

Authorizing the State Treasurer to Redeem an Outdated Check and to Issue a New Check in lieu thereof.

And presented the same to the Senate.

Mr. Holliday, 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. 16, entitled:

An Act to amend Chapter 105, Volume 42, Laws of Delaware, entitled "An Act to Regulate and Control the Construction of Water and Sewer Systems, Building and House Draining Systems, and Gas Lines: The Registration of Persons engaged therein and in the Construction and Installation of Oil Burning Equipment and Air Conditioning and providing for the Supervision thereof in New Castle County outside of the City of Wilmington," as amended, by Chapter 83, Volume 44, Laws of Delaware, by providing for the Exemptions of certain Persons and Corporations therefrom.

And presented the same to the Senate.

Mr. Holliday, 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. 17, entitled:

An Act to amend "An Act to Regulate the Construction, Alteration, Repair, Removal, Demolition, Equipment, Use and Occupancy, Location and Maintenance of Buildings and Structures in the County of New Castle outside of the City of Wilmington for the Protection of the Public Health and Safety and for the Prevention of Fire Hazards; to provide a Code of Building Regulations; to Create the Office of Building Inspector and other Helpers and Assistants as may be required; and to provide Penalties for Violations," being Chapter 84, Volume 44, Laws of Delaware, by providing for Certain Exemptions of Persons and Corporations therefrom.

And presented the same to the Senate.

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 140, entitled:

An Act to amend Chapter 90 of the Revised Code of Delaware, 1935, entitled "Employers and Employees," with reference to Sub-Contractors, Claims for Refund, Wage Rates and Stipulations of Contracts.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 141, entitled:

An Act to amend Chapter 56, of the Revised Code of Delaware, as amended, entitled, "Registration of Voters," to provide for a General Registration of Voters every Four Years and for other purposes.

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

Mr. Mulholland moved that the Senate recess for five minutes.

Motion prevailed.

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Same Day, Later

Senate met at expiration of recess.

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

An Act for the Conservation and Protection of Redfish, Red Drum, Channel Bass (*Sciaenops Ocellatus*).

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

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 143, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to Fish, Oysters and Game by providing for the Conservation and Protection of Channel Bass (known also as Redfish or Red Drum).



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

Messrs. Mulholland and Yerkes, on motion for leave, introduced Senate Bill No. 144, entitled:

An Act to amend An Act entitled "An Act changing the Name of 'The Town of Milford' to 'The City of Milford' and Establishing a Charter therefor" concerning the Appointment of Officers by the City Council.

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

Messrs. Mulholland and Yerkes, on motion for leave, introduced Senate Bill No. 145, entitled:

An Act to amend An Act entitled "An Act changing the Name of 'The Town of Milford' to 'The City of Milford' and Establishing a Charter therefor" concerning Assessors and Assessment of Taxes.

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

Mr. Holliday, 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. 109, entitled:

An Act to amend Chapter 50 of the Revised Code of Delaware, 1935, relating to Recorders by providing that no Fee shall be charged for Recording Certificates of Discharge of Members of the Armed Forces of the United States.

And presented the same to the Senate.

Mr. Holliday, 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. 107, entitled:

An Act to amend An Act entitled "An Act providing for the Election of Boards of School Trustees of School Districts and Boards of Education of Special School Districts," being Chapter

143 of Volume 44, Laws of Delaware, by providing for the Filling of a Vacancy in the Board of Education of Milford Special School District.

And presented the same to the Senate.

Messrs. Mulholland and Yerkes, on motion for leave, introduced Senate Bill No. 146, entitled:

An Act to amend An Act entitled "An Act changing the Name of 'The Town of Milford' to 'The City of Milford' and Establishing a Charter therefor" concerning the Approval of Ordinances by the Mayor.

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

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 147, entitled:

An Act to amend An Act to provide for the Purity and Quality of Ice Cream.

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

Mr. Yerkes moved that the Senate adjourn until 10 o'clock A. M., February 21, 1945.

Motion prevailed.

## Twenty-Eighth Legislative Day

Dover, Delaware, February 21, 1945, 10 o'clock A. M.

Senate met pursuant to adjournment.

