

providing that the Warden employed on Watchboat patrolling Broadkilm River shall be a resident of the Tenth Representative District in Sussex County.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

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

An Act defining the Crime of being a Habitual Offender and providing the Penalty.

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

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

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Buckingham, Draper, Fifer, Kellum, Manlove, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—15.

NAYS—Messrs, Brown, Burris, Burton, Canby, Gordy, Hartman, Leach, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, Pinder, Rambo, A. G. Smith, Staats, Stein, Thawley—19.

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

And was ordered returned to the Senate.

Mr. Benson moved that the House adjourn until 12 o'clock noon, Friday, February 17th, 1939.

Motion prevailed.

## THIRTIETH LEGISLATIVE DAY

Dover, Delaware, February 17th, 1939, 12 o'clock noon.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members present—Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

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

Motion prevailed.

The Chair presented a communication from Mr. Bailey.

Relative to the Eighteenth annual Convention of the Kent County Teacher's Association.

The Chair presented a communication from Cooperative Sportsmen Club, Claymont.

Commending the present Board of Game and Fish Commissioners.

The Chair presented fifty communications.

Protesting against House Bill No. 27.

Relative to Fair Trade.

The Chair declared that the House recess until 1:15 o'clock P. M.

Motion prevailed.

Same Day 1:15 o'clock P. M.

House met at expiration of recess.

The Speaker Announced He Is About to Sign:

Senate Bill No. 36.

Senate Concurrent Resolution No. 10.

The Chair presented a communication from Women's Joint Legislative Committee of Delaware.

Relative to House Substitute for House Bill No. 24 not prohibiting the use of Beebee rifles.

The Chair presented a communication from The United States Flag Association.

Relative to endorsing a resolution sponsored by National Patriots Revival.

The Chair presented a communication from Harmony Grange No. 12, P. of H., Marshallton.

Protesting against House Bill No. 27.

Relative to Fair Trade.

The Chair presented a petition containing forty-seven names favoring the passage of House Bill No. 27.

Relative to Fair Trade.

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same Day.

House met at expiration of recess.



Mr. Buckingham, on behalf of the Committee on Passed Bills reported to the House that he had delivered to the Governor.

Senate Substitute for House Bill No. 30.

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

Mr. Biggs, on behalf of the Committee on Public Highways to whom had been referred House Bill No. 60, entitled:

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

Reported the same back to the House favorably.

WILLIAM BIGGS, *Chairman*  
GEORGE T. BIERLIN  
ELLWOOD S. LEACH  
VERNER P. BURTON  
ISAAC M. BURRIS

Mr. Leach on motion for leave introduced House Bill No. 123, entitled:

An Act to amend Chapter 53 of the Revised Code of Delaware, 1935, relating to the salaries of certain County Officers.

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

Mr. Canby on motion for leave introduced House Bill No. 124, entitled:

An Act to create and establish a State Department of Public Welfare in order to provide a coordinated program of Public Welfare services and in so doing merging the activities of the State Board of Charities and the Mothers' Pension Commission under the name "Division of Child Welfare" and changing the name of the Old Age Welfare Commission to Division of Public Assistance.

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

Mr. McGuigan on motion for leave introduced House Bill No. 125, entitled:

An Act to amend Chapter 160 of the Revised Code of Delaware, 1935, relating to housing, by providing that housing authorities, their property and securities shall be exempt from Taxation and Assessments, but to authorize certain payments in lieu of Taxes; by providing for the exemption of the real property of housing authorities from execution sale; and by providing for the form and sale of Bonds and other obligations of housing authorities.

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

Mr. Pinder on motion for leave introduced House Bill No. 126, entitled:

An Act to provide for Public Parks for the use of the citizens of New Castle, and to authorize "The Mayor and Council of New Castle" to borrow money and issue Bonds of the City for that purpose.

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

Mr. Bierlin on motion for leave introduced House Bill No. 127, entitled:

An Act to create a Commission to determine any damage that might have been sustained by property owners of Newark, Delaware as the result of the creation of an overhead bridge.

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

Mr. Fifer on motion for leave introduced House Bill No. 128, entitled:

An Act relating to the marketing of Peaches.

Which was given first and second reading. The second by title

only, and referred to the Committee on Appropriations.

Mr. Fifer on motion for leave introduced House Bill No. 129, entitled:

An Act relating to the State Board of Agriculture and relating to the grading, marketing, and selling of dropped Apples packed in closed packages.

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

Mr. Draper on motion for leave introduced House Bill No. 130, entitled:

An Act requiring the State Board of Education to furnish transportation to and from School of Colored students of Bridgeville and Seaford Colored Schools.

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

On motion of Mr. Zebley, House Bill No. 67, entitled:

An Act to amend Chapter 58 of the Revised Code of Delaware, 1935, relating to Primary Elections by further defining the duties of the Department of Elections for the City of Wilmington thereto.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Zebley, House Bill No. 68, entitled:

An Act to amend Chapter 57 of the Revised Code of Delaware, 1935, relating to the Department of Elections for the City of Wilmington and its duties concerning places of Registration and Election.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Zebley, House Bill No. 71, entitled:

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

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Zebley, House Bill No. 76 entitled:

An Act to amend 3074 Section 9, and 3072 Section 7 of Chapter 76 of the Revised Code of the State of Delaware, 1935, by striking out paragraphs two and three from 3074 Section 9 and re-enacting the same subject matter under 3072 Section 7.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Bierlin, House Bill No. 109, entitled:

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

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

Mr. Benson moved that the House adjourn until 12 o'clock noon, Monday, February 20th, 1939.

Motion prevailed.

*THIRTY-FIRST LEGISLATIVE DAY*

Dover, Delaware, February 20th, 1939, 12 o'clock noon.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

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

Motion prevailed.

The Chair presented a communication from Delaware Branch, National Women's Party, Middletown.

Protesting against House Bill No. 22.

Relative to restricting the hours of employment of females.

Mr. Fred Pepper presented a communication from the Board of Public Works, Lewes.

Protesting against House Bill No. 19.

Relative to licensing Engineers.

Mr. Canby presented a communication from Frank Morton Jones, President, Society of Natural History of Delaware.

Protesting against House Bill No. 63.

Relative to payment of State Bounties on Hawks, Owls, Crows, Weasels, etc.

The Chair presented nine petitions, signed by 281 persons.

Endorsing House Bill No. 27.

Relative to Fair Trade.

The Chair presented a communication from A. A. M. Dewing, Centreville, Maryland.

Endorsing House Bill No. 27.

Relative to Fair Trade.

The Chair presented a communication from I. Feinberg, Wilmington.

Endorsing House Bill No. 27.

Relative to Fair Trade.

The Chair presented a communication from Centre Grange, No.11, P. of H., Wilmington.

Protesting against House Bill, No. 27.

Relative to Fair Trade.

The Chair presented eight communications.

Protesting against House Bill No. 27.

Relative to Fair Trade.

The Chair presented a communication from Centre Grange, No.11, P. of H., Wilmington.

Protesting against House Bill No. 27.



Relative to legalizing the Showing of Motion Pictures on Sunday.

Mr. McGuigan presented a communication from Thomas Smith, Wilmington.

Protesting against Senate Bill No. 38.

Relative to a State wide retirement system for school teachers.

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

House Bill No. 61.

An Act to provide for the equipping and furnishing the new State Building in the City of Dover known as the "Hall of Records."

And returned the same to the House.

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

Senate Concurrent Resolution No. 11.

Setting Friday, Mar. 3, 1939, as the Final Day for submitting New Bills.

And presented the same to the House.

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

Senate Bill No. 26.

An Act to amend Chapter 27 of the Revised Code of Delaware, 1935, as amended, relative to the power and authority of the Medical Council of Delaware.

And presented the same to the House.

Mr. Pierce, Secretary of the Senate, being admitted, informed

the House that the Senate had passed and requested the concurrence of the House in the following:

Senate Bill No. 27.

An Act requiring Prenatal Examination for Syphilis.

And presented the same to the House.

The Chair declared that the House recess until 1:30 o'clock P. M.

Motion prevailed.

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

House met at expiration of recess.

The Chair presented Senate Bill No. 26, entitled:

An Act to amend Chapter 27 of the Revised Code of Delaware, 1935, as amended, relative to the power and authority of the Medical Council of Delaware.

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

The Chair presented Senate Bill No. 27, entitled:

An Act requiring Prenatal Examination for Syphilis.

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

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

Setting Friday, Mar. 3, 1939, as the Final Day for submitting New Bills.

On motion of Mr. Benson, Senate Concurrent Resolution No. 11, entitled:

Setting Friday March 3, 1939, as the final day for Submitting

## New Bills.

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

On the question "Shall the Resolution Pass the House."

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

And was ordered returned to the Senate.

The Speaker Announced He Is About to Sign:

House Bill No. 61.

Mr. Manlove, on behalf of the Committee on Revised Statutes to whom had been referred House Bill No. 105, entitled:

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

Reported the same back to the House favorably.

GEORGE MANLOVE, *Chairman*  
 RANDOLPH P. REYNOLDS  
 FRED PEPPER  
 HENRY M. CANBY  
 JOHN A. HARTMAN

On motion for leave, Mr. Zebley, Chairman of the Committee on Rules, offered the following to be known as Rule No. 45:

When a skeleton bill is introduced it shall not be assigned to a committee but it shall be listed on the Calendar as a "Skeleton Bill Unassigned." When it has been filled in it shall be assigned to a committee and take the usual course of other bills.

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

On the question "Shall the Rule Pass the House."

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

Mr. Benson moved that the House Recess until the call of the Chair.

Motion prevailed.

Same day.

House met at expiration of recess.

Mr. Leach on motion for leave introduced House Bill No. 131, entitled:

An Act to amend Chapter 45 of the Revised Code of Delaware, 1935, relating to County Treasurer and Collector of Taxes.

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

Mr. Canby on motion for leave introduced House Bill No. 132, entitled:

An Act appropriating money out of the State Treasury for the payment of the claim of Reuben Paris against the State.

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

Mr. Canby on motion for leave introduced House Bill No. 133, entitled:

An Act to amend Chapter 142 of the Revised Code of Delaware, 1935, in relation to Landlord and Tenant.

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

On motion of Mr. Buckingham, House Concurrent Resolution No. 8, entitled:

Expressing the sorrow of the General Assembly of the State of Delaware on the death of Dr. Clarence True Wilson.

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

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

The Yeas and Nays were ordered, which being taken, were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Stein, Thawley, Woodward, Mr. Speaker—33.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

Mr. Benson on motion for leave introduced House Bill No. 134, entitled:

An Act to appropriate the sum of nine hundred and seventy-three dollars and eighty-seven cents to Pure Oil Company to reimburse it for penalty paid to the State of Delaware on Motor Fuel Taxes.

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

On motion for leave, Mr. Benson introduced House Resolution No. 25, entitled:

Authorizing payments on account to Attaches and Employees of the House of Representatives.

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

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

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Stein, Thawley, Woodward, Mr. Speaker—33.

NAYS—None.

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

Mr. Barr on motion for leave introduced House Bill No. 135, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, as amended, relating to fish, oysters and game; repealing dog license; providing when owner or custodian must keep dogs confined; dogs shall be deemed personal property; duty to notify Board of Game and Fish Commissioners when dog is found on premises; penalty for violations; any dog entering field and causing damage to owner or tenant thereof or attacking live stock or human beings may be killed.

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

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

House Bill No. 54.

An Act to amend Chapter 27 of the Revised Code of Delaware, 1935, as amended by Chapter 86, of Volume 41, Laws of Delaware, relating to the Practice and Licensing of Osteopathic Physicians.

And returned the same to the House.

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

House Bill No. 10.

An Act to amend Chapter 28 of the Revised Code of Delaware, 1935, as amended by Chapter 87, Volume 41 of Laws of the State of Delaware in relation to the qualifications of applicants for licenses as Pharmacists.

And returned the same to the House.

Mr. F. W. Pepper on motion for leave introduced House Bill No. 136, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, with reference to the Dog License Tax, so that the said license tax shall apply to dogs in the City of Wilmington.

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

and referred to the Committee on Revenue and Taxation.

Mr. Canby moved that vote on Senate Substitute for Senate Bill No. 4 be reconsidered.

On the question "Shall the Motion Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Buckingham, Burris, Burton, Canby, Gordy, Hartman, Kellum, Manlove, Moore, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Stein, Thawley, Woodward, Mr. Speaker—24.

NAYS—Messrs, Bailey, Brown, Draper, Leach, McGuigan, Newnam, Rambo, A. G. Smith, Staats—9.

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

Mr. Canby moved that Senate Substitute for Senate Bill No. 4 be restored to the calendar:

On the question "Shall the Motion Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Buckingham, Burris, Burton, Canby, Kellum, Manlove, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—19.

NAYS—Messrs, Bailey, Brown, Draper, Gordy, Hartman, Leach, McGuigan, Moore, Newnam, Pinder, Rambo, A. G. Smith, Staats, Stein, Thawley—15.

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

Mr. Leach on motion for leave introduced House Bill No. 137, entitled:



An Act to relieve the people of New Castle County from the hardships and suffering caused by unemployment, designating the Levy Court Commissioners of New Castle County or the Relief Commission created for the purpose of disbursing such relief; prescribing its power and duties; providing the necessary funds therefore; and authorizing the Levy Court Commissioners of New Castle to perform work as an independent contractor for the purpose of providing relief hereby contemplated.

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

Mr. Benson moved that the House adjourn until 12 o'clock noon, Tuesday, February 21st, 1939.

Motion prevailed.

*THIRTY-SECOND LEGISLATIVE DAY*

Dover, Delaware, February 21st, 1939, 12 o'clock noon.

House Met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Peppér, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

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

Motion prevailed.

The Chair presented a communication from Electrical Trades Association, Wilmington.

Endorsing House Bill No. 27.

Relative to Fair Trade.

The Chair presented three petitions, signed by 82 persons.

Endorsing House Bill No. 27.

Relative to Fair Trade.

The Chair presented two communications.

Endorsing House Bill No. 27.

Relative to Fair Trade.

The Chair presented two communications.

Protesting against House Bill No. 27.

Relative to Fair Trade.

The Chair presented a communication from Brandywine Women's Christian Temperance Union.

Protesting against House Bill No. 18.

Relative to legalizing the Showing of Motion Pictures on Sunday.

Mr. Pinder presented a communication from Holloway Terrace Baptist Church.

Protesting against House Bill No. 18.

Relative to legalizing the Showing of Motion Pictures on Sunday.

The Chair presented a communication from Walter L. Fox Post, No. 2, The American Legion, Dover.

Relative to expressing appreciation for the testimonial celebration for G. A. R. Veterans on Lincoln's Birthday.