Mr. Yerkes presiding.

Roll call.

Members Present—Yerkes, Johnston—2.

There being no quorum present, Mr. Yerkes declared the Senate adjourned until Thursday, February 22, 1945, at twelve o'clock, Noon.

## Twenty-Ninth Legislative Day

Dover, Delaware, February 22, 1935, 12 o'clock, Noon

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present — Ayres, Bailey, Binder, Butler, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, Yerkes—15.

Members Absent—Mr. Edmonds and Mr. President Pro Tem—2.

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.

Communications were read from the Frankford New Century Club favoring D. S. E. A. and Family Court Bill; from New Century Club, Mrs. Joseph J. Pierce, Suburban Century Club, favoring D. S. E. A.

The Chair presented House Bill No. 107, entitled:

An Act to amend An Act entitled "An Act providing for the Election of Boards of School Trustees of School Districts and Boards of Education of Special School Districts," being Chapter 143 of Volume 44, Laws of Delaware, by providing for the Filling of a Vacancy in the Board of Education of Milford Special School District.

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

Mr. Yerkes moved that all bills introduced be read by title only for the first and second reading.

Motion prevailed.

Mr. Holliday, 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. 113, entitled:

An Act to amend 5707 Sec. 169 of Chapter 165 of the Revised Code of Delaware, 1935, relating to Motor Vehicles by relieving the State from the Payment of Interest on Moneys deposited with the State Treasurer as Proof of Financial Responsibility required of Certain Persons.

And presented the same to the Senate.

Mr. Holliday, 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. 96, entitled:

An Act to amend Chapter 77 of Volume 42 Laws of Delaware, entitled "An Act to provide that the Receipts and Moneys of the State be Deposited and Disbursed from one General Fund on and after July 1, 1941, and making Exceptions of Certain Receipts and Moneys therefrom," as amended by Chapter 12 of Volume 43 Laws of Delaware, and making Certain Exceptions of Certain Receipts and Moneys therefrom.

And presented the same to the Senate.

Mr. Holliday, 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. 90, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, as amended, by repealing the Time Limit within which Claims for Refund of Motor Fuel Tax may be made.

And presented the same to the Senate.

Mr. Holliday, 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. 77, entitled:

An Act to Transfer Certain Funds to the Maintenance Account of Bridgeville School District No. 90.

And presented the same to the Senate.

Mr. Holliday, 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. 62, entitled:

An Act to amend Chapter 163 of the Revised Code of Delaware, 1935, as amended, relating to Delaware Racing Commission by Reducing the Bond of each of the Commissioners to Twenty-Five Thousand Dollars (\$25,000.00); by providing for the Payment of Certain Monies to the State of Delaware to be transmitted through the Delaware Racing Commission.

And presented the same to the Senate.

Mr. Holliday, 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. 47, entitled:

An Act to amend Chapter 156 of the Revised Code of Delaware, 1935, as amended, relating to Fees of Public Officers by providing for Witness Fees and Mileage for Witnesses at Coroner's Inquest; by providing for Fees for Jurors at Coroner's Inquest.

And presented the same to the Senate.

Mr. Holliday, 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. 46, entitled:

An Act to amend Chapter 49 of the Revised Code of Delaware, 1935, as amended, relating to Coroners by providing for the Payment of Fees to Witnesses and Jurors attending Coroner's Inquest.

And presented the same to the Senate.

The Chair presented House Bill No. 78, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, as amended, relating to the State Highway Department by providing for the Jurisdiction of said Department outside Incorporated Towns; providing for the Adoption of Certain

Rules and Regulations pertaining to Traffic with certain Limitations; providing that the Department may designate dual or divided highways as One Way Highways and fix direction or travel thereon and for the Erection of Appropriate Signs.

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

The Chair presented House Bill No. 109, entitled:

An Act to amend Chapter 50 of the Revised Code of Delaware, 1935, relating to Recorders by providing that no Fee shall be charged for Recording Certificates of Discharge of Members of the Armed Forces of the United States.

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

The Chair presented House Substitute for House Bill No. 17, entitled:

An Act to amend "An Act to Regulate the Construction, Alteration, Repair, Removal, Demolition, Equipment, Use and Occupancy, Location and Maintenance of Buildings and Structures in the County of New Castle outside of the City of Wilmington for the Protection of the Public Health and Safety and for the Prevention of Fire Hazards; to provide a Code of Building Regulations; to Create the Office of Building Inspector and other Helpers and Assistants as may be required; and to provide Penalties for Violations," being Chapter 84, Volume 44, Laws of Delaware, by providing for Certain Exemptions of Persons and Corporations therefrom.

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

The Chair presented House Substitute for House Bill No. 16, entitled:

An Act to amend Chapter 105, Volume 42, Laws of Delaware, entitled "An Act to Regulate and Control the Construction of Water and Sewer Systems, Building and House Draining Systems, and Gas Lines: The Registration of Persons engaged therein and in the Construction and Installation of Oil Burning Equipment and Air Conditioning and providing for the Supervision thereof in New Castle County outside of the City of Wilmington," as amended, by Chapter 83, Volume 44, Laws of Delaware, by providing for the Exemptions of certain Persons and Corporations therefrom.

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

Mr. Yerkes moved that this series of House Bills be read first reading by title and second reading by number only.

Motion prevailed.

The Chair presented House Joint Resolution No. 2, entitled:

Authorizing the State Treasurer to Redeem an Outdated Check and to Issue a New Check in lieu thereof.

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

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

#### SENATE CONCURRENT RESOLUTION NO. 13

Inviting the Boys' State to be the Guests of the One Hundred and Tenth General Assembly.

BE IT RESOLVED, by the Senate of the One Hundred and Tenth General Assembly of the State of Delaware (the House concurring therein) :

That the members of the Boys' State, sponsored by the American Legion of the State of Delaware, be and they are hereby invited to be the guests of the One Hundred and Tenth General Assembly during the current session thereof; and

BE IT FURTHER RESOLVED, that the President of the Senate and the Speaker of the House of Representatives, be and they are hereby authorized and directed to appoint two members from each of their respective bodies to make arrangements with the representatives from the American Legion of Delaware for the visitation of the said Boys' 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, was adopted, by acclamation.

Ordered to the House for concurrence.



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

SENATE CONCURRENT RESOLUTION NO. 14

Appropriating Moneys to Pay Certain Claims relating to the Expenses of the Supreme Court.

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

Mr. Johnston, on motion for leave, introduced Senate Joint Resolution No. 4, entitled:

Authorizing the Appointment of a Commission to Review and Examine the Insurance Laws of the State of Delaware including those pertaining to the Insurance Department; to consider other Matters Pertinent to Insurance; to make a Report and Recommendations; and to provide an Appropriation to Defray the Expenses of the Commission.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 148, entitled:

An Act to Name that Part of the Delaware State Highway leading from the City of Wilmington through the City of Dover to the Delaware-Maryland Line at Delmar and being a Part of U. S. Route No. 13, the duPont Parkway.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 149, entitled:

An Act to amend Chapter 15 of the Revised Code of the State of Delaware, 1935, relating to the State Treasurer and Trustee of the School Fund by providing for the Destruction of Certain Voucher Checks.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 150, entitled:

An Act making appropriation to the State Highway Department for the Construction and Reconstruction of Roads, Highways and Bridges of the State and for Expenditures Incidental thereto and providing Conditions under which Appropriations are made to the said Department and providing the Time when such Appropriation shall become Effective and the Moneys from which said Appropriations shall be paid.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 151, entitled:

An Act authorizing the Levy Court of Kent County to Borrow Money and to Issue Bonds therefor, for the Purpose of Redeeming and Refunding Certain Outstanding Bonds of Kent County.

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

Mr. Hitchens, on motion for leave, introduced Senate Bill No. 152, entitled:

An Act to amend Chapter 178 of the Revised Code of Delaware, 1935, entitled "Commemoration of the Landing of the First Settlers of the State of Delaware at Lewes," with reference to the Name of the Commission created by said Act, its Members, Powers, and Duties.