The Chair presented a card of appreciation from the Rev. J. T. Bailey and children relative to the action of the House of Representatives in extending sympathy to Representative Fred S. Bailey on the death of his mother.

Mr. Pierce, Secretary of the Senate, being admitted, informed the House that the Senate had passed and requested the Concurrence of the House in the following:

Senate Bill No. 30.

An Act assenting to the provisions of the Act of Congress entitled, "An Act to provide that the United States shall aid the States in Wildlife Restoration Projects, and for other purposes," approved September 2, 1937, by authorizing the Board of Game and Fish Commissioners to

engage in Wildlife Restoration Projects as outlined in said Act; providing that funds accruing from license fees shall not be diverted.

And presented the same to the House.

The Chair declared that the House recess until 1:15 o'clock P. M.

Motion prevailed.

Same Day 1:15 o'clock P. M.

House met at expiration of recess.

The Speaker Announced He Is About to Sign:

House Bill No. 10.

House Bill No. 54.

Senate Concurrent Resolution No. 11.

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same day.

House met at expiration of recess.

Mr. Pennington, on behalf of the Committee on Insurance and Banking to whom had been referred House Bill No. 57, entitled:

An Act to Amend Chapter 71 of the Revised Code of Delaware, 1935, relating to Bonds for School Building programs for Free Public Schools by providing for the amount of Bonds, Text of Bonds, Maturity of Bonds.

Reported the same back to the House favorably.

WM. K. PENNINGTON, *Chairman*  
 FRED BROWN  
 NORMAN A. DRAPER  
 C. FRED FIFER  
 R. E. PINDER

Mr. Zebley, on behalf of the Committee on Miscellaneous to whom had been referred House Bill No. 106, entitled:

An Act authorizing the appointment of a Commission to consider the feasibility of an appropriate crossing of the Delaware River.

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*  
 ABNER WOODWARD  
 FRANK H. BUCKINGHAM  
 NORMAN A. DRAPER

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

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, entitled: "Motor Vehicles," and to clarify and make more uniform the law relating to traffic on streets and highways and the subject matter of the said Chapter.

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*  
 ABNER WOODWARD  
 FRANK H. BUCKINGHAM  
 NORMAN A. DRAPER

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

House Bill No. 7. Approved Feb. 20, 1939.

House Bill No. 61. Approved Feb. 20, 1939.

Mr. Rhodes, on behalf of the Committee on Public Health, to whom

had been referred Senate Bill No. 26, entitled :

An Act to amend Chapter 27 of the Revised Code of Delaware, 1935, as amended, relative to the power and authority of the Medical Council of Delaware.

Reported the same back to the House favorably.

GEORGE W. RHODES, *Chairman*  
JOSEPH S. NEWNAM  
FRED BROWN  
MANFORD PENUEL

Mr. Rhodes, on behalf of the Committee on Public Health to whom had been referred Senate Bill No. 27, entitled :

An Act requiring Prenatal Examination for Syphilis.

Reported the same back to the House favorably.

GEORGE W. RHODES, *Chairman*  
JOSEPH S. NEWNAM  
FRED BROWN  
MANFORD PENUEL

Mr. Buckingham, on behalf of the Committee on Temperance to whom had been referred House Bill No. 69, entitled :

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in reference to the closing hours of Licensees authorized to sell alcoholic liquor, wines and beer off the premises.

Reported the same back to the House favorably.

FRANK H. BUCKINGHAM, *Chairman*  
ELMER E. BENSON  
GEORGE MANLOVE  
ABNER WOODWARD  
HARVEY E. MOORE

Mr. Buckingham, on behalf of the Committee on Temperance to whom had been referred House Bill No. 50, entitled :

An Act to Amend Chapter 72, of the Revised Code of Delaware, 1935, prohibiting the Sale of Alcoholic Liquors to Students of the University of Delaware by repealing same.

Reported the same back to the House on its merits.

FRANK H. BUCKINGHAM, *Chairman*  
 GEORGE MANLOVE  
 ELMER E. BENSON  
 ABNER WOODWARD  
 HARVEY E. MOORE

The Chair announced that the Governor approving House Bill No. 61, and pursuant to same he appointed Messrs. Rhodes, Draper, and Newnam.

Mr. Leach on motion for leave introduced House Bill No. 138, entitled:

An Act to amend Chapter 53 of the Revised Code of Delaware, 1935, relating to the salaries of certain County Officers.

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

Mr. Brown moved that House Joint Resolution No. 2 be stricken from the Calendar.

Motion prevailed.

Mr. Brown, on motion for leave introduced House Joint Resolution No. 3, entitled:

Authorizing the commemoration of the anniversary of the landing of the Swedes upon the soil of Delaware.

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

Mr. Rhodes on motion for leave introduced House Bill No. 139, entitled:

An Act appropriating certain money to the University of Dela-

ware for the purpose of establishing scholarships for students at Delaware College, University of Delaware.

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

Mr. F. W. Pepper on motion for leave introduced House Bill No. 140, entitled:

An Act relating to Motion Picture Films: advertising in connection therewith: disapproval of by Judges of the Juvenile Courts: Penalties for Violation.

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

The Chair presented Senate Bill No. 30, entitled:

An Act assenting to the provisions of the Act of Congress entitled, "An Act to provide that the United States shall aid the States in Wildlife Restoration Projects, and for other purposes," approved September 2, 1937, by authorizing the Board of Game and Fish Commissioners to engage in Wildlife Restoration Projects as outlined in said Act; providing that funds accruing from license fees shall not be diverted.

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

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

Motion prevailed.

Mr. Heal moved that the Senate and House go into Joint Session in pursuance to Senate Concurrent Resolution No. 10.

Motion prevailed.

Mr. Heal moved that the President Pro Tem preside over the Joint Session.

Motion prevailed.



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

Motion prevailed.

Address by Francis Harvey Green.

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

Motion prevailed.

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

Motion prevailed.

Mr. Leach on motion for leave introduced House Bill No. 141, entitled:

An Act to create a Workmen's Compensation Bureau for the State of Delaware and defining its powers; prescribing the manner of appointment, terms of office, salaries and qualifications of its members; duties to be performed; establishment of a division for the promulgation of Compensation Insurance Premiums and a division for the adjudication of industrial accident claims; providing for Compensation Insurance and payment of Compensation direct; and acceptance of the Act by State, Counties and Municipalities.

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

Mr. Leach moved that one thousand copies of House Bill No. 141 be printed.

Motion prevailed.

Mr. McGuigan moved that the House adjourn until 12 o'clock noon, Wednesday, February 22nd, 1939.

On the question "Shall the Motion Pass the House"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Burris, Gordy, Hartman, McGuigan, Moore, Newnam, Pinder, Rambo, A. G. Smith, Staats, Thawley—12

NAYS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Kellum, Leach, Manlove, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—21.

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

Mr. Benson moved that the House adjourn until 12 o'clock noon, Wednesday, February 22nd, 1939.

On the question "Shall the motion Pass the House"

The Yeas and Nays were ordered, which being taken were as follows:

Yeas—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Kellum, Leach, Manlove, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Stein, Woodward, Mr. Speaker—22.

NAYS—Messrs, Bailey, Burris, Gordy, Hartman, McGuigan, Moore, Newnam, Pinder, Rambo, A. G. Smith, Staats, Thawley—12.

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

*THIRTY-THIRD LEGISLATIVE DAY*

Dover, Delaware, February 22nd, 1939, 12 o'clock noon.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

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

Motion prevailed.

Mr. Pinder presented a communication from the Christian Endeavor Society, New Castle Presbyterian Church, New Castle.

Protesting against House Bill No. 18.

Relative to legalizing the Showing of Motion Pictures on Sunday.

The Chair presented six communications.

Endorsing the United States Housing Authority for the City of Wilmington.

The Chair declared that the House recess until 1:15 o'clock P. M.

Motion prevailed.

Same Day 1:15 o'clock P. M.

House met at expiration of recess.

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same day

House met at expiration of recess.

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

House Concurrent Resolution No. 8.

Expressing the sorrow of the General Assembly of the State of Delaware on the death of Dr. Clarence True Wilson.

And returned the same to the House.

Mr. Brown on motion for leave introduced House Substitute for House Bill No. 118, entitled:

An Act appropriating certain moneys to Socony-Vacuum Oil Company, Inc., a Corporation of the State of New York, to pay a certain claim against the State of Delaware, arising from an erroneous payment of Gasoline Taxes.

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

Mr. Brown on motion for leave introduced House Substitute for House Bill No. 119, entitled:

An Act appropriating certain moneys to Equitable Trust Company, A Corporation of the State of Delaware, Executor of the Estate of W. Miller Shaw, deceased, to pay a certain claim against the State of Delaware, arising from an overpayment of the Delaware Estate Tax.

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

Mr. Newnam on motion for leave introduced House Bill No. 142, entitled:

An Act prohibiting the taking of Crabs from any waters of the State of Delaware by means of Dredge or Tongs.

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

On motion of Mr. Canby, House Bill No. 50, entitled:

An Act to amend Chapter 72 of the Revised Code of Delaware, 1935, prohibiting the Sale of Alcoholic Liquors to Students of the University of Delaware by repealing same.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Barr, Bierlin, Brown, Burton, Canby, Fifer, Kellum, Leach, McGuigan, Moore, Pennington, Penuel, Fred Pepper, F. W. Pepper, Rambo, Reynolds, Rhodes, Knight, Stein, Woodward, Mr. Speaker—21.

NAYS—Messrs, Bailey, Benson, Biggs, Buckingham, Burris, Draper, Gordy, Hartman, Manlove, Newnam, Pinder, A. G. Smith, Staats, Thawley—14.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Canby, House Bill No. 57, entitled:

An Act to Amend Chapter 71 of the Revised Code of Delaware, 1935, relating to Bonds for School Building programs for Free Public Schools by providing for the amount of Bonds, Text of Bonds, Maturity of Bonds.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Zebley, House Bill No. 69, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in reference to the closing hours of Licensees authorized to sell alcoholic liquor, wines and beer off the premises.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Benson, Buckingham, Fifer, Manlove, Moore, F. W. Pepper, Pinder, Woodward, Mr. Speaker—9.

NAYS—Messrs, Bailey, Barr, Bierlin, Biggs, Brown, Burris, Burton, Canby, Draper, Gordy, Hartman, Kellum, Leach, McGuigan, Newnam, Pennington, Penuel, Fred Pepper, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley—26.

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

On motion of Mr. Canby, House Bill No. 78, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in reference to selling Alcoholic Liquors during certain hours on certain days and in certain places.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Barr, Benson, Bierlin, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—32.

NAYS—Messrs, Bailey, Biggs, Pinder—3.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Canby, House Bill No. 80, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to the sale of alcoholic liquor in quantities larger than one bottle to individuals practicing medicine, surgery, obstetrics and dentistry, any individual practicing the profession of a veterinary surgeon.

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

On the question "Shall the Bill Pass the House?"

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

follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Canby, House Bill No. 83, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in reference to potable and non-potable alcohol from a distillery to a manufacturer.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

And was ordered to the Senate for Concurrence.



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

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to the cancellation or suspension of licenses for the sale of alcoholic liquor, wines, and beer and the disposition of alcoholic liquor, wines and beer by the Commission.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Rambo, Reynolds, Rhodes, Knight, Staats, Thawley, Woodward, Mr. Speaker—31.

NAYS—Messrs, Bailey, Pinder, A. G. Smith—3.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Manlove, House Bill No. 105, entitled :

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

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Fifer, Kellum, Leach, Manlove, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight Woodward, Mr. Speaker—22.

NAYS—Messrs, Bailey, Burris, Gordy, Hartman, McGuigan, Moore, Newnam, Pinder, Rambo, A. G. Smith, Staats, Stein, Thawley—13.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Zebley, House Bill No. 106, entitled:

An Act authorizing the appointment of a Commission to consider the feasibility of an appropriate crossing of the Delaware River.

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

Mr. Zebley offered House Amendment No. 1 to House Bill No. 106.

An Act authorizing the appointment of a Commission to consider the feasibility of an appropriate crossing of the Delaware River.

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

On the question "Shall the Amendment Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Fifer, Kellum, Leach, Manlove, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Stein, Woodward, Mr. Speaker—25.

NAYS—Messrs, Burris, Gordy, Hartman, McGuigan, Moore, Pinder, Rambo, A. G. Smith, Staats, Thawley—10.

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

On the question "Shall the Bill Pass the House as Amended?"

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

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Fifer, Kellum, Leach, Manlove, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—22.

NAYS—Messrs, Bailey, Burris, Gordy, Hartman, McGuigan, Moore, Newnam, Pinder, Rambo, A. G. Smith, Staats, Stein, Thawley—13.

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

And was ordered to the Senate for Concurrence.

Mr. Benson moved that the House adjourn until 12 o'clock noon, Thursday, February 23rd, 1939.

Motion prevailed.

### THIRTY-FOURTH LEGISLATIVE DAY

Dover, Delaware, February 23rd, 1939, 12 o'clock noon.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

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

Motion prevailed.

The Chair presented a communication from D. Harris Frazer, Wilmington.

Endorsing House Bill No. 27.

Relative to Fair Trade.

The Chair presented four petitions signed by 68 persons.

Endorsing House Bill No. 27.

Relative to Fair Trade.

The Chair presented two communications.

Protesting against House Bill No. 27.

Relative to Fair Trade.

The Chair presented a communication from Zion Lutheran Church, Wilmington, signed by 57 persons.

Protesting against House Bill No. 18.

Relative to legalizing the Showing of Motion Pictures on Sunday.

The Chair presented a communication from the Blue Rock Community Club.

Protesting against House Bill No. 95.

Relative to the extension of the boundaries of the City of Wilmington.

The Chair presented a communication from International Roll-Call Systems, Inc., Richmond, Virginia.

Relative to installation of an Electrical Roll Call or Voting System in the House of Representatives, State of Delaware.

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

Senate Bill No. 12.

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

And presented the same to the House.

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

Senate Bill No. 24.

An Act to amend 509, Section 48 of Chapter 20, Revised Code of Delaware, 1935, relative to Insurance Department, providing as to effect of Warranties in application for insurance when accompanying policy.

And presented the same to the House.

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

Senate Bill No. 25.

An Act to amend the Revised Code of Delaware, 1935, by defining "Gross Premiums" when referring to Insurance Companies on Insurance Policies.

And presented the same to the House.

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

Senate Bill No. 29.

An Act to amend Chapter 175 of the Revised Code of Delaware, 1915, relating to the Delaware Workmen's Compensation Law, and effecting the interpretation thereof and definitions therein.

And presented the same to the House.

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

Senate Bill No. 39.

An Act authorizing the conveyance to the Delaware Railroad Company of a parcel of land in New Castle County, Delaware, and ratifying an option granted to said Company to purchase the same and an agreement to relocate railroad platforms and construct an approach thereto.