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

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 153, entitled:

An Act to amend Chapter 151 of Volume 44, Laws of Delaware, 1935, providing for a Delaware Commission of Shell Fisheries, and defining the Powers and Duties thereof, by prescribing certain Rules and Regulations to Govern the Work of said Commission and the Leasing of Acreage in the Areas over which said Commission has been given Jurisdiction.

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

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 154, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled, "Fish, Oysters and Game," in relation to the Catching and Taking of Fish in the Waters of the Delaware River and Bay lying between the States of Delaware and New Jersey by providing Uniform Laws with respect thereto; and Prescribing Penalties for Violations thereof; and by Defining the Jurisdiction of said States.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 155, entitled:

An Act to amend Chapter 70 of the Revised Code of Delaware, 1935, entitled "Reformatory and Charitable Institutions" as amended, by providing for the Release of Boys committed to the Ferris School for Boys.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 156, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, entitled "Levy Courts," with Reference to Appropriations to Fire Companies in Kent County.

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

Mr. Yerkes, on motion for leave, introduced Senate Bill No. 157, entitled:

An Act making an Emergency Appropriation to Defray the Cost of Printing the Session Laws and other State Printing.

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

Mr. McDowell, on motion for leave, introduced Senate Bill No. 158, entitled:

An Act to Regulate Charges made by Railroad Companies for the Granting of Easements to Home Owners or Occupiers required to run Overhead or Underground Wires Across Railroad Rights of Ways to obtain Electric Power.

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

Mr. Yerkes moved that the Senate recess until 1:45 o'clock P. M.

Motion prevailed.

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

Senate met at expiration of recess.

Mr. Johnston requested that Senate Bill No. 149 be stricken from the Calendar.

Request granted.

Mr. Johnston requested that Senate Concurrent Resolution No. 14 be stricken from the Calendar.

Request granted.

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

An Act to amend Chapter 16 of the Revised Code of Delaware, 1935, entitled "Auditor of Accounts," by Limiting the Price which may be Paid for Passenger Motor Vehicles by State Departments, Boards or Commissions.

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

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

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

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

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

The Chair directed the Sergeant-at-Arms to admit the Speaker and Members of the House of Representatives.

#### JOINT SESSION

Mr. Yerkes moved that the Senate and House of Representatives of the One Hundred and Tenth General Assembly meet in Joint Session, according to Senate Concurrent Resolution No. 7.

Motion prevailed.

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

Motion prevailed.

The President of the Joint Session invited the Speaker of the House to come to the rostrum.

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

Motion prevailed.

Remarks by the Lieutenant-Governor on the life of George Washington.

Singing of "America," led by Mrs. Mary W. Burton, an attache of the House of Representatives.

The following committee escorted His Excellency, the Honorable Walter W. Bacon, and the Secretary of State, William J. Storey, to the Senate Chamber:

Senate—Messrs. Yerkes and Ayres; House—Messrs. Bird and Rose.

Presentation of American Legion awards to the following for outstanding work for bond sales:

Mr. Josiah W. Boston, Milford; Mr. Preston McGovern, Yorklyn; J. Henry Hazel, Dover; John W. Fry, Milford; Mrs. Earl Sylvester, Harrington, representing Mrs. Lillie Brown

Smith, Harrington; Mrs. Helen Emory, Wilmington; Harry O. Gray, Wilmington; George W. Ayars, Dover; Governor Walter W. Bacon; Mrs. Louise E. P. Jackson, Hockessin; Miss Lucy Panaro, Wilmington; William K. Paton, Dover. Honorable mention: Edward Bilon, Wilmington; Mrs. Dorothea Sullivan, Wilmington.

Mr. Bartley, President of Wesley College, presented the Wesley Junior College Choir, led by Mrs. William J. Storey.

Address by the Honorable E. Paul Burkholder on the "Life of George Washington."

Mr. Yerkes moved that the Secretaries compare Journals.

Motion prevailed.

The Secretary of the Senate and the Chief Clerk of the House compared their Journals and found them to agree and so notified the Chair.

Mr. Yerkes moved that the two Houses now separate and repair to their respective chambers.

Motion prevailed.

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Same Day, Later

Senate met in regular session.

On motion for leave, Mr. Yerkes introduced Senate Resolution No. 34, entitled:

#### SENATE RESOLUTION NO. 34

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

BE IT RESOLVED by the Senate of the 110th 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 Three Hundred and Fifty Dollars (\$350.00) 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.

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, was adopted, by acclamation.

The Chair recognized ex-Senator C. A. Bunting, who made a few brief remarks.

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

An Act to amend Chapter 21 of the Revised Code of Delaware, 1935, as amended, entitled, "State Board of Agriculture," with respect to, the Protection of the Health of Domestic Animals; Milk and Milk Products; Ice Cream; Bang's Disease; and Appropriating Money to Carry Out the Purposes of this Act.

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

Mr. Yerkes moved that the Senate adjourn until 11 o'clock A. M., February 23, 1945.

Motion prevailed.

## Thirtieth Legislative Day

Dover, Delaware, February 23, 1945, 11 o'clock A. M.

Senate met pursuant to adjournment.

Lieutenant-Governor Elbert N. Carvel presiding.

Prayer by the Chaplain, Rev. Ernest N. Wright.

Roll call.

Members Present—Ayres, Bailey, Binder, Butler, Edmonds, Evans, Hastings, Hitchens, Jones, Johnston, Lawson, McDowell, McGuigan, Rhodes, Weigel, 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.

On motion for leave, Mr. Johnston introduced Senate Resolution No. 35, entitled:

### SENATE RESOLUTION NO. 35

Relative to Payment on Account for Collecting Data, Compiling, Editing and Publishing the Daily Calendar for the State Senate.

BE IT RESOLVED by the Senate of the State of Delaware that the following amount be and the same is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, for collecting data, compiling, editing and publishing the Daily Calendar for the Senate of the State of Delaware, same being expense connected with the present Session thereof, viz:

To Milford Chronicle Publishing Co., One Thousand and Five Hundred Dollars (\$1,500.00) being part payment on account for above.

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, was adopted, by acclamation.

Mr. Edmonds, on motion for leave, introduced Senate Bill No. 163, entitled:

An Act to amend Chapter 167 of the Revised Code of Delaware, 1935, relating to Aeronautics by providing for the Acquisition, Establishment, Construction, Enlargement, Improvement, Maintenance, Equipment, Operation and Regulation of Airports, other Air Navigation Facilities, and Airport Protection Privileges by Municipalities and providing the Right of Condemnation for such Purposes; Defining Terms; Declaring the Ownership and Operation of Airports, other Air Navigation Facilities and Airport Protection Privileges to be for Public, Governmental and Municipal Purposes; providing for the Issuance of Bonds and for Levying of Taxes for Airport Purposes; Granting Specific Powers; Permitting the Acceptance of Federal Aid; Authorizing Joint Action by Municipalities and by Municipalities and the State; providing for the Appointment of Joint Boards or Commissions and Granting to Municipalities or Municipalities and the State, Acting Jointly, the Powers granted a Single Authority, and providing for Assistance to other Municipalities.

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

Mr. Edmonds, on motion for leave, introduced Senate Bill No. 163, entitled:

An Act to amend Chapter 65 of the Revised Code of Delaware, 1935, entitled "Corporations," in respect to the Power of Corporations to confer Academic Degrees.

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

Mr. Edmonds, on motion for leave, introduced Senate Bill No. 164, entitled:

An Act appropriating Money for Certain Expenses of the Supreme Court.

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

Mr. Edmonds, on motion for leave, introduced Senate Bill No. 165, entitled:

An Act to amend Chapter 167 of the Revised Code of Delaware, 1935, relating to Aeronautics by providing for the Development and Regulation thereof within this State; creating a State Aeronautics Commission and the Office of Director of Aeronautics; prescribing the Powers and Duties of such Commission and Director; providing for Cooperation with Federal Government and Disposition of Federal Funds by such Commission; providing for Regulation of Aircraft, Airmen, Airports and Air Instruction by such Commission; providing for the Acquisition, by Condemnation or Otherwise, of Airports and Protection Privileges and the Leasing and Sale thereof; providing for the Operation of State Airports; providing for Review of Orders of such Commission, and prescribing Penalties.