And presented the same to the House.

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

## Senate Bill No. 53. •

An Act to declare the sovereignty of the State of Delaware along the Atlantic Ocean and to fix its seacoast boundary and ownership and the boundary of Sussex County accordingly.

And presented the same to the House.

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

## Senate Bill No. 59.

An Act authorizing the State Forestry Commission to make Rules and Regulations for the use and protection of lands and property under its jurisdiction, and providing penalties for the violation thereof.

And presented the same to the House.

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

## Senate Bill No. 61.

An Act to amend 723, Section 15 of the 1935 Revised Code of the State of Delaware by giving to the State Forestry Department the right to lease or assign a right in State Forest Lands for a period not exceeding ten years.

And presented the same to the House.

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

## Senate Bill No. 62.

An Act authorizing the State Forester to appoint State Forest Officers; Duties and Powers.

And presented the same to the House.

The Chair declared that the House recess until 1:15 o'clock P. M.  
Motion prevailed.

Same Day 1:15 o'clock P. M.

House met at expiration of recess.

Mr. Kellum, on behalf of the Committee on Revenue and Taxation to whom had been referred House Bill No. 65, entitled:

An Act to Amend Chapter 6 of the Revised Code of Delaware, 1935, in relation to State Revenue by providing for Occupational Licenses for Transient or Itinerant Photographers.

Reported the same back to the House favorably.

THOMAS A. KELLUM, *Chairman*  
JOHN W. RAMBO  
MANFORD PENUEL  
VERNER P. BURTON  
GEORGE W. RHODES

Mr. Manlove, on behalf of the Committee on Revised Statutes to whom had been referred House Bill No. 41, entitled:

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

Reported the same back to the House favorably.

GEORGE MANLOVE, *Chairman*  
FRED PEPPER  
RANDOLPH P. REYNOLDS  
HENRY M. CANBY  
JOHN A. HARTMAN

The Chair presented Senate Bill No. 12, entitled:



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

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

The Chair presented Senate Bill No. 24, entitled:

An Act to amend 509, Section 48 of Chapter 20, Revised Code of Delaware, 1935, relative to Insurance Department, providing as to effect of warranties in application for insurance when accompanying policy.

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

The Chair presented Senate Bill No. 25, entitled:

An Act to amend the Revised Code of Delaware, 1935, by defining "Gross Premiums" when referring to Insurance Companies on Insurance Policies.

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

The Chair presented Senate Bill No. 29, entitled:

An Act to amend Chapter 175 of the Revised Code of Delaware, 1915, relating to the Delaware Workmen's Compensation Law, and effecting the interpretation thereof and definitions therein.

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

The Chair presented Senate Bill No. 39, entitled:

An Act authorizing the conveyance to the Delaware Railroad Company of a parcel of land in New Castle County, Delaware, and ratifying an option granted to said Company to purchase the same and an agreement to relocate railroad platforms and construct an approach thereto.

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

The Chair presented Senate Bill No. 53, entitled:

An Act to declare the sovereignty of the State of Delaware along the Atlantic Ocean and to fix its seacoast boundary and ownership and the boundary of Sussex County accordingly .

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

The Chair presented Senate Bill No. 59, entitled:

An Act authorizing the State Forestry Commission to make Rules and Regulations for the use and protection of lands and property under its jurisdiction, 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 Revised Statutes.

The Chair presented Senate Bill No. 61, entitled:

An Act to amend 723, Section 15 of the 1935 Revised Code of the State of Delaware by giving to the State Forestry Department the right to lease or assign a right in State Forest Lands for a period not exceeding ten years.

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

The Chair presented Senate Bill No. 62, entitled:

An Act authorizing the State Forester to appoint State Forest Officers; Duties and Powers.

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

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same day.

House met at expiration of recess.

On motion of Mr. Rhodes, Senate Bill No. 26, entitled :

An Act to amend Chapter 27 of the Revised Code of Delaware, 1935, as amended, relative to the power and authority of the Medical Council of Delaware.

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

On request the privilege of the floor was given to Dr. E. R. Mayerberg.

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

The Yeas and Nays were ordered, which being taken were as follows :

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

NAYS—None.

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

And was ordered returned to the Senate.

On motion of Mr. Rhodes, Senate Bill No. 27, entitled :

An Act requiring Prenatal Examination for Syphilis.

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

On request the privilege of the floor was given to Dr. E. R. Mayerberg.

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

The Yeas and Nays were ordered, which being taken were as fol-

lows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

NAYS—None.

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

And was ordered returned to the Senate.

Mr. Leach moved that House Bill No. 64 be stricken from the Calendar.

Motion prevailed.

Mr. Canby moved that Senate Substitute for Senate Bill No. 4 be referred back to the Committee on Revised Statutes.

Motion prevailed.

Mr. Canby moved that the vote on House Bill No. 83 be reconsidered.

On the question "Shall the Motion Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Fifer, Gordy, Kellum, Leach, Manlove, McGuigan, Moore, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—25.

NAYS—Messrs, Bailey, Burris, Hartman, Newnam, Pinder, Rambo, A. G. Smith, Staats, Stein, Thawley—10.

So the question was decided in the affirmative and the motion having

received the required constitutional majority, passed the House.

Mr. Canby moved that House Bill No. 83 be restored to the Calendar.

Motion prevailed.

Mr. Benson moved that the House adjourn until 12 o'clock noon, Friday, February 24th, 1939.

Motion prevailed.

*THIRTY-FIFTH LEGISLATIVE DAY*

Dover, Delaware, February 24th, 1939, 12 o'clock noon

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

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

Motion prevailed.

The Chair presented a communication from the Dover Century Club, Dover.

Opposing any deduction in the budget of the State Department of Public Instruction which would curtail the teaching of Music and Art in the public schools.

The Chair presented a communication from a study group of 150 parents and other individuals sponsored by the Educational Committee of the Wilmington New Century Club, Wilmington.

Praising the Wilmington and State Public School systems and opposing "any backward step in education."

The Chair presented a communication signed by 32 persons.

Endorsing House Bill No. 27.

Relative to Fair Trade.

The Chair declared that the House recess until 1:15 o'clock P. M.

Motion prevailed.

Same Day 1:15 o'clock P. M.

House met at expiration of recess.

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

House Bill No. 61.—An Act to provide for the equipping and furnishing the New State Building in the City of Dover known as the "Hall of Records."

House Bill No. 10.—An Act to Amend Chapter 28 of the Revised Code of the State of Delaware, 1935 as Amended by Chapter 87, Volume 41 of Laws of the State of Delaware in relation to the qualifications of applicants for licenses as Pharmacists.

House Bill No. 54.—An Act to Amend Chapter 27 of the Revised Code of Delaware, 1935, as Amended by Chapter 86, of Volume 41, Laws of Delaware, relating to the Practice and Licensing of Osteopathic Physicians.

The Honorable Josiah Marvel, Jr., Secretary of State, was admitted with a message from his Excellency the Governor, Richard Cann McMullen.

STATE OF DELAWARE  
EXECUTIVE DEPARTMENT

February 24, 1939

*To the Honorable, The House of Representatives,  
The 107th General Assembly, State of Delaware,  
Dover, Delaware.*

GENTLEMEN :

I return herewith, without my approval, Senate Substitute for House Bill No. 30 entitled, "An Act to Amend Chapter 166 of the Revised Code of Delaware, 1935, Providing for Reorganization of State Highway Department."

This bill, if enacted into law, would amend the present legislation relating to the Highway Department by increasing the members thereof and establishing a Board consisting of seven members together with the Governor of the State. The bill itself proceeds to name the persons who shall be members of the Department. I can see no reason for this legislation. It is purely partisan in its nature and political in all of its aspects. It is designed solely for the purpose of benefiting a certain group of office seekers and is not in any way beneficial to the citizens of the State as a whole. Its sole purpose can be characterized as an attempt to oust from office the present personnel of the State Highway Department. The desire expressed in my message at your convening and mentioned in the Republican platform that the welfare of the people of our State must be foremost has been forgotten in the quest for political patronage at public expense.

The State Highway Department was created by an Act of the Legislature on April 2, 1917, Volume 29, Chapter 63 of the Delaware Laws and consists of four members and the Governor of the State. This Act further provided that appointments to membership must be made by the Governor so that not more than two members of the Department shall belong to the same political party and in the case of a vacancy in the Department the Governor shall fill such vacancy for the unexpired term. The Act further provided that the Governor should have no vote except in the event of a tie vote in the Department. The obvious purpose of this Act was to have a bi-partisan Department and the removal of politics from it as far as possible. This Act has re-



maintained the same with the exception of two amendments. In 1921, Volume 32, Chapter 52 of the Delaware Laws, the Secretary of State replaced the Governor as a member of the Department, but in 1929, Volume 36, Chapter 79 of the Delaware Laws, this provision was repealed and the Governor again took his position on the Department, replacing the Secretary of State. It is not until this present session of the General Assembly therefore that any attempt has been made to depart from the bi-partisan theory of the administration of this Department which was apparent from its inception.

Senate Substitute for House Bill No. 30 disregards this theory and openly proposes to place one major political party in control of the personnel of the Department by naming as members of the Department persons known as political partisans.

Nor can this legislation be justified as an economic measure. It is only since 1936 that the State Highway Department has constructed and maintained all of the highways throughout the State including those heretofore constructed and maintained by the respective counties. In 1936, when the State Highway Department was controlled by persons affiliated with the Republican Party inasmuch as the then Governor was a Republican, the cost of maintenance was \$1,086,894.78. For the year 1937 the cost of maintenance of the highways of the State was \$908,245.78, and in 1938 this cost was \$1,011,059.24. Thus it is seen that the maintenance cost under the domination of the Republican Party was the highest during the three-year period.

As I have pointed out, this is the first attempt by any General Assembly to change the personnel of a State Department. This bill is what is commonly known as a "Ripper" bill, and if enacted into law sets a most dangerous precedent. This One Hundred Seventh General Assembly should hesitate before establishing such a precedent and the members should have in mind that in the immediate years to come there is the strong possibility of a change in the dominating political party in this State, which then by the precedent attempted here to be adopted might be tempted to add to or change immediately after an election the personnel of every State Department. The members of every General Assembly hereafter should not be called upon or expected to assume such dangerous responsibility. Without such precedent, such danger disappears. It is not for the best interest of the people of this State to have an ever shifting policy and an ever

shifting personnel of its departments. The desires of some members of this Legislature should not penalize the public interest by disrupting the orderly administration of the people's business.

The people of this State are entitled to efficient, economical operation of their Departments and the personal desire of those seeking political power to perpetuate themselves in office should not be permitted to prevail over the general welfare of the State.

It is clear to me that no legislation should be approved that has for its purpose the utilization of a Department for partisan purposes and not for the benefit of the people of the State as a whole. Both parties should recognize that all Departments of our State should be operated solely in the interest of all the people and not as a political adjunct or instrumentality for first one party and then the other.

Many things vital to our State and people await the attention of this General Assembly. It is only by removing completely and absolutely this bill and others of like character from the Legislative calendar can the welfare of our State receive the undivided and non-political consideration it deserves.

But aside from the purely partisanship character of this bill it strikes at a very fundamental principle of our State Government. Section 9 of Article 3 of the State Constitution contemplates that the appointing power of the offices created by the Constitution or by law shall reside in the Governor. One of the duties of the Executive of this State is to make such appointments and to fill any vacancies no matter how occurring. This bill deprives the Executive not only of the power of appointment, but also of the power of filling vacancies. This bill departs from the word and spirit of our State Constitution in a manner never before attempted in this State. How can our constitutional system be preserved unless it is respected in all of its aspects? By the provisions of this bill one aspect of our constitutional system is entirely disregarded. The inauguration of such a tendency to disregard our constitutional system by the enactment of such legislation as is proposed by this bill can lead only to the breaking down of the checks and balances set up in our State Constitution.

I am certain that the people of the State will not be benefited by purely partisan legislation that is foreign to our constitutional system and I ask that greater thought be given to the welfare of the State in your re-consideration of this bill.

Respectfully yours,

RICHARD C. McMULLEN

*Governor.*

Mr. Benson moved that Senate Substitute for House Bill No. 30 be restored to the Calendar.

Motion prevailed.

The Speaker Announced He Is About to Sign:

Senate Bill No. 26.

Senate Bill No. 27.

Mr. Woodward on motion for leave introduced House Substitute for House Bill No. 91, entitled:

An Act to regulate and control the Construction of Water and Sewer Systems, Building and House Drainage Systems, Gas Lines and Oil Burning Equipment and Air Conditioning; the Registration of persons engaged in the work and Supervision thereof in the several Counties of the State of Delaware outside the City of Wilmington.

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 House Bill No. 143, entitled:

An Act regulating the sale and possession of Barbital and other Hypnotic Drugs.

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

Mr. Bierlin on motion for leave introduced House Bill No. 144, entitled:

An Act to Amend Chapter 71 of the Revised Code of Delaware, 1935, entitled "Free Public Schools," by providing transportation for school children of all grades.

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

Mr. Benson on motion for leave introduced House Bill No. 145, entitled:

An Act to Amend Chapter 176 of the Revised Code of Delaware, 1935, in reference to the closing hours of licenses authorized to sell Alcoholic Liquor, Wines and Beer off the premises.

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

Mr. Biggs on motion for leave introduced House Bill No. 146, entitled:

An Act to create a State Public Building Commission and prescribing its duties and defining its powers.

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

Mr. Canby on motion for leave introduced House Bill No. 147, entitled:

An Act to Amend Chapter 117 of the Revised Code of the State of Delaware of 1935, as Amended by Chapter 206, Volume 41, Laws of Delaware.

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

Mr. Draper on motion for leave introduced House Bill No. 148, entitled:

An Act to Amend Article 5 of Chapter 165 of the Revised Code of the State of Delaware, 1935, by authorizing the Motor Vehicle Commissioner to designate Official Inspection Stations for the correction, adjustment, repairs and inspection of Motor Vehicles; powers and duties of the Motor Vehicle Commissioners and Operators of Official Inspection Stations; providing for a fee for the Inspection of Motor Vehicles; designating the time for Official Inspection, providing Penalties for Violation of the provisions thereof.

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

Mr. Penuel on motion for leave introduced House Bill No. 149, entitled:

An Act to Amend Chapter 166 of the Revised Code of Delaware, 1935, entitled, "State Highway Department," by providing for the establishment of a Public Highway Drainage System; authorizing the State Highway Department to construct ditches and drains, and to take over existing ditches and drains affecting Public Highways, and to maintain, regulate and control the same; and by providing for the punishment of persons wilfully or negligently injuring ditches and drains; and by providing the power of eminent domain.