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

Mr. Evans, on motion for leave, introduced Senate Bill No. 166, entitled:

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

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

Mr. Evans, on motion for leave, introduced Senate Bill No. 167, entitled:

An Act to create a Bureau of Registration for New Castle County.

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

Mr. Evans, on motion for leave, introduced Senate Bill No. 168, entitled:

An Act to create a State Board of Public Contracts and to Regulate Public Contracts made on behalf of the State, or of any Subdivision or Agency thereof, for the Erection of any Building, Structure or Edifice financed in whole or in part with Public Funds.

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

Mr. Evans, on motion for leave, introduced Senate Bill No. 169, entitled:

An Act to require Bidders on any Proposed Public Works to furnish a Financial Statement and Information of Ability and Experience in order to Qualify to Bid and providing Penalties.

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

Mr. Evans, on motion for leave, introduced Senate Bill No. 170, entitled:

An Act to amend Article 1 of Chapter 160 of the Revised Code of Delaware, 1935, entitled "State Housing Board" by Striking Out the Second Sentence of Section 5 of said Chapter and Substituting a New Second Sentence, Authorizing the State Board of Housing to Employ a Secretary.

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

Mr. Evans, on motion for leave, introduced Senate Bill No. 171, entitled:

An Act to amend Article 1, Section 1 of Chapter 79 of the Revised Code of Delaware, 1935, entitled "Mechanics' Liens" by Inserting a New Sentence in Paragraph 1 thereof and pertaining to the Priority of Mechanics' Liens in Relation to Prior Encumbrances Existing on the Ground at the Date of the Commencement of any Work or Labor or the Furnishing of Material.

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

Mr. Evans, on motion for leave, introduced Senate Bill No. 172, entitled:

An Act to Require Contractors Bidding on Public Works to Name Subcontractors who will perform any Part of the Public Works.

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

Messrs. Jones and Ayres, on motion for leave, introduced Senate Bill No. 173, entitled:

An Act making Provision for an Addition to the Building in Dover Housing the Department of Agriculture; for Additional Equipment to conduct Research with Especial Reference to Diseases of Dairy Cattle and Poultry; and making an Appropriation to Carry Out the Provisions of the Act.

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

Mr. Hitchens, on motion for leave, introduced Senate Bill 174, entitled:

An Act to amend An Act 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," in relation to Duties, Powers, Making and Enforcing Regulations by the Delaware Commission of Shell Fisheries.

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

Mr. Hitchens, on motion for leave, introduced Senate Bill No. 175, entitled:

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

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

Mr. Hitchens, on motion for leave, introduced Senate Bill No. 176, entitled:

An Act to amend Chapter 44, Revised Code of Delaware, 1935, entitled "Valuation and Assessment of Property," in relation to Valuation and Assessment of Property of Sussex County; providing for Annual Assessments Notice of Assessment; Reporting Improvements and Additions.

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

Mr. Hitchens, on motion for leave, introduced Senate Bill No. 177, entitled:

An Act to Authorize the Recorder of the State of Delaware, in and for Sussex County to Procure a New Seal of Office.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 178, entitled:

An Act Creating a Family Court in and for Kent and Sussex Counties.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 179, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, as amended, entitled "Alcoholic Liquor, Wines and Beer," in reference to Tariff of Licensed Fees.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 180, entitled:

An Act to amend Chapter 170, of the Revised Code of Delaware, 1935, with reference to the Court of Common Pleas for Kent County, by Increasing the Salary of the Judge of said Court.

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

Mr. Johnston, on motion for leave, introduced Senate Bill No. 181, entitled:

An Act to provide for the Condemnation and Acquisition of Lands and Premises to be used as Airports by the State or any Commission, Official, Board or Body thereof, or any County or Municipality thereof or by the United States or any Subdivision thereof; to take Possession thereof at an Early Stage of the Proceedings, Prior to Judicial Determination of the Amount of the Award for Same; providing for Vesting of Title to Same and at What Time; providing Jurisdiction of the Court to Hear and Determine Amount of Awards, and for Right of Appeal.