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

On motion of Mr. Brown, House Bill No. 65, entitled:

An Act to Amend Chapter 6 of the Revised Code of Delaware, 1935, in relation to State Revenue by providing for Occupational Licenses for Transient or Itinerant Photographers.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs. Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawlev, Woodward, Mr. Speaker—35.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same day.

House met at expiration of recess.

Mr. Canby moved that House Bill No. 83 be referred back to the Committee on Temperance.

Motion prevailed.

Mr. Benson moved that the House adjourn until 12 o'clock noon, Monday, February 27th, 1939.

Motion prevailed.

### THIRTY-SIXTH LEGISLATIVE DAY

Dover, Delaware, February 27th, 1939, 12 o'clock noon.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

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

Motion prevailed.

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

Senate Concurrent Resolution No. 12.

Relative to the National Observance of Americanism Week.

And presented the same to the House.

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

Senate Bill No. 56.

An Act for the restoration of the MacDonough Family Burial Plot and other similar purposes.

And presented the same to the House.

The Chair declared that the House recess until 1:15 o'clock P. M.

Motion prevailed.

Same Day 1:15 o'clock P. M.

House met at expiration of recess.

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

House Bill No. 10—Approved February 23, 1939.

Senate Substitute for House Bill No. 30—Vetoed February 24, 1939.

The Chair presented Senate Bill No. 56, entitled:

An Act for the restoration of the MacDonough Family Burial Plot and other similar purposes.

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

The Chair presented four communications signed by 73 persons.

Endorsing House Bill No. 27.

Relative to Fair Trade.

The Chair presented three communications.

Endorsing House Bill No. 27.

Relative to Fair Trade.

The Chair presented a resolution from Rose Hill Grange, New Castle County.



Advocating a reduction in the State Registration Fees on Farm Trucks.

The Chair presented a communication from the Sussex County Colored Teachers' Association.

Favoring the Senate Bill No. 38.

Relative to the establishment of a State Public School Teachers' Retirement Fund.

The Chair presented a communication from Frank Bane, Executive Director, of The Council of State Governments, Chicago, Illinois.

Requesting the presence of a delegation representative of the State of Delaware at Council's next meeting in Chicago, Ill., April 5, 6, and 7.

Mr. Brown presented a communication from Dale S. Bendler, Wilmington, Delaware.

Endorsing House Bill No. 95, relative to the boundaries of the City of Wilmington.

The Chair presented 11 resolutions from the following chapters and branches of the United Farmers and Sportsmen of Delaware; Lewes Chapter, Middletown Chapter, Seaford Chapter, Sussex County Branch, Kent County Branch, Del-Bay Chapter, Laurel Community Chapter, New Castle Chapter, New Castle County Branch, Claymont Chapter, and the Christiana Chapter.

Endorsing House Bill No. 9.

Relative to Fish, Oysters, and Game.

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

Relative to the National Observance of "Americanism Week."

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

Mr. Leach on motion for leave introduced House Bill No. 150, entitled:

An Act naming and designating the park created at "The Rocks" on the Christina River in the City of Wilmington as "Fort Christina State Park" in order to mark perpetually the First Settlement of The Colony of New Sweden.

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

Mr. Leach on motion for leave introduced House Bill No. 151 entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in reference to Tariff of Licenses, for the Sale of Alcoholic Liquor, Wines and Beer.

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

Mr. Leach on motion for leave introduced House Bill No. 152, entitled:

An Act to empower the Labor Commission of Delaware to act as a voluntary mediation and arbitration board and to prescribe the powers and duties of the Commission in the mediation and arbitration of labor disputes.

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

Mr. Leach on motion for leave introduced House Bill No. 153, entitled:

An Act to amend Chapter 90 of the Revised Code of Delaware, 1935, relative to the Regulation of the Hours of Employment of Females.

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

Mr. Leach on motion for leave introduced House Bill No. 154, entitled:

An Act to amend Chapter 38 of the Revised Code of Delaware, 1935, Labor Commission of Delaware.

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

Mr. Leach on motion for leave introduced House Bill No. 155, entitled:

An Act in relation to the protection of male and female employees in the State of Delaware by establishing certain regulations to prevent group insurance companies from preventing a person with a minor defect or hereditary disease or after reaching the age of forty or forty-five years from gainful employment.

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

Mr. Leach on motion for leave introduced House Bill No. 156, entitled:

An Act to prohibit open market of prison made goods.

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

Mr. Leach on motion for leave introduced House Bill No. 157, entitled:

An Act to amend Chapter 38 of the Revised Code of Delaware, 1935, Labor Commission of Delaware.

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

Mr. Leach on motion for leave introduced House Bill No. 158, entitled:

An Act to provide for the licensing of engineers, and boiler operators for the protection of life and property in the operation of steam boilers, steam machinery, electrical generation, switchboard operations and refrigerating machinery.

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

Mr. Leach on motion for leave introduced House Bill No. 159, entitled:

An Act to promote the general welfare and to protect the health, safety, morals, and standard of living of the people of the State of Delaware by providing for the elimination of wage and hour standards detrimental to the health, safety, morals, and standard of living of workers, to establish minimum wage and maximum hour standards; to prescribe the powers and duties of the Labor Commission of Delaware.

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

Mr. Fred Pepper on motion for leave introduced House Bill No. 160, entitled:

An Act to appropriate \$20,000.00 per year for a pension fund to be paid to Retired and Disabled Public School Teachers.

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

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same Day.

House met at expiration of recess.

Mr. Benson moved that the House proceed to re-consider and vote upon Senate Substitute for House Bill No. 30 which has been returned to the House of Representatives without the approval of the Governor, together with his objections.

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

Mr. Barr seconded the motion.

Speaker: You have heard the motion. The matter now before the House is "Will the House on re-consideration agree to pass Senate

Substitute for House Bill No. 30, the objections of the Governor to the contrary notwithstanding"

On the question "Shall the Bill Pass the House?"

Mr. Benson presented the following statement to be read:

I believe I speak for my colleagues as well as myself when I say that the passage of the Highway bill over the Governor's veto, is of the utmost importance to the people of this State.

When I first introduced this bill in the House I remarked that it was for a more efficient administration of the Department. In the interim, I have quietly made some investigations in order to satisfy myself that I was right. This bill was not conceived for the lowly purpose of gaining partisan advantage, as the Governor charged in his veto message. There is no conspiracy afoot to discharge in wholesale fashion employees of the Highway Department or of any other department. The Highway Department is too important; too vitally connected with the safety of every citizen of this State, to permit politics to weaken its structure.

It is to restore the department to a division of government free from selfish ambitions of partisan politicians, that this bill is offered. If there is one department in our State government that should be administered non-partisanly and with a view to the safety and welfare of all the people, it is the Highway Department, which has supervision of the roads and bridges over which we must travel and the State Police who are to protect our rights and personal safety.

I know only too well that my Democratic friends place little credence in my remarks. They cannot imagine a political party having such noble motives. In the short time that they have had control of State affairs, they have worked the so called "spoils system" overtime and naturally they know no other system. But permit me to point out to them and to the people of this State how their "spoils system" as operated in the Highway Department threatens, if permitted to continue, to destroy the efficiency of that department.

One of the first steps taken by the Democratic controlled commission was to discharge without cause two County engineers who were experts in road maintenance and construction; two engineers who had

contributed immeasurably to keeping maintenance cost at a reasonably low figure; men whose interests were in our highways rather than in politics; men who were not susceptible to the crafty politician; men who did not show an unwarranted increase in their payrolls around election time. They were replaced by Democrats who answer every beck and call of the ward heeler; by Democrats who operate to the party's benefit and to the taxpayer's detriment. I ask you to refer to the payrolls of New Castle County for the months of August, September and October of last fall. I ask you to note the large increase in employment during the months named. I ask you to note the reduction of employees again after the elections.

I suppose also that it was just a coincident that the department in New Castle County fixed barnyards and gravelled lanes and hired unnecessary men during the month of October? I suppose it was just a charitable move on the part of the commission to supply free of charge trucks and scrapers which were used for this work as well as the gasoline used in the tractors, trucks and scrapers?

When the Democratic commission took over in 1937, it fired experienced supervisors, men who had learned by experience and training under competent engineers, road construction, and replaced them with inexperienced partisans. When the engineer objected to such replacement, he was told by one of the commissioners in plain words who was going to be the boss. Bridge tenders who were familiar with the duties of operating draw-bridges and protecting both highway and water traffic, were likewise replaced by inexperienced and irresponsible Democrats.

Men all over the state were discharged without cause. Even though the Chief Engineer according to law is to hire and fire employees, the Democratic Commission performed this function. Letters were sent to certain employees advising them that they were discharged for "political reasons."

During the campaign highway employees were forced to "kick-back" a certain percentage of their wages. This was particularly true in certain portions of New Castle County.

In 1938 new equipment was purchased which was to perform the work theretofore done by men. It was to spread the gravel and

stone. But even with this new equipment which cost the State over \$145,000 the payrolls were not decreased, but on the other hand they showed an increase. Nineteen thirty-eight was a very normal year, the winter was light, the damage to the roads was negligible, yet the maintenance costs were higher than in 1936 when we suffered more damage to the roads than any time in our history.

Speaking of "dangerous precedents", it seems that such a remark comes with ill grace from the Governor. Was it setting a "dangerous precedent" when he discharged the entire membership of the Industrial Accident Board without rhyme or reason? Didn't the statute provide that the members thereof should hold office for a term of six years? Conceding, however, that the Governor has the power and authority to remove at will notwithstanding the express term of office as specified in the statute, does it necessarily follow that the Governor should discharge the members of a Board dilligently performing their duties on behalf of the State without good cause or reason? Did not our Governor write the respective members of the Board, and was it not claimed generally by the loyal partisans of his own party that the reason was solely political and not because of any inefficiency or any incompetency on the part of the members holding office? This single act of the Governor's, I charge, disqualifies our Chief Executive from incorporating the accusations to be found in his veto message when he speaks of "dangerous precedents".

Gentlemen, if time would permit, I could cite innumerable instances of cheap politics played by the Democrats in this important department. Politics that tend to place the safety of travel upon the adherence to a certain party's whims. Such a condition is unbearable. Such a condition will soon ruin this important department. The people do not want it. The Republicans will not stand for it, but will fight with everything within their power to restore this department to the standards of efficiency and economy that were maintained during the long period that the Republicans controlled the commission. When the Republicans turned over to the Democrats the department late in 1937, it was the pride of the State, it was the envy of adjoining states, it was publicly felt that it was the one department that was not run by politics. Therefor gentlemen, I urge you to vote for this bill. I urge you to restore the department to the people and deprive a Democratic machine of the further opportunity of destroying it.

The Yeas and Nays were ordered, which being taken, were as

follows:

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burton, Canby, Draper, Fifer, Kellum, Leach, Manlove, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Rhodes, Knight, Woodward, Mr. Speaker—22.

NAYS—Messrs, Bailey, Burris, Gordy, Hartman, McGuigan, Moore, Newnam, Pinder, Rambo, A. G. Smith, Staats, Stein, Thawley—13.

Senate Substitute for House Bill No. 30 having, on re-consideration received the constitutional majority the Chair declared Senate Substitute for House Bill No. 30 passed, the objections of the Governor notwithstanding.

The Speaker then ordered the Clerk to so notify the Senate and transmit the Bill with the Governor's objections to the Senate for its re-consideration.

Mr. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same Day.

House met at expiration of recess.

Mr. Benson moved that House Bill No. 85 be stricken from the Calendar.

Motion prevailed.

Mr. Woodward moved that House Bill No. 55 be stricken from the Calendar.

Motion prevailed.

Mr. Canby on motion for leave introduced House Bill No. 161, entitled:

An Act in reference to Pensions for Former Official Stenographers



of the State Courts of Delaware.

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

Mr. Canby on motion for leave introduced House Bill No. 162, entitled:

An Act to amend Chapter 98 of the Revised Code of Delaware of 1935, relating to the Settlement of Personal Estates, by barring certain claims not presented within one year.

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

Mr. Brown on motion for leave introduced House Bill No. 163, entitled:

An Act to protect the general public against injurious and un-economic practices in the sale of merchandise and distribution of merchandise or competitive commodities at less than cost; defining and prohibiting unfair sales, providing remedies for the violation thereof and establishing penalties therefor.

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

Mr. Brown moved that 200 copies of House Bill No. 163 be printed.

Motion prevailed.

Mr. Benson moved that the House adjourn until 12 o'clock noon, Tuesday, February 28th, 1939.

Motion prevailed.

*THIRTY-SEVENTH LEGISLATIVE DAY*

Dover, Delaware, February 28th, 1939, 12 o'clock noon.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members present—Bailey, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—33.

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

Motion prevailed.

The Chair presented 119 communications and a petition signed by 106 persons.

Endorsing House Bill No. 27.

Relative to Fair Trade.

The Chair presented 11 communications.

Protesting against House Bill No. 27.

Relative to Fair Trade.

The Chair presented resolutions from the State Executive Committee, United Farmers and Sportsmen, Christiana, Delaware, and the Smyrna Chapter of the same organization.

Endorsing House Bill No. 9.

Relative to Fish, Oysters, and Game.

The Chair presented a communication from the Newark Parent-Teachers' Association, Newark.

Endorsing House Bill No. 124.

Relative to establishing a State Department of Public Welfare.

The Chair presented a communication from the Newark Parent-Teachers' Association, Newark.

Urging retention of the study of Art and Music in the Public Schools of Delaware.

The Chair presented a communication from the Rev. Richard M. Green, Hockessin.

Endorsing House Bill No. 139.

Relative to University of Delaware Scholarships.

The Chair presented a communication signed by 16 residents of Rural New Castle County.

Protesting against House Bill No. 97.

Relative to the boundaries of the City of Wilmington.

The Chair presented a communication from Delaware Branch, National Woman's Party, Middletown, signed by 20 persons.

Protesting against House Bill No. 22.

Relative to restricting hours of work for women.

Mr. Woodward moved that House Bill No. 63 be referred back to the Committee on Fish, Oysters, and Game.

Motion prevailed.

The Chair declared that the House recess until 1:15 o'clock P. M.

Motion prevailed.

Same Day 1:15 o'clock P. M.

House met at expiration of recess.

Mr. Reynolds, on behalf of the Committee on Charity to whom had been referred Senate Bill No. 10, entitled:

An Act for the relief of the Indigent Sick Resident in New Castle County.

Reported the same back to the House favorably.

RANDOLPH P. REYNOLDS, *Chairman*  
C. FRED FIFER  
EDW. S. KNIGHT  
HERMAN H. STAATS  
F. W. PEPPER

Mr. Reynolds, on behalf of the Committee on Charity to whom had been referred House Bill No. 99, entitled:

An Act to amend Chapter 54 of the Revised Code of Delaware, 1935, relating to the State Old Age Welfare Commission and State Welfare Home by providing for the deferment of the collection of taxes and assessments on the properties of aged persons to whom assistance has been allowed under said Chapter.

Reported the same back to the House favorably.

RANDOLPH P. REYNOLDS, *Chairman*  
C. FRED FIFER  
EDW. S. KNIGHT  
F. W. PEPPER  
HERMAN H. STAATS

Mr. Zebley, on behalf of the Committee on Miscellaneous to whom had been referred House Bill No. 150, entitled:

An Act naming and designating the Park created at "The Rocks"

on the Christina River in the City of Wilmington as "Fort Christina State Park" in order to mark perpetually the first Settlement of the Colony of New Sweden.

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*  
 ABNER WOODWARD  
 NORMAN A. DRAPER  
 FRANK H. BUCKINGHAM  
 REESE O. GORDY

Mr. Fifer, on behalf of the Committee on Public Lands and Buildings to whom had been referred Senate Bill No. 39, entitled:

An Act authorizing the conveyance to the Delaware Railroad Company of a parcel of land in New Castle County, Delaware, and ratifying an option granted to said Company to purchase the same and an agreement to relocate railroad platforms and construct an approach thereto.

Reported the same back to the House favorably.

C. FRED FIFER, *Chairman*  
 F. W. PEPPER  
 H. H. STAATS  
 FRED BROWN  
 GEORGE W. RHODES

Mr. Rhodes, on behalf of the Committee on Public Health to whom had been referred House Substitute for House Bill No. 91, entitled:

An Act to regulate and control the construction of water and sewer systems, building and house drainage systems, gas lines and oil burning equipment and air conditioning; the registration of persons engaged in the work and supervision thereof in the several Counties of the State of Delaware outside the City of Wilmington.

Reported the same back to the House favorably.

GEORGE W. RHODES, *Chairman*  
C. FRED FIFER  
FRED BROWN  
MANFORD PENUEL  
JOSEPH S. NEWNAM

Mr. Zebley on motion for leave introduced House Bill No. 164, entitled:

An Act to amend Chapter 75, of the Revised Code of Delaware, 1935, relating to the public welfare by providing aid to the needy blind consistent with title X of the Federal Social Security Act.

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

Mr. Zebley on motion for leave introduced House Bill No. 165, entitled:

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

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

Mr. Zebley on motion for leave introduced House Bill No. 166, entitled:

An Act to amend Chapter 71 of the Revised Code of Delaware, 1935, in relation to consolidation of single room school districts with adjoining districts.

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

Mr. Zebley on motion for leave introduced House Bill No. 167, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, with reference to the licensing of dogs so that said licensing shall apply to all dogs in the State except non-hunting dogs which are licensed by any City or Town.

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

Mr. Zebley on motion for leave introduced House Bill No. 168, entitled:

An Act appropriating money to the Public Archives Commission for the purchase of the Joseph Wigglesworth collection of Indian relics.

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

Mr. Zebley on motion for leave introduced House Bill No. 169, entitled:

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

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

Mr. Zebley on motion for leave introduced House Bill No. 170, entitled:

An Act to amend Chapter 157 of the Revised Code of Delaware, 1935, relating to the State Board of Chiropody, the members thereof, the term of office and vacancies.

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

Mr. Zebley on motion for leave introduced House Bill No. 171, entitled:

An Act to amend Chapter 157 of the Revised Code of Delaware, 1935, relating to application for certificate to practice chiropody, fee and qualifications of applicant.

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

Mr. Zebley on motion for leave introduced House Substitute

for House Bill No. 25, entitled:

An Act prohibiting the use of State funds for traveling expenses and maintenance in connection with the attendance of conventions.

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

Mr. Zebley on motion for leave introduced House Bill No. 172, entitled:

An Act making it unlawful for motor vehicles to enter the State with a supply of more than twenty-eight gallons of gasoline for use in the operation of such motor vehicles on the public highways.

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

Mr. Zebley on motion for leave introduced House Bill No. 173, entitled:

To regulate the barber industry in the City of Wilmington and for that purpose to further enlarge the present powers of the Board of Examiners of Barbers, defining its additional jurisdiction, powers and duties; and providing penalties for the violation of this Act.

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

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

Requesting acceptance of report of Delaware Tercentenary Commission.

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

Mr. Buckingham on motion for leave introduced House Bill No. 174, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware,



1935, in regard to the issuing of liquor license.

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

Mr. Benson on motion for leave introduced House Substitute for House Bill No. 44, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, in reference to registration fees of motor vehicles.

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

Mr. Benson on motion for leave introduced House Bill No. 175, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, as amended, in reference to operators' and chauffeurs' licenses; non-residents, when exempt from licenses; application for operator's and chauffeur's licenses; notary fees, charging unlawful notary fees, misdemeanor; penalty, what application shall contain; providing license fees; providing expiration date of license.

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

Mr. Benson moved that the House adjourn until 12 o'clock, noon, Wednesday, March 1st, 1939.

Motion prevailed.

*THIRTY-EIGHTH LEGISLATIVE DAY*

Dover, Delaware, March 1st, 1939, 12 o'clock noon.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—32.

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

Motion prevailed.

The Chair presented a communication from Clayton M. Hoff, Wilmington.

Protesting against House Bill No. 63.

Relative to payment of bounty on Hawks, Crows, Owls, Weasels, and Gray Foxes in Delaware.

The Chair presented communications signed by 119 persons.

Endorsing House Bill No. 27.

Relative to Fair Trade.

The Chair presented a communication from Dover Chapter, United Farmers and Sportsmen of Delaware.

Endorsing House Bill No. 9.

Relative to Fish, Oysters, and Game.

The Chair presented a communication from the Cragmere Maintenance Corporation, Cragmere, Wilmington.

Protesting against House Bill No. 97.

Relative to the boundaries of the City of Wilmington.

On motion of Mr. Benson, Senate Concurrent Resolution No. 12, entitled:

Relative to the National Observance of "Americanism Week."

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

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

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—32.

Nays—None.

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

And was ordered returned to the Senate.

Mr. Woodward, on behalf of the Committee on Fish, Oysters, and Game to whom had been referred Senate Bill No. 30, entitled:

An Act assenting to the provisions of the Act of Congress entitled, "An Act to provide that the United States shall aid the States in Wildlife Restoration Projects, and for other purposes," approved September

2, 1937, by authorizing the Board of Game and Fish Commissioners to engage in Wildlife Restoration Projects as outlined in said Act; providing that funds accruing from license fees shall not be diverted.

Reported the same back to the House favorably.

ABNER WOODWARD, *Chairman*  
WM. K. PENNINGTON  
JOHN W. RAMBO  
RANDOLPH P. REYNOLDS  
F. W. PEPPER

Mr. Zebley on motion for leave introduced House Bill No. 176, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to Fish, Oysters and Game, by prohibiting the Board of Game and Fish Commissioners from purchasing culls or seconds; by requiring said Board to give preference to animals, birds and fish raised in Delaware; and by permitting said Board to use its discretion in the distribution of Rabbits, Quail and Pheasants.

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

Mr. Zebley on motion for leave introduced House Bill No. 177 entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to Fish, Oysters and Game, by changing the open season for game and establishing uniform small game seasons, and by making it lawful to train hunting dogs on Sundays between September first and April first.

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

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

Motion prevailed.

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

in pursuance of Senate Resolution No. 12, entitled:

Relative to the National Observance of Americanism Week.

Motion prevailed.

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

Motion prevailed.

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

Motion prevailed.

Lt.-Gov. Edw. W. Cooch introduced the Speaker, Hon. Geo. McIntire.

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

Motion prevailed.

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

Mr. Heal moved that the Houses do now separate.

Motion prevailed.

Mr. Zebbley on motion for leave introduced House Bill No. 178, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to Fish, Oysters and Game, by abolishing non-resident short term Fishing Licenses and providing that short term Hunting Licenses shall be issued on a basis of reciprocity with other states.

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

Mr. Zebley on motion for leave introduced House Bill No. 179 entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to Fish, Oysters and Game, by providing for the free distribution of the annual report of the Board of Game and Fish Commissioners and by requiring a Bond to be given by persons authorized to sell Hunting and Fishing Licenses.

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

Mr. Zebley on motion for leave introduced House Bill No. 180, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to Fish, Oysters and Game, by providing that Landlords and Tenants of farms and their respective children living on the farm, may hunt, fish or trap thereon and on the adjoining farms with the permission of the owners of said adjoining farms, without taking out a License.

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

Mr. Zebley on motion for leave introduced House Bill No. 181, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to Fish, Oysters and Game, by abolishing the ten-dollar License fee for boats carrying fishing parties and by providing for Compulsory Inspection of all boats under fifteen tons.

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

Mr. Zebley moved that the House recess until 2:15 o'clock P. M.

Motion prevailed.

Same Day 2:15 o'clock P. M.

House met at expiration of recess.

Mr. Brown on motion for leave introduced House Bill No. 182, entitled:

An Act to amend Chapter 67 of the Revised Code of Delaware, 1935, entitled "The City of Wilmington" Relating to the Municipal Court by providing for the appointment of City Judges; qualifications; term of office; Oath; Removal, Resignation and Vacancy; Terms of Court; Rules and Regulations for the Conduct of said Court; Expenses, how paid; by Abolishing the office of Deputy City Judge.

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

Mr. Bierlin on motion for leave introduced House Bill No. 183, entitled:

An Act authorizing the State Board of Agriculture to employ a full time Veterinarian for the purpose of Inspecting Dairies in the State of Delaware.

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

Mr. Knight on motion for leave introduced House Bill No. 184, entitled:

An Act to create a Board of Music Machine Operators, Defining its powers and duties, and providing Penalties for Violation of this Act.

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

Mr. Benson on motion for leave introduced House Bill No. 185, entitled:

An Act to amend Chapter 21, 625, Sec. 58 of the Revised Code, relating to Commercial Feeding Stuffs.

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

Mr. Benson on motion for leave introduced House Bill No. 186, entitled:

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

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

Mr. Benson on motion for leave introduced House Bill No. 187, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware of 1935, relating to Motor Vehicles by providing for an increase in the combined gross weight of certain vehicles and loads.

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

Mr. Benson on motion for leave introduced House Bill No. 188, entitled:

An Act to amend Chapter 20, of the Revised Code of Delaware, 1935, as amended by Chapter 79, Volume 41, Laws of Delaware, relating to Insurance Department and providing additional requirements for Certificate of Authority.

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

Mr. Benson on motion for leave introduced House Joint Resolution No. 5, entitled:

Ratifying the proposed Amendment to the Constitution of the United States, providing that the Congress shall have power to limit, regulate and prohibit the Labor of persons under Eighteen years of age.

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

On motion for leave Mr. Benson introduced House Resolution No. 26, entitled:

Authorizing State Librarian to issue Stamps to Document Clerk.



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

On the question "Shall the Resolution Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Fifer, Gordy, Kellum, Leach, McGuigan, Moore, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Knight, A. G. Smith, Stein, Staats, Thawley, Woodward, Mr. Speaker—28.

NAYS—None.

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

Mr. Gordy on motion for leave introduced House Bill No. 189, entitled:

An Act relating to Processors, Cannerymen, Brokers and Purchasers of farm products by competitive bidding, the Licensing thereof by the State Board of Agriculture, providing for the furnishing of an Indemnity Bond for the protection of creditors before such License is issued, and Penalties for the Violation thereof.

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

Mr. F. W. Pepper on motion for leave introduced House Bill No. 190, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, relating to the State Highway Department, by providing for the Allocation and appropriation of a certain portion of the sums collected by the State Highway Department, as the Taxes on Motor Fuel sold in the State of Delaware, and deposited with the State Treasurer of the State of Delaware, under the provisions of Chapter 6 of said Revised Code, to the Incorporated Cities and Towns of the State of Delaware, for the maintenance of the Roads and Highways of the State of Delaware located within said Incorporated Cities and Towns.

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

Mr. F. W. Pepper on motion for leave introduced House Bill No. 191, entitled:

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

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

Mr. F. W. Pepper on motion for leave introduced House Bill No. 192, entitled:

An Act creating a new Election District by dividing 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. Benson moved that the House recess until the call of the Chair.

Motion prevailed.

Same day.

House met at expiration of recess.

Mr. Canby on behalf of the Committee on Judiciary and Crime to whom had been referred House Bill No. 162, entitled:

An Act to amend Chapter 98 of the Revised Code of Delaware of 1935, relating to the Settlement of Personal Estates by barring certain claims not presented within one year.

Reported the same back to the House favorably.

HENRY M. CANBY, *Chairman*  
ELLWOOD S. LEACH  
FRED PEPPER  
WM. K. PENNINGTON  
JOHN A. HARTMAN

Mr. Canby on behalf of the Committee on Judiciary and Crime to whom had been referred House Bill No. 87, entitled:

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

Reported the same back to the House favorably,

HENRY M. CANBY, *Chairman*  
ELLWOOD S. LEACH  
FRED PEPPER  
JOHN A. HARTMAN  
WM. K. PENNINGTON

Mr. Manlove on behalf of the Committee on Revised Statutes to whom had been referred House Bill No. 72, entitled:

An Act creating liability upon the State, Counties and Incorporated Municipalities, for the negligent operation of a motor propelled vehicle operated by their agents or employees.

Reported the same back to the House favorably.

GEORGE MANLOVE, *Chairman*  
RANDOLPH REYNOLDS  
HENRY M. CANBY  
JOHN A. HARTMAN  
FRED PEPPER

Mr. Manlove on behalf of the Committee on Revised Statutes to whom had been referred House Bill No. 157, entitled:

An Act to amend Chapter 38 of the Revised Code of Delaware,

1935, Labor Commission of Delaware.

Reported the same back to the House favorably.

GEORGE MANLOVE, *Chairman*  
 RANDOLPH REYNOLDS  
 HENRY M. CANBY  
 JOHN A. HARTMAN  
 FRED PEPPER

On motion of Mr. Canby, House Bill No. 79, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in reference to the authority of Delaware Liquor Commission to negotiate agreements with other states of the United States with regard to the manufacture, importation, sale and transportation of alcoholic liquors.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Pennington, Penuel, Fred Pepper, F. W. Pepper, Rambo, Reynolds, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—30.

NAYS—Messrs, Bailey, Pinder—2.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Woodward, House Substitute Bill No. 91, entitled:

An Act to regulate and control the construction of water and sewer

systems, building and house drainage systems, gas lines and oil burning equipment and air conditioning; the registration of persons engaged in the work and supervision thereof in the several Counties of the State of Delaware outside the City of Wilmington.