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

Mr. McDowell, on motion for leave, introduced Senate Bill No. 182, entitled:

An Act making Appropriations for the Payment of Certain School Bonds Maturing During the Fiscal Year Beginning July 1, 1945, and Ending June 30, 1946.

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

Mr. McDowell, on motion for leave, introduced Senate Bill No. 183, entitled:

An Act making a Deficiency Appropriation 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 Finance.

Mr. McDowell, on motion for leave, introduced Senate Bill No. 184, entitled:

An Act making an Appropriation for the Townsend School, District Number 81, for Cafeteria Equipment.

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

Mr. Rhodes, on motion for leave, introduced Senate Bill No. 185, entitled:

An Act appropriating Certain Moneys for the Clinical, Medical and Surgical Treatment of Honorably Discharged Veterans who have served in any War in which the United States has been engaged, who are Residents of the State of Delaware, and providing a Method of Payment for such Treatment.

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

Mr. Rhodes, on motion for leave, introduced Senate Bill No. 186, entitled:

An Act to amend Articles 1, 2, 3, 4, and 5 of Chapter 20 of the Revised Code of Delaware, 1935, by further providing for the Regulation of Insurance Rates by the Insurance Commissioner; providing for the Establishment of a Rating Bureau within

the State and providing for the Organization, Government and Membership, thereof; providing that Rating Bureau shall Promulgate Rates subject to Approval of Insurance Commissioner; Empowering Insurance Commissioner to Approve or Disapprove Rates or Adjust the same; providing for Judicial Review of Insurance Commissioner's Orders and providing General Supervision by the Insurance Commissioner over Rating Bureau and Members thereof as well as Rates.

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

Mr. Rhodes, on motion for leave, introduced Senate Bill No. 187, entitled:

An Act to provide for Erecting and Equipping a "Health Center" for the use of the Students of the University of Delaware, Newark, Delaware, and to Authorize the Issuance of the Bonds of the State of Delaware to obtain Funds therefor.

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

Mr. Hitchens, on motion for leave, introduced Senate Bill No. 188, entitled:

An Act to amend Chapter 151, Volume 44, Laws of Delaware, by Authorizing and Directing the State Highway Department to make a Survey or Surveys of Rehoboth Bay, Indian River, and Indian River Bay, for the use and Benefit of the Delaware Commission of Shell Fisheries.

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

Mr. McDowell, on motion for leave, introduced Senate Bill No. 189, entitled:

An Act making an Appropriation for the Middletown School, District Number 60, for General Equipment.

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

Mr. McDowell, on motion for leave, introduced Senate Bill No. 190, entitled:

An Act making Appropriation for the Payment of Certain School Bonds Maturing during the Two Fiscal Years Beginning July 1, 1945, and Ending June 30, 1947.

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

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 191, entitled:

An Act Authorizing the State of Delaware to Borrow Five Million Dollars (\$5,000,000.00) and Issue Bonds therefor to provide a Post-War Highway Improvement Program for the purpose of Acquiring Lands and Rights-of-Way and Constructing and Reconstructing Roads, Highways, Bridges and Improvements Incidental thereto, and providing the Form of the Bonds and Coupons as well as the procedure for the Sale thereof, and providing that the proceeds of said Bonds shall be Deposited in a Special Account to the Credit of the State Highway Department, and providing for the Payment of Principal and Interest of said Bonds.

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

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 192, entitled:

An Act to Create a Department of Elections for Sussex County.

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. 113, entitled:

An Act to amend 5707 Sec. 169 of Chapter 165 of the Revised Code of Delaware, 1935, relating to Motor Vehicles by relieving the State from the Payment of Interest on Moneys deposited with the State Treasurer as Proof of Financial Responsibility required of Certain Persons.

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



The Chair presented House Bill No. 46, entitled:

An Act to amend Chapter 49 of the Revised Code of Delaware, 1935, as amended, relating to Coroners by providing for the Payment of Fees to Witnesses and Jurors attending Coroner's Inquest.

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. 47, entitled:

An Act to amend Chapter 156 of the Revised Code of Delaware, 1935, as amended, relating to Fees of Public Officers by providing for Witness Fees and Mileage for Witnesses at Coroner's Inquest; by providing for Fees for Jurors at Coroner's Inquest.