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

Mr. Woodward moved that House Substitute for House Bill No. 91, be adopted in lieu of House Bill No. 91.

An Act to regulate and control the construction of water and sewer systems, building and house drainage systems, gas lines and oil burning equipment and air conditioning; the registration of persons engaged in the work and supervision thereof in the several Counties of the State of Delaware outside the City of Wilmington.

On the question "Shall the Motion Pass the House?"

The Yeas and Nays were ordered, which being taken were as follows:

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—32.

NAYS—None.

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

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

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

YEAS—Messrs, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Fifer, Kellum, Leach, Manlove, Pennington, Penuel, Fred Pepper, F. W. Pepper, Reynolds, Knight, Stein, Woodward, Mr. Speaker—22.

NAYS—Messrs, Bailey, Gordy, Hartman, McGuigan, Moore, Pinder, Rambo, A. G. Smith, Staats, Thawley—10.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Brown, House Bill No. 99, entitled:

An Act to amend Chapter 54 of the Revised Code of Delaware, 1935, relating to the State Old Age Welfare Commission and State Welfare Home, by providing for the deferment of the collection of taxes and assessments on the properties of aged persons to whom assistance has been allowed under said Chapter.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—32.

NAYS—None.

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

And was ordered to the Senate for Concurrence.

On motion of Mr. Fifer, Senate Bill No. 39, entitled:

An Act authorizing the conveyance to the Delaware Railroad Company of a parcel of land in New Castle County, Delaware, and ratifying an option granted to said Company to purchase the same and

an agreement to relocate railroad platforms and construct an approach thereto.

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

On the question "Shall the Bill Pass the House?"

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

YEAS—Messrs, Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—32.

NAYS—None.

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

And was ordered returned to the Senate.

Mr. Benson moved that the House adjourn until 12 o'clock noon, Thursday, March 2nd, 1939.

Motion prevailed.

### THIRTY-NINTH LEGISLATIVE DAY

Dover, Delaware, March 2nd, 1939, 12 o'clock noon.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Draper, Fifer, Gordy, Hartman, Kellum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—34.

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

Motion prevailed.

The Chair presented 57 communications.

Endorsing House Bill No. 125.

Relative to a United States Housing authority slum clearance project in the City of Wilmington.

The Chair presented communications signed by 76 persons.

Endorsing House Bill No. 27.

Relative to Fair Trade.

The Chair presented a communication from the Central Labor Union of Wilmington and vicinity.

Protesting against House Bill No. 27.



Relative to Fair Trade.

The Chair presented five communications.

Protesting against House Bill No. 27.

Relative to Fair Trade.

The Chair presented a communication from George W. Ayars, Department of Public Instruction, Dover.

Endorsing House Bill No. 77.

Relative to Motor Vehicle Traffic regulations in the State of Delaware.

The Chair presented a communication from the State Highway Department, Dover.

Expressing the views of the Department in relation to several bills now before the General Assembly.

The Chair declared that the House recess until 1:30 o'clock P. M.

Motion prevailed.

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

House met at expiration of recess.

Mr. Woodward, on behalf of the Committee on Fish, Oysters, and Game to whom had been referred House Bill No. 191, entitled:

An Act directing the Board of Game and Fish Commissioners to grant hunting and fishing licenses free to persons living on and operating farms in the State of Delaware.

Reported the same back to the House favorably.

ABNER WOODWARD, *Chairman*  
 WM. K. PENNINGTON  
 F. W. PEPPER  
 RANDOLPH P. REYNOLDS  
 JOHN W. RAMBO

Mr. Zebley, on behalf of the Committee on Miscellaneous to whom had been referred House Bill No. 176, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware 1935, relating to Fish, Oysters and Game, by prohibiting the Board of Game and Fish Commissioners from purchasing culls or seconds; by requiring said Board to give preference to animals, birds and fish raised in Delaware; and by permitting said Board to use its discretion in the distribution of rabbits, quail and pheasants.

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*  
 ABNER WOODWARD  
 FRANK H. BUCKINGHAM  
 NORMAN A. DRAPER  
 REESE O. GORDY

Mr. Zebley, on behalf of the Committee on Miscellaneous to whom had been referred House Bill No. 177, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to fish, oysters and game, by changing the open season for game and establishing uniform small game seasons, and by making it lawful to train hunting dogs on Sundays between September first and April first.

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*  
 ABNER WOODWARD  
 FRANK H. BUCKINGHAM  
 NORMAN A. DRAPER  
 REESE O. GORDY

Mr. Zebley, on behalf of the Committee on Miscellaneous to whom

had been referred House Bill No. 178, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to fish, oysters and game, by abolishing non-resident short term fishing licenses and providing that short term hunting licenses shall be issued on a basis of reciprocity with other states.

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*  
ABNER WOODWARD  
FRANK H. BUCKINGHAM  
NORMAN A. DRAPER  
REESE O. GORDY

Mr. Zebley, on behalf of the Committee on Miscellaneous to whom had been referred House Bill No. 179, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to fish, oysters and game, by providing for the free distribution of the annual report of the Board of Game and Fish Commissioners and by requiring a bond to be given by persons authorized to sell hunting and fishing licenses.

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*  
ABNER WOODWARD  
FRANK H. BUCKINGHAM  
NORMAN A. DRAPER  
REESE O. GORDY

Mr. Zebley, on behalf of the Committee on Miscellaneous to whom had been referred House Bill No. 180, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to fish, oysters and game, by providing that landlords and tenants of farms and their respective children living on the farm, may hunt, fish or trap thereon and on the adjoining farms with the permission of the owners of said adjoining farms, without taking out a license.

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*  
 ABNER WOODWARD  
 FRANK H. BUCKINGHAM  
 NORMAN A. DRAPER  
 REESE O. GORDY

Mr. Zebley, on behalf of the Committee on Miscellaneous to whom had been referred House Bill No. 181, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to fish, oysters and game, by abolishing the Ten-Dollar License Fee for boats carrying fishing parties and by providing for compulsory inspection of all boats under Fifteen Tons.

Reported the same back to the House favorably.

FRANK R. ZEBLEY, *Chairman*  
 ABNER WOODWARD  
 FRANK H. BUCKINGHAM  
 NORMAN A. DRAPER  
 REESE O. GORDY

Mr. Leach on motion for leave introduced House Bill No. 193, entitled:

An Act making an appropriation for the improvement of the Negro Schools of Delaware.

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

Mr. Leach on motion for leave introduced House Bill No. 194, entitled:

An Act to amend Chapter 182 of the Revised Code of Delaware, 1935, entitled "Mosquito Control Commission of the State of Delaware" relating to the employment, duties and salary of the Executive Officer and Engineer and providing for the report of the activities of the Commission to the Governor.

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

Mr. Leach on motion for leave introduced House Bill No. 195, entitled:

An Act providing for pensions for employees of New Castle County after twenty-five years of service.

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

Mr. Leach on motion for leave introduced House Bill No. 196, entitled:

An Act to repeal Chapter 222 of Volume 41 of the Laws of Delaware, entitled "An Act to Make Unlawful the Fraudulent Setting Back or Disconnecting or Failure to Connect or Causing the Fraudulent Setting Back or Disconnecting or Failure to Connect Speedometers on Motor Vehicles for the Purpose of Effecting a Sale of Such Vehicles."

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

Mr. Leach on motion for leave introduced House Bill No. 197, entitled:

An Act making it unlawful to disconnect or set back speedometers on motor vehicles; to possess a motor vehicle with a speedometer recording a lower mileage than the actual mileage the motor vehicles has been operated; recording of speedometer mileage on automobile titles and applications; providing for penalties in violation thereof.

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

Mr. Leach on motion for leave introduced House Bill No. 198, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, providing for the use of dealers' tags for demonstration purposes only.

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

Mr. Leach on motion for leave introduced House Bill No. 199, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, entitled "Motor Vehicles" by authorizing the department to make and enforce regulations relative to the operation of motor vehicles upon the highways upon application for registration and under temporary permits or duplicate applications.

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

Mr. Leach on motion for leave introduced House Bill No. 200, entitled:

An Act providing for a uniform method of registration of qualified voters of the State of Delaware.

Which was given first reading by title only unsigned (skeleton).

Mr. Leach on motion for leave introduced House Bill No. 201, entitled:

An Act to create a Department of Elections for the State of Delaware and prescribing its duties.

Which was given first reading by title only unsigned (skeleton).

Mr. Zebley on motion for leave introduced House Bill No. 202, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, relating to the creation of modified speed zones by the State Highway Commission.

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

Mr. Zebley on motion for leave introduced House Bill No. 203, entitled:

An Act to appropriate the sum of twenty-five hundred dollars for the protection of the Old State House against damage by termites.

Which was given first reading by title only unsigned (skeleton).

Mr. Canby on motion for leave introduced House Substitute for House Bill No. 83, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in reference to potable and non-potable alcohol from a distillery to a manufacturer.

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

Mr. Brown on motion for leave introduced House Bill No. 204, entitled:

An Act to amend 2011, Section 113 of Chapter 70 of the Revised Code of Delaware, 1935, relating to commitments to the Commission for the Feeble-Minded from other institutions, and stating the requirements therefor.

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

Mr. Brown on motion for leave introduced House Bill No. 205, entitled:

An Act to amend 4334 Section 19 of Chapter 116 of the Revised Code of Delaware 1935, relating to the Juvenile Court of New Castle County and the appointment of probation officers therefor.

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

Mr. Brown on motion for leave introduced House Substitute for House Bill No. 163, entitled:

An Act to protect the general public against injurious and un-economic practices in the sale of merchandise and distribution of merchandise or competitive commodities at less than cost; defining and prohibiting unfair sales, providing remedies for the violation thereof and establishing penalties therefor.

Which was given first and second reading. The second by title

only, and referred to the Committee on Judiciary and Crime.

Mr. Brown on motion for leave introduced House Bill No. 206, entitled:

An Act appropriating a portion of the revenue derived from proceeds of the Franchise Tax to the General Fund.

Which was given first reading by title only unsigned (skeleton).

Mr. Brown on motion for leave introduced House Bill No. 207, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, relating to motor vehicles by prescribing the purpose for which dealer's plates may be used.

Which was given first reading by title only unsigned (skeleton).

Mr. Brown on motion for leave introduced House Bill No. 208, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in relation to the sale of alcoholic liquor.

Which was given first reading by title only unsigned (skeleton).

Mr. Brown on motion for leave introduced House Bill No. 209, entitled:

An Act creating the office of State Fire Marshall, defining his powers and duties, term, salary; providing for the appointment of deputies and assistants and defining their duties relative to the investigation of the causes and origin of all fires in the State; duty of insurance companies to report to the State Fire Marshall all fire losses; defining the powers and duties of State Fire Marshall and assistants relative to the inspection of property; providing for the keeping of records of all fires occurring in this State by Fire Marshall; annual report; providing for fire drills in public and private schools; providing for penalties for violation thereof.

Which was given first reading by title only unsigned (skeleton).



Mr. Brown on motion for leave introduced House Bill No. 210, entitled:

An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, relating to General Elections.

Which was given first reading by title only unsigned (skeleton).

Mr. Brown on motion for leave introduced House Bill No. 211, entitled:

An Act appropriating money out of the State Treasury for the payment of certain claims against the State.

Which was given first reading by title only unsigned (skeleton).

Mr. McGuigan on motion for leave introduced House Bill No. 212, entitled:

An Act appropriating certain money to Gideon LeGates of Camden, Delaware, in payment of a certain claim against the State of Delaware.

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

Mr. McGuigan on motion for leave introduced House Bill No. 213, entitled:

An Act proposing an amendment to Article X of the Constitution of the State of Delaware, relating to the creation of a Public School Trust Fund.

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

Mr. McGuigan on motion for leave introduced House Bill No. 214, entitled:

An Act to amend Chapter 60, Article 1, Revised Code of Delaware, 1935, relating to General Elections.

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

Mr. McGuigan on motion for leave introduced House Bill No. 215, entitled:

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

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

Mr. Kellum on motion for leave introduced House Bill No. 216, entitled:

An Act to amend Chapter 60 of the Revised Code of Delaware, 1935, by redefining the boundaries of election districts in the Sixth Representative District in New Castle County.

Which was given first reading by title only unsigned (skeleton).

Mr. Kellum on motion for leave introduced House Bill No. 217, entitled:

An Act for the regulation of outdoor advertising.

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

Mr. Woodward on motion for leave introduced House Bill No. 218, entitled:

An Act to regulate the construction, alteration, repair, removal, demolition, equipment, use and occupancy, location and maintenance of building and structures in the County of New Castle outside the City of Wilmington; to provide a code of building regulations; to create the office of Building Inspector and Assistant Building Inspector and other helpers and assistants as may be required; to provide penalties for the violation of said ordinance and to repeal all ordinances and parts of ordinances inconsistent therewith.

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

Mr. Buckingham on motion for leave introduced House Bill No. 219, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, relating to the sale of alcoholic liquor in pharmacies or drug stores for medicinal purposes only.

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

Mr. Buckingham on motion for leave introduced House Bill No. 220, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware prohibiting entertainment or floor shows in taverns and tap rooms.

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

Mr. Buckingham on motion for leave introduced House Bill No. 221, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935 prohibiting the sale of alcoholic liquor in grocery stores, delicatessen shops, or cigar stores.

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

Mr. Rhodes on motion for leave introduced House Bill No. 222, entitled:

An Act to amend Chapter 36 of the Revised Code of Delaware, 1935 relating to the Public Archives Commission.

Which was given first reading by title only unsigned (skeleton).

Mr. Rhodes on motion for leave introduced House Bill No. 223, entitled:

An Act to amend Chapter 74 of Volume 34, Laws of Delaware, 1925, by appropriating certain money for the cost of publishing one volume of the Minutes of Assembled Sessions of the House of Assembly of the State of Delaware, for the years A. D. 1776 to 1792 inclusive, and indexing the same.

Which was given first reading by title only unsigned (skeleton).

Mr. Rhodes on motion for leave introduced House Bill No. 224, entitled:

An Act to amend an Act entitled "An Act to Amend Chapter 6 of the Revised Code of the State of Delaware of 1935 Relating to Occupational Licenses" being Chapter 14, Volume 41, Laws of Delaware, 1937, relating to occupational licenses.

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 House Bill No. 225, entitled:

An Act to amend an Act entitled "An Act to Amend Chapter 6 of the Revised Code of the State of Delaware of 1935 Relating to Occupational Licenses", being Chapter 14, Volume 41, Laws of Delaware, 1937, relating to licenses for resident and non-resident contractors.

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

Mr. Rhodes on motion for leave introduced House Bill No. 226, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, relating to licenses for manufacturers.

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 House Bill No. 227, entitled:

An Act relative to the valuation, levy, assessment and collection of tax upon personal property.

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

Mr. Rhodes on motion for leave introduced House Bill No. 228, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, relating to licenses for merchants.

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 House Bill No. 229, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, relating to exemption of World War veterans from peddler's and auctioneer's license requirements.

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

Mr. Rhodes on motion for leave introduced House Bill No. 230, entitled:

An Act to amend an Act entitled "An Act to Amend Chapter 6 of the Revised Code of the State of Delaware of 1935 Relating to Inheritance Tax" being Chapter 8, Volume 41, Laws of Delaware, 1937.

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

Mr. Rhodes on motion for leave introduced House Bill No. 231, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, as amended, relating to inheritance tax.

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

Mr. Rhodes on motion for leave introduced House Bill No. 232, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, relating to estate tax.

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

Mr. Rhodes on motion for leave introduced House Bill No. 233, entitled:

An Act providing reciprocal relations in respect to death taxes upon estates of non-resident decedents.

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

Mr. Moore on motion for leave introduced House Bill No. 234, entitled:

An Act to amend Article 8, Chapter 21 of the Revised Code of Delaware, 1935, relating to milk and milk products, and ice cream, by providing for the protection of the public health and the prevention of fraud and deception, by regulating the weight, measure, testing, buying and selling of milk and cream; providing for the examination and appointment of certified testers and the issuing of licenses and making of tests, and providing penalties by providing for the payment of license fees, requiring bonds to secure producers, permitting and regulating fresh samples, supervising the weighing and measuring of milk, filing of methods of buying or receiving milk and prices therefor, prohibiting discrimination by buyers between milk producers, requiring the delivery of statements to producers, requiring certain records to be kept and reports made, making an appropriation of license fees and repealing the mercantile tax with regards to licenses under this Article.

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

Mr. Canby on motion for leave introduced House Bill No. 235, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, in relation to State Revenue.

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

Mr. Canby on motion for leave introduced House Bill No. 236, entitled:

An Act appropriating money to the State Tax Department with which to pay for annual audit of its accounts.

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

Mr. Canby on motion for leave introduced House Bill No. 237, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, in relation to State Revenue providing for a tax on certain income of non-residents employed or conducting business in this State.

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

Mr. Canby on motion for leave introduced House Bill No. 238, entitled:

An Act to amend an Act entitled "An Act to Amend Chapter 6 of the Revised Code of the State of Delaware of 1935 Relating to Income Tax", being Chapter 11, Volume 41, Laws of Delaware.

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

Mr. Canby on motion for leave introduced House Bill No. 239, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, in relation to State Revenue derived from tax upon salaries, fees, wages or pensions paid by the Government of the United States.

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

Mr. Canby on motion for leave introduced House Bill No. 240, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, in relation to State Revenue derived from tax on interest upon obligations of the United States Government.

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

Mr. Canby on motion for leave introduced House Bill No. 241, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, relating to the income tax upon distribution in liquidation of corporations.

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

Mr. Canby on motion for leave introduced House Bill No. 242, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, relating to State Revenue from income tax and providing for personal exemptions.

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

Mr. Canby on motion for leave introduced House Bill No. 243, entitled:

An Act to provide revenue for General Fund purposes by levying an emergency tax upon resident taxables.

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

Mr. Canby on motion for leave introduced House Bill No. 244, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, relating to revenue for General Fund purposes.

Which was given first reading by title only unsigned (skeleton).



Mr. Canby on motion for leave introduced House Bill No. 245, entitled:

An Act to provide for payment by the several incorporated cities and towns to the General Fund of amounts in the distribution of which the said cities and towns share in a State Aid Fund.

Which was given first reading by title only unsigned (skeleton).

Mr. Canby on motion for leave introduced House Bill No. 246, entitled:

An Act to appropriate certain moneys to the several incorporated cities and towns for construction and maintenance of streets, roads and bridges out of the reveune of the State Highway Department.

Which was given first reading by title only unsigned (skeleton).

Mr. Canby on motion for leave introduced House Bill No. 247, entitled:

An Act to amend Chapter 6, of the Revised Code of Delaware, 1935, relating to additional rates of income tax, as an emergency tax for the use of the General Fund.

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

Mr. Canby on motion for leave introduced House Bill No. 248, entitled:

An Act to provide revenue for General Fund purposes by taxation of real estate and prescribing the means for enforcement, assessment and collection of the tax.

Which was given first reading by title only unsigned (skeleton).

Mr. Canby on motion for leave introduced House Bill No. 249, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, relating to revenue for General Fund purposes.

Which was given first reading by title only unsigned (skeleton).

Mr. Canby on motion for leave introduced House Bill No. 250, entitled:

An Act to amend Chapter 6 of the Revised Code of the State of Delaware, 1935, relating to revenue for General Fund purposes.

Which was given first reading by title only unsigned (skeleton).

Mr. Newnam on motion for leave introduced House Bill No. 251, entitled:

An Act to amend Chapter 192, Volume 36, Laws of Delaware, being an Act entitled "An Act to Reincorporate the Town of Smyrna" by Enlarging the Police Powers of the Said the Town of Smyrna."

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

Mr. Newnam on motion for leave introduced House Bill No. 252, entitled:

- An Act to amend Chapter 175 of the Revised Code of Delaware, 1935, relating to the Delaware Workmen's Compensation Law of 1917, as amended, by providing for the application thereof to officers and employees of "The Town of Smyrna."

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

The Speaker Announced He Is About To Sign:

Senate Bill No. 39.

Mr. Newnam on motion for leave introduced House Bill No. 253, entitled:

An Act authorizing the Town of Smyrna to borrow one hundred and ten thousand dollars (\$110,000) and to issue bonds therefor, for the purpose of redeeming and refunding certain outstanding bonds of the Town of Smyrna.

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

Mr. Newnam on motion for leave introduced House Bill No. 254, entitled:

An Act authorizing Smyrna Special School District to borrow twenty-five thousand dollars (\$25,000) and to issue bonds therefor for the purpose of redeeming and refunding outstanding bonds of said district.

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

Mr. Newnam on motion for leave introduced House Bill No. 255, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, relating to fish, oysters and game, by changing the open season for game fish and establishing uniform game fish seasons.

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

Mr. Rambo on motion for leave introduced House Bill No. 256, entitled:

An Act authorizing the Town of Clayton to borrow thirty-five thousand dollars and to issue bonds therefor, for the purpose of redeeming and refunding certain outstanding bonds of the Town of Clayton.

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

Mr. Knight on motion for leave introduced House Bill No. 257, entitled:

An Act to amend Chapter 21 of the Revised Code of Delaware, 1935, providing for the payment for cattle condemned for tuberculosis and Bang's disease.

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

Mr. Knight on motion for leave introduced House Bill No. 258, entitled:

An Act appropriating eighteen hundred dollars to the State Board of Agriculture for salary and expenses for the services of an additional milk inspector.

Which was given first reading by title only unsigned (skeleton).

Mr. Knight on motion for leave introduced House Bill No. 259, entitled:

An Act to declare the necessity of creating governmental subdivisions of the State, to be known as "Soil Conservation Districts", to engage in conserving soil resources and preventing and controlling soil erosion; to establish a "State Soil Conservation Board", and to define its powers and duties; to provide for the creation of soil conservation districts and to define their powers and duties and to provide for the exercise of such powers, including the power to acquire property by purchase, gift and otherwise, to adopt programs and regulations for the discontinuance of land-use practices contributing to soil wastage and soil erosion, and the adoption and carrying out of soil-conserving land-use practices, and to provide for the enforcement of such programs and regulations; to provide for establishing boards of adjustment in connection with land-use regulations, and to define their functions and powers; to provide for the discontinuance of such soil conservation districts; to provide for financial assistance to such soil conservation districts and to make an appropriation for that purpose and for otherwise effectuating the provisions of this Act.

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

Mr. Benson on motion for leave introduced House Bill No. 260, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in reference to the quantity of spirits, wine and beer which can be sold by licensed dealers.

Which was given first reading by title only unsigned (skeleton).

Mr. Benson on motion for leave introduced House Bill No. 261, entitled:

An Act authorizing an appropriation for the Service Bureau for Foreign Born Residents.

Which was given first reading by title only unsigned (skeleton).

Mr. Benson on motion for leave introduced House Bill No. 262, entitled:

An Act appropriating money to the Lewes Tercentenary Commission of the State of Delaware.

Which was given first reading by title only unsigned (skeleton).

Mr. Benson on motion for leave introduced House Bill No. 263, entitled:

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

Which was given first reading by title only unsigned (skeleton).

Mr. Benson on motion for leave introduced House Bill No. 264, entitled:

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

Which was given first reading by title only unsigned (skeleton).

Mr. Benson on motion for leave introduced House Bill No. 265, entitled:

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

Which was given first reading by title only unsigned (skeleton).

Mr. Benson on motion for leave introduced House Bill No. 266, entitled:

An Act appropriating money for the payment of certain outstanding and unpaid bills of certain undertakers for the burial of certain indigent soldiers, sailors and marines.

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

Mr. Benson on motion for leave introduced House Bill No. 267, entitled:

An Act appropriating money to the Delaware Commission for the Blind.

Which was given first reading by title only unsigned (skeleton).

Mr. Benson on motion for leave introduced House Bill No. 268, entitled:

An Act appropriating money to the Delaware Commander, G. A. R., of the State of Delaware.

Which was given first reading by title only unsigned (skeleton).

Mr. Benson on motion for leave introduced Joint Resolution No. 6, entitled:

Appropriating certain moneys out of the State Treasury to pay certain claims against the State, relative to expenses incurred by the Supreme Court.

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

Mr. Fifer on motion for leave introduced House Bill No. 269, entitled:

An Act authorizing the Levy Court of Kent County to sell the County owned farm (known as the Alm's House Farm) either in whole or in part.

Which was given first reading by title only unsigned (skeleton).

Mr. Fifer on motion for leave introduced House Bill No. 270, entitled:

An Act to provide for the designing, copyrighting and use of a Delaware State Quality Label.

Which was given first reading by title only unsigned (skeleton).

Mr. Fifer on motion for leave introduced House Bill No. 271, entitled:

An Act changing the corporate name of "The Commissioners of Wyoming" to "The Town of Wyoming" and establishing a charter therefor.

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

Mr. Knight moved that 200 copies of House Bill No. 271 be printed.

Motion prevailed.

Mr. Fifer on motion for leave introduced House Bill No. 272, entitled:

An Act changing the corporate name of "The Commissioners of Camden" to "The Town of Camden" and establishing a charter therefor.

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

Mr. Knight moved that 200 copies of House Bill No. 272 be printed.

Motion prevailed.

Mr. A. G. Smith on motion for leave introduced House Bill No. 273, entitled:

An Act authorizing the conveyance of certain lands owned by the State of Delaware, situated in South Murderkill Hundred, Kent County, in exchange for certain other lands in said Hundred required for State

Highway purposes, and now owned by Clarence T. Postles and Anna belle Postles, his wife.

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

Mr. A. G. Smith on motion for leave introduced House Bill No. 274 entitled:

An Act authorizing the publication of unpublished decisions of Josiah O. Wolcott, late Chancellor of the State of Delaware.

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

Mr. Bailey on motion for leave introduced House Bill No. 275, entitled:

An Act appropriating certain moneys to Kent and Sussex County Fair, Incorporated, for prizes.

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

Mr. Bailey on motion for leave introduced House Bill No. 276, entitled:

An Act to appropriate ten thousand dollars to the Kent and Sussex County Fair, Incorporated, for the construction of a State owned building for the exclusive use of displaying Delaware products.

Which was given first reading by title only unsigned (skeleton).

Mr. Bailey on motion for leave introduced House Bill No. 277, entitled:

An Act appropriating certain moneys to Kent and Sussex County Fair, Incorporated, for awards to Delawareans for agricultural and home economics exhibits.

Which was given first reading by title only unsigned (skeleton).



Mr. Biggs on motion for leave introduced House Bill No. 278, entitled:

An Act making it unlawful to sell swine at a public bazaar within the State of Delaware unless same shall be certified to have been vaccinated for hog cholera at least ten days before said swine are offered for sale.

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

Mr. Biggs on motion for leave introduced House Bill No. 279, entitled:

An Act reorganizing the State Board of Agriculture, naming the members thereof and prescribing their duties.

Which was given first reading by title only unsigned (skeleton).

Mr. Biggs on motion for leave introduced House Bill No. 280, entitled:

An Act combining the State Board of Agriculture and the State Forestry Department, creating a joint commission for same, naming the members of the commission and defining their powers and duties.

Which was given first reading by title only unsigned (skeleton).

Mr. Draper on motion for leave introduced House Bill No. 281, entitled:

An Act to amend Chapter 53 of the Revised Code of Delaware, 1935, entitled "Salaries of Certain County Officers", relating to the compensation of officers and how and when paid.

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

Mr. Draper on motion for leave introduced House Bill No. 282, entitled:

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

issuance of worthless cheques for valuable consideration and providing a penalty.

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

Mr. Draper on motion for leave introduced House Bill No. 283, entitled:

An Act to amend Chapter 43 of the Revised Code of Delaware, 1935, entitled "Levy Courts", relating to appropriations to fire companies.

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

Mr. Draper on motion for leave introduced House Bill No. 284, entitled:

An Act to amend Chapter 53 of the Revised Code of Delaware, 1935, entitled "Salaries of Certain County Officers", relating to appointment of deputies and clerks and their salaries.

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

Mr. Draper on motion for leave introduced House Bill No. 285, entitled:

An Act appointing Clerk of the Peace of Sussex County as Custodian of the Sussex County Court House and Annex, with authority to appoint janitors and furnish supplies and equipment.

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

Mr. Thawley on motion for leave introduced House Bill No. 286, entitled:

An Act appropriating certain moneys to R. K. Torbert of Laurel, Delaware, to pay certain claims against the State of Delaware.

Which was given first reading by title only unsigned (skeleton).

Mr. Gordy on motion for leave introduced House Bill No. 287, entitled:

An Act authorizing and directing the Trustees of the University of Delaware to establish an Agricultural Experimental Farm in Sussex County, for the general improvement of agriculture; providing an appropriation for the same.

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

Mr. Fred Pepper on motion for leave introduced House Bill No. 288, entitled:

An Act to provide for the licensing of pin ball machines.

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

Mr. Fred Pepper on motion for leave introduced House Bill No. 289, entitled:

An Act providing for the licensing of music boxes and other mechanical musical devices.

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

Mr. Fred Pepper on motion for leave introduced House Bill No. 290, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" relating to the license fees for non-residents to fish in the waters of this State.

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

Mr. Fred Pepper on motion for leave introduced House Bill No. 291, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, entitled "Fish, Oysters and Game" relating to nets used for fish-

ing, size of mesh, and use thereof in tidal waters.