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. 62, entitled:

An Act to amend Chapter 163 of the Revised Code of Delaware, 1935, as amended, relating to Delaware Racing Commission by Reducing the Bond of each of the Commissioners to Twenty-Five Thousand Dollars (\$25,000.00); by providing for the Payment of Certain Monies to the State of Delaware to be transmitted through the Delaware Racing Commission.

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. 77, entitled:

An Act to Transfer Certain Funds to the Maintenance Account of Bridgeville School District No. 90.

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

The Chair presented House Bill No. 90, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, as amended, by repealing the Time Limit within which Claims for Refund of Motor Fuel Tax may be made.

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

The Chair presented House Bill No. 96, entitled:

An Act to amend Chapter 77 of Volume 42 Laws of Delaware, entitled "An Act to provide that the Receipts and Moneys of the State be Deposited and Disbursed from one General Fund on and after July 1, 1941, and making Exceptions of Certain Receipts and Moneys therefrom," as amended by Chapter 12 of Volume 43 Laws of Delaware, and making Certain Exceptions of Certain Receipts and Moneys therefrom.

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

Presentation of gavel from President Pro Tem Mulholland to Lieutenant-Governor Carvel.

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

Motion prevailed.

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Same Day, 3 o'clock P. M.

Senate met at expiration of recess.

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 193, entitled:

An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, as amended, entitled, "General Elections," by providing for the Transfer of Certain Election Duties now Performed by the Clerks of the Peace and the Sheriffs, to the Department of Elections for each County respectively; and for other Purposes.

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

The Chair recognized a delegation from the Dover Junior High School.

Mr. Mulholland, on motion for leave, introduced Senate Bill No. 194, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled, "Fish, Oysters and Game."

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

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

Senate Concurrent Resolution No. 13, entitled:

Inviting the Boys' State to be the Guests of the One Hundred and Tenth General Assembly.

And returned the same to the Senate.

Mr. Holliday, 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. 3, entitled:

Concerning the matter of directing the Delaware Liquor Commissioner to make a Survey of the Dispensing of Spirits, Wines and Malt Beverages and to Report in Writing to the 111th General Assembly of the State of Delaware.

And presented the same to the Senate.

Mr. Rhodes, on motion for leave, introduced Senate Bill No. 195, entitled:

An Act Authorizing and Directing the State Board of Health to Make a Survey of the Existing Public and Private Hospitals and Health Centers of the State; to Evaluate their Sufficiency; to Compile Data and Conclusions; and to Provide for the Acceptance and Expenditure of Federal Grants.

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

Mr. Lawson, on motion for leave, introduced Senate Bill No. 196, entitled:

An Act making it Unlawful to Sell Swine at a Public Bazaar within the State of Delaware unless the same shall be Certified to have been Vaccinated for Hog Cholera at Least Ten Days before said Swine are Offered for Sale and providing Penalty for Non-Compliance.

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

Messrs. Bailey and Mulholland, on motion for leave, introduced Senate Bill No. 197, entitled:

An Act to provide for the Regulation, Control and Licensing of Harness Racing in the State of Delaware.

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

Mr. Bailey, on motion for leave, introduced Senate Bill No. 198, entitled:

An Act Authorizing the Levy Court of Kent County to Appropriate Moneys to Elijah S. Hughes in Payment of Services rendered by him in the Office of County Comptroller.

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

Mr. Edmonds, on motion for leave, introduced Senate Bill No. 199, entitled:

An Act to amend Chapter 146 of the Revised Code of Delaware, 1935, relative to the Limitation of Personal Actions.

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

Mr. Evans, on motion for leave, introduced Senate Bill No. 200, entitled:

An Act providing for the Appropriation of Money for an Addition to the Armory and Arsenal Building in the City of Wilmington.

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

Mr. Evans, on motion for leave, introduced Senate Bill No. 201, entitled:

An Act to Require Competitive Bidding in Connection with the Purchase of Supplies or the Letting of Contracts or the Construction, Alteration, or Repair of Buildings, and providing Penalties.

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