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

Mr. Burton on motion for leave introduced House Bill No. 292, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, in relation to selling and offering for sale, hard and peeler crabs caught in Indian River and Rehoboth Bay or any of their tributaries.

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

Mr. F. W. Pepper on motion for leave introduced House Bill No. 293, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, relating to the State Highway Department, by providing for the allocation of a portion of the gasoline tax to incorporated cities and towns and making appropriations therefor.

Which was given first reading by title only unsigned (skeleton).

Mr. Canby on motion for leave introduced House Substitute for House Bill No. 133, entitled:

An Act to amend Chapter 142 of the Revised Code of Delaware, 1935, in relation to landlord and tenant.

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

Mr. Canby on motion for leave introduced House Bill No. 294, entitled:

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

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

Mr. Canby on motion for leave introduced House Bill No. 295, entitled:

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

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

Mr. Canby on motion for leave introduced House Bill No. 296, entitled:

An Act authorizing and directing the State Treasurer to pay out of the State Highway Fund upon warrants signed by the Motor Vehicle Commissioner such sum or sums as shall be necessary to defray the expenses of the annual motor vehicle inspection campaign not to exceed in the aggregate the sum of ten thousand dollars (\$10,000.00) per year.

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

Mr. Canby on motion for leave introduced House Bill No. 297, entitled:

An Act to amend Article 8, Chapter 6 of the Revised Code of Delaware, 1935, authorizing and directing the State Treasurer to pay out of the School Fund of the State of Delaware any appropriation that may hereafter be made to the University of Delaware, State College for Colored Students, State Board of Vocational Education, for the operation and maintenance of the State Tax Department, and for the operation and maintenance of the office of Secretary of State exclusive of the operation and maintenance of the Motor Vehicle Department by directing the State Treasurer to deposit a portion of the funds derived from Franchise Tax collections to the General Fund.

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

Mr. Leach on motion for leave introduced House Bill No. 298, entitled:

An Act to amend Chapter 164 of the Revised Code of Delaware, 1935, relating to the State Athletic Commission by providing additional conditions for the bonds required to be given by licensees to the Commission and for the deposit and disbursement of moneys collected and realized by the Commission under the provisions of said Chapter.

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

Mr. Brown on motion for leave introduced House Bill No. 299, entitled:

An Act to authorize the Levy Court of New Castle County to appropriate money to regularly organized and motorized fire companies in New Castle County, outside of the City of Wilmington.

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

Mr. Benson moved that the House adjourn until 11 o'clock A. M., Friday, March 3rd, 1939.

Motion prevailed.

# *FORTIETH LEGISLATIVE DAY*

Dover, Delaware, March 3rd, 1939, 11 o'clock A. M.

House met pursuant to adjournment.

Prayer by the Chaplain, Rev. Windsor.

Roll Called.

Members present—Bailey, Barr, Benson, Bierlin, Biggs, Brown, Buckingham, Burris, Burton, Canby, Draper, Fifer, Gordy, Hartman, Keilum, Leach, Manlove, McGuigan, Moore, Newnam, Pennington, Penuel, Fred Pepper, F. W. Pepper, Pinder, Rambo, Reynolds, Rhodes, Knight, A. G. Smith, Staats, Stein, Thawley, Woodward, Mr. Speaker—35.

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

Motion prevailed.

The Chair presented a communication signed by 22 persons.

Endorsing House Bill No. 27.

Relative to Fair Trade.

The Chair presented 55 communications.

Endorsing House Bill No. 27.

Relative to Fair Trade.

The Chair presented a communication from the Delaware State Legislative Board, Brotherhood of Locomotive Firemen and Enginemen.

Protesting against House Bill No. 77.

Relative to Motor Vehicle Traffic regulations in the State of Delaware.

Mr. Pinder presented communications from The Civic Association of Hamilton Park, Delaware, and the Minquadale Civic Association, Minquadale.

Protesting against House Bill No. 97.

Relative to the boundaries of the City of Wilmington.

Mr. Brown, on behalf of the Committee on Corporations Municipal to whom had been referred Senate Bill No. 12, entitled:

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

Reported the same back to the House favorably.

FRED BROWN, *Chairman*  
ELMER E. BENSON  
NORMAN A. DRAPER  
FRANK H. THAWLEY

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

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

Reported the same back to the House favorably.

NORMAN A. DRAPER, *Chairman*  
HENRY M. CANBY  
WILLIAM BIGGS  
EDWARD S. KNIGHT  
FRANK H. THAWLEY

Mr. Zebley, on motion for leave introduced House Bill No. 300, entitled:



An Act to create a State Department of Public Information.

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

Mr. Zebbley, on motion for leave introduced House Bill No. 301, entitled:

An Act to create a Division of Purchases as a part of the State Department of Public Information.

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

Mr. Zebbley, on motion for leave introduced House Bill No. 302, entitled:

An Act making it unlawful for Motor Boats exceeding Five Horse Power from operating in the Inland Lakes or fresh ponds of the State of Delaware.

Which was given first reading by title only. Unassigned (skeleton).

Mr. Zebbley, on motion for leave introduced House Bill No. 303, entitled:

An Act to amend Chapter 90 of the Revised Code of Delaware, 1935, relating to female employees.

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

Mr. Zebbley, on motion for leave introduced House Bill No. 304, entitled:

An Act making the Owner of a Motor Vehicle or Motor-cycle operated upon a Public Highway with permission either expressed or implied by another liable for death or injuries to person or property resulting from the negligent operation of such Motor Vehicle or Motor-cycle.

Which was given first reading by title only. Unassigned (skeleton).

Mr. Zebbley, on motion for leave introduced House Bill No. 305, entitled:

An Act to amend Chapter 166 of the Revised Code of Delaware, 1935, by including the facilities of the Delaware Automobile Association to be used by the State Highway Department in conducting its educational campaign on State and Highway Safety.

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

Mr. Canby, on motion for leave introduced House Bill No. 306, entitled:

An Act providing for an Emergency Tax on Luxuries and Admissions.

Which was given first reading by title only. Unassigned (skeleton).

Mr. Brown on motion for leave introduced House Joint Resolution No. 7, entitled:

Providing for the appointment of a Commission to represent the State of Delaware, at the New York World's Fair and appropriating funds for same to be used for the expenses of the General Assembly and Governor to visit same.

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

Mr. Brown on motion for leave introduced House Bill No. 307, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, entitled "Alcoholic Liquor, Wines, and Beer," relating to special Licenses for the sale of Alcoholic Liquor between the hours of twelve o'clock midnight and two o'clock A. M.

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

Mr. Brown on motion for leave introduced House Bill No. 308, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, entitled "Alcoholic Liquor, Wines and Beer," making it unlawful to sell during certain hours ; on certain days ; and in certain places.

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

Mr. Rambo on motion for leave introduced House Bill No. 309, entitled :

An Act to amend Chapter 175 of the Revised Code of Delaware, 1935, relating to the Delaware Workmen's Compensation Law of 1917, as amended, by providing for the application thereof to officers and employees of "The Town of Clayton."

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

Mr. Thawley on motion for leave introduced House Bill No. 310, entitled :

An Act to amend an Act entitled "an Act to reincorporate the Town of Laurel," being Chapter 164, Volume 29, Laws of Delaware, by authorizing the Mayor and Council of Laurel to raise by taxation a sum not in excess of twenty-two thousand dollars for general expenses and the Fire Department.

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

The Chair declared that the House recess until 1:30 o'clock P. M.

Motion prevailed.

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

House met at expiration of recess.

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

An Act providing for stenographic services for the Court of Chancery.

Reported the same back to the House favorably.

ELMER E. BENSON, *Chairman*  
HENRY M. CANBY  
RICHARD E. PINDER  
GEORGE MANLOVE  
FRANK R. ZEBLEY

Mr. Benson, on behalf of the Committee on Appropriations to whom had been referred House Bill No. 274, entitled:

An Act authorizing the publication of the unpublished decisions of Josiah O. Wolcott, late Chancellor of the State of Delaware.

Reported the same back to the House favorably.

ELMER E. BENSON, *Chairman*  
HENRY M. CANBY  
RICHARD E. PINDER  
GEORGE MANLOVE  
FRANK R. ZEBLEY

Mr. Benson, on behalf of the Committee on Appropriations to whom had been referred House Bill No. 295, entitled:

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

Reported the same back to the House favorably.

ELMER E. BENSON, *Chairman*  
HENRY M. CANBY  
RICHARD E. PINDER  
GEORGE MANLOVE  
FRANK R. ZEBLEY

Mr. Benson, on behalf of the Committee on Appropriations to whom had been referred House Bill No. 297, entitled:

An Act to amend Article 8, Chapter 6 of the Revised Code of Delaware, 1935, authorizing and directing the State Treasurer to pay out of

the School Fund of the State of Delaware any appropriation that may hereafter be made to the University of Delaware, State College for Colored Students, State Board of Vocational Education, for the operation and maintenance of the State Tax Department, etc.

Reported the same back to the House favorably.

ELMER E. BENSON, *Chairman*  
HENRY M. CANBY  
RICHARD E. PINDER  
GEORGE MANLOVE  
FRANK R. ZEBLEY

Mr. Benson, on behalf of the Committee on Appropriations to whom had been referred House Bill No. 296, entitled:

An Act authorizing and directing the State Treasurer to pay out of the State Highway Fund upon warrants signed by the Motor Vehicle Commissioner such sum or sums as shall be necessary to defray the expenses of the annual Motor Vehicle Inspection Campaign not to exceed in the aggregate the sum of Ten Thousand Dollars (\$10,000.00) per year.

Reported the same back to the House favorably.

ELMER E. BENSON, *Chairman*  
HENRY M. CANBY  
RICHARD E. PINDER  
GEORGE MANLOVE  
FRANK R. ZEBLEY

Mr. Benson, on behalf of the Committee on Appropriations to whom had been referred House Bill No. 238, entitled:

An Act to amend An Act entitled "An Act to amend Chapter 6 of the Revised Code of the State of Delaware of 1935 relating to Income Tax," being Chapter 11, Volume 41, Laws of Delaware.

Reported the same back to the House favorably.

ELMER E. BENSON, *Chairman*  
 HENRY M. CANBY  
 RICHARD E. PINDER  
 GEORGE MANLOVE  
 FRANK R. ZEBLEY

Mr. Benson, on behalf of the Committee on Appropriations to whom had been referred House Bill No. 241, entitled:

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

Reported the same back to the House favorably.

ELMER E. BENSON, *Chairman*  
 HENRY M. CANBY  
 RICHARD E. PINDER  
 GEORGE MANLOVE  
 FRANK R. ZEBLEY

Mr. Rhodes, on behalf of the Committee on Public Health to whom had been referred House Bill No. 143, entitled:

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

Reported the same back to the House favorably.

GEORGE W. RHODES, *Chairman*  
 JOSEPH S. NEWNAM  
 C. FRED FIFER  
 FRED BROWN  
 MANFORD PENUEL

Mr. Leach on motion for leave introduced House Bill No. 311, entitled:

An Act to amend Chapter 165 of the Revised Code of Delaware, 1935, entitled "Motor Vehicles" by requiring use of Lower Beam on Multi Beam Headlights.

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

Mr. Zebley on motion for leave introduced House Bill No. 312,

entitled :

An Act to create a Commission to regulate the construction and maintenance of Billboards along the Public Highways of the State.

Which was given first reading by title only. Unassigned (skeleton).

Mr. Zebley on motion for leave introduced House Bill No. 313, entitled :

An Act appropriating certain money to the Delaware Society for the Preservation of Antiquities for the Restoration and Preservation of the Old State House at New Castle.

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

Mr. Zebley on motion for leave introduced House Bill No. 314, entitled :

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

Which was given first reading by title only. Unassigned (skeleton).

Mr. Canby on motion for leave introduced House Bill No. 315, entitled :

An Act to amend Chapter 30 of the Revised Code of Delaware, 1935, regulating the practice of Dentistry, Dental Surgery and Oral Hygiene in the State of Delaware.

Which was given first reading by title only. Unassigned (skeleton).

Mr. Canby on motion for leave introduced House Bill No. 316, entitled :

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

Which was given first and second reading. The second by title

only, and referred to the Committee on Judiciary and Crime.

Mr. Canby on motion for leave introduced House Bill No. 317, entitled:

An Act to amend Chapter 98, 3827, Sec. 29 of the Revised Code of Delaware, 1935, relating to Appeals to the Superior Court from the Register of Wills.

Which was given first reading by title only. Unassigned (skeleton).

Mr. Brown on motion for leave introduced House Bill No. 318, entitled:

An Act to amend Chapter 74 of the Revised Code of Delaware, 1935, in reference to Licenses required by residents to conduct fishing parties.

Which was given first reading by title only. Unassigned (skeleton).

Mr. Brown on motion for leave introduced House Bill No. 319, entitled:

An Act to amend Chapter 6 of the Revised Code of Delaware, 1935, in reference to non-resident dealers in Baby Chicks, Unlawful to conduct business without License; License Fee; Penalty for Violation.

Which was given first reading by title only. Unassigned (skeleton).

Mr. Brown on motion for leave introduced House Bill No. 320, entitled:

An Act to amend Chapter 176 of the Revised Code of Delaware, 1935, in reference to offenses and penalties.

Which was given first reading by title only. Unassigned (skeleton).

Mr. Brown on motion for leave introduced House Bill No. 321, entitled:

An Act to amend Chapter 56 of the Revised Code of Delaware, 1935, in reference to the Registration of qualified Voters who are unable to apply in person for Registration, due to illness, injuries, infirmities or



debility.

Which was given first reading by title only. Unassigned (skeleton).

Mr. McGuigan on motion for leave introduced House Bill No. 322, entitled:

An Act defining teachers in the Public Schools of the City of Wilmington and providing for their continuous employment; the making and cancelling of Contracts of employment; causes for removal and appeal.

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

Mr. McGuigan on motion for leave introduced House Bill No. 323, entitled:

An Act to amend Chapter 92, Volume 23 Laws of Delaware entitled, "An Act to provide in the organization and control of the Public Schools of the City of Wilmington," as amended by Chapter 163, Volume 32 Laws of Delaware and further amended by Chapter 202, Volume 37 Laws of Delaware.

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

Mr. McGuigan on motion for leave introduced House Bill No. 324, entitled:

An Act to amend Chapter 259 of Volume 41, Laws of Delaware entitled "an Act to create a State Park Commission; powers; duties; penalty for violations hereof," approved May 11, 1937.

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

Mr. McGuigan on motion for leave introduced House Bill No. 325, entitled:

An Act proposing an Amendment to Article IV of the Constitution of the State of Delaware, relating to the Appointment, Compensation and Qualifications of Justices of the Peace.